

ZONING BOARD OF APPEALS  
TOWN OF STUYVESANT  
STUYVESANT, NEW YORK 12173

MINUTES OF NOVEMBER 19, 2013

\*Approved at the 12/17/13 meeting\*

MEMBERS PRESENT:

Patricia Casey, Chairman  
Amy Abbati  
Jeff Jensen  
Margaret Pino  
Steven Taylor  
Steve Montie, alternate

MEMBERS ABSENT:

Paul Harpis  
Christian Sweningsen

OTHERS PRESENT:

Timothy Sullivan

Chairman Casey called the meeting to order at 7:00 pm, with the Pledge of Allegiance to the Flag.

A motion was made by Margaret Pino and seconded by Amy Abbati to approve the minutes of the October 22, 2013 meeting with corrections. All members voted in favor.

Area variance application: by Timothy Sullivan and Patrick Harris, 396 Schoolhouse Road, Stuyvesant, NY. Property tax map number 31.-1-14 for an accessory apartment on the property. There is an existing 1,200 square foot structure (carriage barn) with 18<sup>th</sup> Century Dutch timbers on the property, that Mr. Sullivan and Mr. Harris would like to preserve and convert to a guesthouse. The guest house would be used for their own purpose of one floor living in their later years. This would not be rented out or used for business purposes. The current zoning allows for the accessory apartment to be 800 square feet. (Refer to Section 7-Supplemental Regulations on page 23 and Section 2-Definitions of Accessory Apartment on page 7 of the Town of Stuyvesant Zoning Ordinance). Mr. Sullivan has had a contractor from Gaylord Contracting come out to view the plan. He will get Board of Health approval and put in a new well and septic. The building will shift about 10 (ten) feet due to the structure being too close to the driveway for snowplowing and emergency purposes. Steve Taylor noted the zoning ordinance was written quite some time ago and it says 800 square feet for an accessory apartment. He asked what the thinking may have been to come up with that size. Chairman Casey felt it was done so it would be too small to be rented out or for commercial use. Steve Taylor questioned if this change would set precedence for other homeowners, for them to look for a variance to go even bigger than 1,200 square feet... 1,500; 1,800; or maybe 2,000. Chairman Casey and Margaret Pino noted that this would need to be based on the merit of the variance, on a case by case basis. The merits of this case are the building is of historic value, the property is on the historic registry, the building itself

is 1,200 square feet. The homeowner does not want to destroy the building to conform it to the 800 square feet and this is why they are applying for the variance. Essentially this is not new construction, but renovation. Upon no further questions of concerns by the Zoning Board or Mr. Sullivan, Chairman Casey asked for a motion to set a date for a public hearing. Steve Montie made a motion, seconded by Jeff Jensen to set a public hearing for the area variance for Tuesday, December 17<sup>th</sup>, 2013, a week early due to the Christmas Holiday. The time has been changed to 7:30pm for the next meeting, so that we will have a quorum of the Board. All members voted in favor.

Mr. Sullivan was advised of what he needs to do prior to the public hearing, as to notifying his neighbors of the Public Hearing.

The next meeting is scheduled for December 17, 2013 at 7:30pm. A motion to adjourn the meeting was made by Steve Taylor and seconded by Margaret Pino. All members voted in favor.

Respectfully submitted,

Yvonne Main  
Secretary to the Board