



Town of Marbletown
Zoning Board of Appeals
Rondout Municipal Center, Room M-1
1915-1925 Lucas Avenue
Cottkill, New York 12419

Zoning Board of Appeals Meeting – Via Zoom 12/26/20

Call to Order – Chairman Tom Smiley

6:00 P.M.

Pledge of Allegiance

Quorum:

Voting Members Present

Tom Smiley
Andrew Nilsen
Kathy Grambling
Zach Bowman

Absent

Egidio Tinti

Town Staff Present

Shaye Davis

Point of Business: None

1.) Monaco Area Variance – Horse on < 2.0 acre: Application and Public Hearing Continued

Discussion:

- Request for area variance of 0.4 acre to allow for Horse
- Zach completed a site visit. Horse seemed a good fit for the location. No smell of manure, not wanting for space or food.
- Spoke to Mr. VanWagenen and he advised the horse does use his back yard for grazing at times, but the horse mainly has a diet of hay. No letters of dissent, no letters of complaint.

Call for Public Comment & Questions:

- Pam: I believe that people were not notified; did not receive letter. I did previously state that I agreed with allowing the variance. I believe the 2-acre requirement is from the need for setbacks on fencing, manure pile, and distances from neighboring houses. How can someone be granted a variance and a build a house on a “pre-existing non-conforming lot”? I think the zoning or change of zoning for use on a lot needs to be looked at. The procedure in the town is faulty. I want the zoning to be followed. This is A4 zoning and it should be followed. I vote for granting the variance, but I want it to be noted that there is a failure in the procedures, and I request to pull my zoning complaint and give it to Mr. Smiley.



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- Tom: Clarification of matter before the board. Building Permit process explained. Zoning Challenge process explained. The matter before the Board is related to “Jim The Horse”. Most variances are because of self-created hardship.
- Shaye: Letters were sent to all parcels within 500 feet of the variance application location. Building Permits are handled by the Building Department. There is a process that is utilized to approve the construction for a home on a vacant parcel.
- Elaine: I did not receive a letter. I did receive the email sent by Shaye for this meeting tonight.
- Ashley’s iPad: No comment currently

Additional call to the Public for comment or questions: None

Additional call to the Board for comment or questions: None

Motion to close the Public Hearing by Andrew N., Second by Kathy G., Call of the Roll with unanimous Aye.

Determination:

- Draft Determination review by the board.
- Conditions to note that if code requirements for having the horse, area required aside, are not continually met, the variance may be revoked. Specifically, the odor or matters relating to the manure pile.

Motion to approve the application and area variance by Zach B., Second by Andy N., Call of the Roll with unanimous Aye.

Call for any additional Business:

- Shaye: I will be leaving as of the new year; received another job offer that I have accepted. Shawn Marks from the Building Department is going to be stepping in during the day to handle business.

Motion for Meetings to be held on the fourth Wednesday of each month, except for November and December being on the third Wednesday, by Kathy G., Second by Zach B., Call of the Roll with unanimous Aye.

Motion to adjourn by Andrew N., Second by Kathy G., Call of the Roll with unanimous Aye.

6:47 P.M.



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Transcribed and Submitted.

February 27th, 2021

Shawn Marks

Planning/Zoning