

TOWN OF HYDE PARK

Zoning Board of Appeals

4383 Albany Post Road
Hyde Park, New York 12538

Minutes Special Meeting June 12, 2017

Present: John Bickford
Herbert Sweet
Michael Whitman
Brendan Lawler

Absent: Stanley Frangk, Vice Chair

Others Present: Linda Weiner, ZBA Secretary

John Bickford welcomed everyone to the June 12, 2017 Special Meeting of the Zoning Board of Appeals at 4:30 PM

Continued Public Hearing:

17-07Z Kathleen Hinz-Shaffer
7 Maple Lane
Hyde Park, NY 12538
Variance – Section 108-5.15 changing a rear yard setback from 50 ft. to 46.5 ft.; and
Section 108-5.15 changing a side yard from 25 ft. to 4ft. at the closest point to allow placement of a new accessory structure in the Waterfront District.

The secretary verified publication of the special meeting.

Motion was made by Herbert Sweet, seconded by Michael Whitman to open the continued public hearing.
VOICE VOTE – ALL IN FAVOR

(4) AYE (1) ABSENT (0) NAY – MOTION CARRIED

Ms. Hinz-Shaffer read a letter she composed regarding her application and requested that it be submitted to the Board.

Mr. Jailil, 11 Maple Lane, said he and his wife didn't see a problem. Looking at the plans, it doesn't obstruct their view. They think it looks quite nice.

Kely Anko-Bil, 6 Maple Lane, which is across the street from 7 Maple Lane, said he saw the design and it looked like it was going to blend in with the scenery in the backyard. He didn't see any issue.

Ian McGregor, 5 Maple Lane, said from their vantage point, he and his wife have no opposition to it.

Louise DeCaro, 9 Maple Lane, said her intent is not to take away from anyone's livelihood, and she respects her neighbors' opinions. It's a very big structure that's going to be used as a business. She questioned if businesses are allowed in backyards in the town of Hyde Park.

Mr. Bickford stated that the Zoning Board is not convened to make a decision regarding business use in this application. The issue is the structure. The code does allow accessory structures and businesses.

Herb Sweet asked Ms. Hinz-Shaffer if she was still working out of other locations. She answered she was not.

Ms. DeCaro questioned the setback. She is concerned about the resale value of her house, and her view of topography. She would not object if the shed was set back further. Mr. Bickford verified the location Ms. DeCaro was referring to.

Sylvia Laddaran, questioned the measurements and how they are taken for the setbacks.

Michael Whitman verified the conversation with Ms. DeCaro that was had during the site visit regarding the placement of the shed. He remembers that it was acceptable with Ms. DeCaro. She agreed.

Ms. Hinz-Shaffer said she didn't know what was possible regarding placement until she talked to her excavator.

Ms. Hinz-Shaffer will revise the measurements on the variance with the Zoning secretary.

Ms. Laddaran asked why there is a need for such a large building or structure. She feels there is a need for compromise removing some things and eventually it will all fit.

Mr. Bickford stated they would like a happy ending for everybody.

Michael Whitman said he understands the neighbors' point that they would want to see it back further, even if it would be more costly financially. It would make everyone happy all around.

Ms. Hinz-Shaffer said if she didn't have to pay rent any longer she'd be happy. She will do whatever it costs.

Herbert Sweet said the Board's purpose is to grant the minimum variance required. If the applicant could move in that direction it would make this criteria more of a positive rather than a negative.

Brendan Lawler said he's concerned about the view for the neighbors. Moving the structure back from the property would satisfy more.

John Bickford shares the Boards opinions.

The application will be readvertised with the revised measurements.

Motion to adjourn was made by Brendan Lawler, seconded by Michael Whitman at 8:40 P.M.
VOICE VOTE – MOTION CARRIED

(4) AYE (1) ABSENT (0) NAY – MOTION CARRIED

Respectfully Submitted,

Linda Weiner
Secretary