

PLANNING DEPARTMENT
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**TOWN OF PATTERSON
PLANNING & ZONING OFFICE**

ZONING BOARD OF APPEALS

Lars Olenius, Chairman
Mary Bodor, Vice Chair
Marianne Burdick
Michael Carinha
Stephanie Fox

PLANNING BOARD

Thomas E. McNulty, Vice Chairman
Ron Taylor, Vice Chair
Michael Montesano
Edward J. Brady, Jr.
Robert F. Ladau

**Zoning Board of Appeals
February 17, 2016 Meeting Minutes**
Held at the Patterson Town Hall
1142 Route 311
Patterson, NY 12563

Present were: Chairman Olenius, Board Member Marianne Burdick, Board Member Michael Carinha, Board Member Stephanie Fox, and Nancy Tagliafierro, Town Attorney.

Chairman Olenius called the meeting to order at 7:03 p.m.

There were approximately 5 members of the audience.

Sarah Mayes was the secretary for this meeting and transcribed the following minutes.

Chairman Olenius led the salute to the flag.

Roll Call:

Board Member Bodor	-	<i>Absent</i>
Board Member Burdick	-	Here
Board Member Carinha	-	Here
Board Member Fox	-	Here
Chairman Olenius	-	Here

**1. Erica & John Barretto - Case #01-16 – Special Use Permit for an Accessory Apartment
85 Deacon Smith Hill Road
Tax Map No. 23.10-1-7**

Mr. and Mrs. John and Erica Barretto were both present to represent the application.

Mr. John Barretto stated that there have been no changes to the layout of the accessory apartment besides the knocking down of a half wall.

There was no audience input.

- Chairman Olenius made a motion to close the public hearing; Board Member Burdick seconded the motion. *Motion was carried by a vote of 4 to 0.*

- Chairman Olenius made a motion to approve the resolution for a Special Use Permit for an Accessory Apartment; Board Member Burdick seconded the motion. *Motion was carried by a vote of 4 to 0.*

2. Luis Illescas – Case #02-16 – Area Variances
629 East Brach Road
Tax Map No. 35.-5-25

Mr. Curt Johnson, Zarecki & Associates, was present to represent the application.

Mr. Curt Johnson gave a presentation showing proposed and existing additions to the principal dwelling.

Chairman Olenius requested a copy of the Assessor's cards.

Zoning Board received a letter from the neighbor opposing the additions. Chairman Olenius requested the letter be read entered into the record.

February 12, 2016

Dear Members of the Board of Appeals,

I am unable to attend the public hearing on February 17, but would like my opinion to be considered. Regarding the requests of Luis Illescas, I have no opposition to Mr. Illescas replacing his 15' x 20' porch with a 4' x 8' porch. Making the porch smaller is a step in the right direction for getting his home to comply with zoning ordinances. I do, however, strongly object to the variance for enlarging a nonconforming structure. He wants to reduce the amount of the setback from the required 40'; to only 15', which is too much of a decrease of the current zoning laws. One of the reasons I bought my home was because there was a rural quality to it. The zoning laws help to maintain that quality. Allowing Mr. Illescas to have a building, which was built as a nonconforming structure to start with, with only a 15' setback erodes the quality I moved here for. Please do not approve his request, and enforce the 40' minimum setback requirement. Thank you.

Sincerely,
Diane A. Granville

There was no other audience input.

Application was held over pending a site walk.

3. Robert Appell – Case #03-16 – Area Variances
641 North Birch Hill Road
Tax Map No. 5.-1-27

Mr. Robert Appell and Mr. Alfredo Dipietro were both present to represent the application.

Applicants presented a photo album and slide show presentation of the property.

The Applicant and the Board both acknowledged that the odd lot shape necessitated the need for the variances.

There was no audience input.

- Chairman Olenius made a motion to close the public hearing; Board Member Burdick seconded the motion. *Motion was carried by a vote of 4 to 0.*
- Chairman Olenius made a motion to approve the resolution which grants a side yard setback of 23'; Variance of 17'. Board Member Burdick seconded the motion. *Resolution was granted by a vote of 4 to 0.*
- Chairman Olenius made a motion to approve the resolution which grants a side yard setback of 25'; Variance of 15'. Board Member Burdick seconded the motion. *Resolution was granted by a vote of 4 to 0.*
- Chairman Olenius made a motion to approve the resolution which grants road frontage of 120'; Variance of 105'. Board Member Burdick seconded the motion. *Resolution was granted by a vote of 4 to 0.*

4. Other Business

a) Minutes

- Chairman Olenius made a motion to accept the December 15, 2015 minutes; Board Member Burdick seconded the motion. *Motion was carried by a vote of 4 to 0.*

b) Site Walk

A site walk was scheduled for Mr. Luis Illescas, Case #02-16, 629 East Branch Road for on March 7, 2016 at 4:15 p.m. with a rain date of March 9, 2016 at 4:15 p.m.

- Chairman Olenius made a motion to adjourn the meeting; Board Member Fox seconded the motion. *Motion was carried by a vote of 4 to 0.*

Meeting was adjourned at 7:53 p.m.