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Village of New Paltz Zoning Board of Appeals  
Regular Meeting of Tuesday, April 10, 2018  
Village Hall – 7:00 PM  
**APPROVED MINUTES**

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Present: Rob Egan, Chair  
Victoria Danskin, Alternate  
Terrence Dungan

Absent: Kaitlin Gallucci  
Anthony Saracino

Also Present: Alana Sawchuk, Planning and Zoning Secretary  
Ashley Torre, Zoning Board of Appeals Attorney

***Welcome and Administrative Business***

7:03-7:04

- *Approval of Minutes from 3/13/2018*
  - To be voted on next month due to absent Zoning Board members.

***Ongoing Applications***

***1. Area Variance***

ZB18-02: 48 North Chestnut/212-13E(4)

Applicant: Roger Spool

Zoning District: B-1

SBL: 86.34-3-24

***2. Area Variance***

ZB18-03: 48 North Chestnut/212-17C.

Applicant: Roger Spool

Zoning District: B-1

SBL: 86.34-3-24

These applications, ZB18-02, 48 North Chestnut/212-13E(4) and ZB18-03, 48 North Chestnut/212-17C., Spool, will be considered at the May 8, 2018 Zoning Board Meeting due to absent Board members.

### *3. Area Variance*

ZB18-04: 6 Grove Street

Applicant: Tom Olsen

Zoning District: R-2

SBL: 86.34-10-13

7:04-7:44

Tom Olsen approaches the Board and summarizes his plans for removing his existing nonconforming garage and constructing a new garage on the other side of the property that will allow him to increase his personal use of the structure; be architecturally in sync with his own property and surrounding properties; and remove the encroachment of the garage onto his neighbor's property and relocate it 4 ft. off the rear lot line and 2 ft. off the side lot line.

Mr. Dungan expresses concern with the ceiling height of the second floor of the garage. If the ceilings are too high, there is a possibility for conversion to an apartment should Mr. Olsen no longer own the property. Chair Egan agrees.

Attorney Torre noted that the height of the structure is relevant to the size of the variance, as one of the variances needed is from the provision that the structure cannot be located closer to the side and rear lot lines than the greater of 12 ft. or a distance equal to its height. Ms. Torre reminded the Board of their duty to grant the minimum variance necessary to achieve the benefit and also protect the character of the neighborhood. Ms. Torre noted that variances are also needed from the side and rear yard setbacks contained in the District Regulations.

The Board discusses current density of apartment usage on Grove Street. Mr. Olsen provides a brief summary of surrounding properties, largely consisting of single-family homes and some "boarding houses," or non-related individuals living in a single house. The applicant asks whether a restriction that he does not request a plumbing permit would be enough to discourage potential future occupants from converting the garage into an apartment.

Ashley Torre, Zoning Board of Appeals Attorney, confirms that the Zoning Board has the authority to place reasonable conditions on variances to minimize adverse impacts such as placing restrictions upon this particular structure to allow its use as a garage only. Ms. Torre notes that the current garage is a preexisting nonconforming structure and goes on to remind the Board to consider the reduction in nonconformity proposed by the application, as the Board has a right to eliminate or reduce non-conformities when they can.

Mr. Dungan addresses the lack of square footage on the property, and notes that an additional use would require a substantial variance. The Board seeks to grant the least amount of variance possible that allows the applicant to achieve the benefit that they desire and protects neighborhood character. The Board suggests a possible lowering of the roof-height and asks the applicant to explore a possible height reduction to reduce the size of the variance.

The Board asks that the applicant provide a more detailed plot plan at the next meeting and that Mr. Olsen speak with the Planning Board about alternatives.

At the next Zoning Board meeting, Ms. Torre will have explored a possible condition to restrict the use of the structure to "accessory garage," and whether it would be appropriate to restrict plumbing.

In addition, ZB18-04, 6 Grove Street, is a Type II action under SEQRA; exempt from referral to the Ulster County Planning Board; will require a Public Hearing, and must be referred to the Planning Board at least 30 days prior to the public hearing. The specific variances needed are from the rear and side yard setbacks contained in the R-2 District Regulations (Village Code § 212-13) and for the placement of the detached accessory structure (Village Code §212-20(A)(3)). Since the application stated that it might also require a lot coverage variance, the applicant was asked to submit a table with existing and proposed lot coverage.

The Board and applicant briefly discuss the matter of electrical access to the garage. Mr. Olsen has met with Centruel Hudson and they have approved the feasibility of an underground connection between the house and garage.

Mr. Egan moves to set a Public Hearing for ZB18-04, 6 Grove Street, Olsen, on June 12, 2018 at 7:00 PM. Ms. Danskin seconds. 3 ayes. Motion carried.

#### *4. Area Variance*

ZB18-05: 195 Huguenot Street

Applicant: Julie Hyland

Zoning District: H

SBL: 78.82-1-22.100

7:49-8:36

Mr. and Mrs. Hyland approach the Board and summarize their project. The Hylands plan to use an existing barn on site in order to create a 500 square foot apartment for Mrs. Hyland's mother's use.

The Board discusses the density requirement in the historic district.

Ms. Torre remarks that this application will need to be referred to the Ulster County Planning Board because it is located within 500 feet of the town boundary. This project is a Type II action under SEQRA and will need to be referred to the Village Planning Board at least 30 days prior to the public hearing. Additionally, the application will need to be amended before being sent to the County to specify the particular variances being requested, namely from § 212-17(c) for the second principal building and from § 212-13(D)(4)(a) for the minimum lot size.

The Board requests a more detailed site and floor plan as noted in Planner Gilmour's memo.

Chair Egan recommends that the applicant talk to the Planning Board concerning any possible alternatives to this particular conversion. He specifically suggests a possible connecting structure between the barn and the home as a means of avoiding needing a variance altogether.

The Board discusses next steps in the process with the applicant, namely submitting a new application in order to specify each corresponding variance being requested.

Chair Egan plans to set a Public Hearing and refer the application to the County at the May 8, 2018 meeting for June 12, 2018.

#### ***Adjournment***

Ms. Danskin moves to adjourn the April 10, 2018 Zoning Board meeting. Robert Egan seconds. The meeting adjourns at 8:37 PM.

Respectively submitted by,

Alana Sawchuk  
Planning and Zoning Secretary