# Town of Catskill Zoning Board of Appeals

**Monthly Meeting**

November 16, 2022 6:00PM

439 Main St. Catskill

**Present:**, Chairman- Gary Harvey , Vice Chairman-Ben Decker**,** Lee Heim., Marybeth Lange .

Albert Gasparini (alternate member),. Margie Garafalo, Patricia Case-Keel- Zoning Board Secretary.

**Attendance:** All Present

**Also Present**:: Andrew Lessig ( Town Attorney ) .

**Roll Call Vote:**

***Chairman- Gary Harvey Present***

***Ben Decker Present***

***Mary Beth Lange Present***

***Margie Garafalo Present***

***Lee Heim Present***

***Albert Gasparini Present***

*Ms. Garafalo made motion to approve the meeting minutes of October 26, 2022 as amended seconded by Ms. Lange.*

Ayes,5 Nays, 0 absent 0, Motion Carried.

**OPENING OF PUBLIC HEARING 6:05 pm**

**Area Variance V-5-2022 Jaclyn Sirianni 70 Pennsylvania Avenue**

Chairman Gary Harvey opened the Public Hearing for Area Variance V-5-2022 Jaclyn Sirianni 70 Pennsylvania Avenue , Palenville. The Notice of Public Hearing was published in the Daily Mail on November 10, 2022 and November 11 2022.

 **NOTICE OF PUBLIC HEARING**

The Town of Catskill Zoning Board of Appeals will hold a Public Hearing

pursuant to Article 160-10 of the Town of Catskill Zoning Laws to allow

Placement of a pool on lands owned by Jaclyn Sirianni located at 70 Pennsylvania Ave, Palenville. Application Area Variance V-5-2022 Tax Map # 185.00-1-16 The Public Hearing will be held on the 16th day of November 2022 At 6:05 PM, at the Town Hall located at 439-441 Main Street, Catskill, NY.to allow public comment on the application .The above application is open for inspection at the Office of the Zoning Board of Appeals located at 439 Main Street, Catskill, New York between the hours of 10:00 a.m. and 2:00 p.m., or by appointment. The public is also welcomed to attend the Public Hearing through digital Zoom platform . Detailed information for the Zoom platform will be posted on the Zoning Board meeting agenda on the Town website By order of Gary Harvey Chairman, Zoning Board of Appeals, Town of Catskill

Jaclyn Sirianni attended tonight’s meeting through the Zoom- media. Ms. Sirianni gave a brief description of her request for an area variance .The applicant is requesting a 30’ rear variance for the placement of a pool 18’ x 36’ in a foot print of an existing pool 18’x 33’.

The applicant submitted the cards for the certified mail.

The Board had conducted a site visit.

Mr. Harvey asked 3 times if there were any questions or comments regarding V-5-2022.

There were no questions or comments.

Mr. Heim made a motion to close the Public Hearing for V-5-2022, seconded by Ms. Lange

Ayes,5 Nays, 0 absent 0, Motion Carried.

**Public Hearing Closed at 6:09 PM**

**OLD BUSINESS:**

**Area Variance V-5-2022 Jaclyn Sirianni 70 Pennsylvania Avenue**

The Board reviewed the Findings and Decisions.

Ms. Garafalo made a motion to approve the application for V-5-2022, seconded

by Mr. Decker.

Ayes,5 Nays, 0 absent 0, Motion Carried.

**NEW BUSINESS:**

**Sketch Conference Interpretation Reid Mower.**

Reid Mower has requested an interpretation regarding the possible uses in the RA Zone .The applicant was not in attendance at tonight meeting.

Mr. Lessig stated the applicant had contacted the CEO requesting basic guidance on a couple of uses in the RA Zone similar to the use he was just recently denied by the Zoning Board . The Code Enforcement Officer responded to the applicant request with general response regarding some of the uses, but could not render any determination because the applicants request was not specific enough. The applicant then submitted a request form an Interpretation from the Zoning Board .State Law 167 (B) grants the Zoning Board the ability to modify , interpret , reverse or change any officer form whom an appeal was taken. He would advise in this case, the Code Enforcement Officer did not make a decision, so therefore the Zoning Board cannot make an Interpretation.

 Mr. Harvey made a motion to pass a resolution declining to entertain this request for an Interpretation because the application is not appropriately before the Zoning Board and under Town Law 267 (B) the Zoning Board does not have the power to render a determination, seconded by Mr. Decker

Ayes,5 Nays, 0 absent 0, Motion Carried.

**OTHER BUSINESS:**

Ms. Lange made a motion to reschedule the Zoning Board’s December 28, 2022 meeting for December 14, 2022 at 6:00 PM, seconded by Ms. Garafalo

Ayes,5 Nays, 0 absent 0, Motion Carried.

 Mrs. Garafalo made a motion to adjourn, seconded by Mr. Heim

**Meeting Adjourned at 6:30 PM**

***Sincerely***

***Patricia Case –Keel***

***Zoning Board Secretary***

***Approved as Amended 1/25/2023***

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