



**Town of Marbletown
Zoning Board of Appeals
PO Box 217, Stone Ridge, NY 12484
(845) 687-7500 Ext. 171
Email: planning@marbletown.net**

March 10th, 2021

Meeting Called to Order – Chairman Tom Smiley

6:02 P.M.

Pledge of Allegiance

Voting Members Present

Absent

Town Staff

Andrew Nilsen
Tom Smiley
Kathie Grambling
Zach Bowman
Brendon Masterson (Alternate Voting)

Egidio Tinti

Shawn Marks
Daisey Foote

Announcements & Communications

- Reminder to Call the Roll when Voting due to Open Meeting Law - COVID

Old Business

1.) 2021-02 AV – Area Variance – Public Hearing

Anmarie Steenburgh

15 Upper Spongia Road, Stone Ridge, NY, 12484

SBL: 61.4-1-2

Requesting side yard setback variance of 6-feet for a Un-Permitted/Non-Compliant carport; parcel is existing undersized.

Motion to open the Public Hearing by Kathie G., Second by Zach B, Call of the Roll: Kathie G. -Aye, Zach B. – Aye, Brendon M. – Aye, Tom S. – Aye, Andy N. - Aye. (5/0)

Project Leader: Andrew N.

Discussion:

- Un-Permitted/Non-Compliant metal carport constructed in 2010 without permit; no foundation, staked.
- 18' x 21'; 2-feet from side property line; 8-foot setback is required, 6-foot variance request
- Pre-existing workshop 17 feet away; meeting 8-foot undersized parcel setback requirement
- Neighbors offer letter of support for variance
- Site Visit findings discussed; undersized lot, half of the lot usable, other half incline
- Previous owner deceased; estate being handled by daughter. Actively clearing violations for sale of the property.
- Current location of the carport is most practical; relocation will have impact on ability to use carport.



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Board Call for Comments or Questions:

- Next door neighbors Gruber provided email in support of variance
- Gruber property is adjacent to the south; 58 feet to house
- Moving carport would make the property less attractive, and unable to utilize

Public Call for Comments or Questions:

- Maxine and Mark Gruber: Neighbors on adjacent property to the southern property line against which the carport is located. Provided written support for the variance as well as verbalized their support.
- Jeff & Jenn Broesche - 19 Deer Lane: Drive past the carport daily; No objection to the variance

Additional Call for Comments or Questions: None

Motion to close the Public Hearing by Andy N., Second by Zach B., Call of The Roll: Kathie G. -Aye, Zach B. – Aye, Brendon M. – Aye, Tom S. – Aye, Andy N. - Aye. (5/0)

Board review of the Determination:

- Confirmed verbiage to be utilized; “Un-Permitted/Non-Compliant”
- Confirmed southern property line
- Confirmed distances to neighbors houses
- Confirmed variance is more reasonable solution to allow the benefit of the carport
- Despite the very substantial variance, there are mitigating factors as noted in determination
- Noted that the neighbors who are most heavily impacted are in favor of the variance
- Hardship created by previous owner who built the carport without Building or Zoning permit
- At this juncture, moving the carport would create a negative impact

Board review of Conditions:

- Variance shall only apply to this carport or a structure similar in size, construction, and use in the event of replacement.
- Will not apply to a 4-sided Garage or similar structure.

Board Acceptance and Approval of Area Variance Application 2021-02 AV - Steenburgh

Motion to Accept the Final Determination with Conditions as drafted for and providing approval to Area Variance Application 2021-02 (Steenburgh) made by Kathie G., Second by Zach B., Call of the Roll: Kathy G. -Aye, Zach B. – Aye, Brendon M.– Aye, Tom S. – Aye, Andy N. - Aye. (5/0)

New Business

- None



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Additional Business

1.) Review of previous determinations prior to signature

- Monaco: Confirmed accuracy of contents
- Erteman: Confirmed accuracy of contents

Approval of Previous Minutes

Motion to Approve and Accept the February 24th Meeting Minutes as drafted by Kathie G., Second by Zach B., Call of the Roll with Unanimous Aye. (4-0)

Motion to end this meeting by Zach B., Second by Kathie G., Call of The Roll with Unanimous Aye. (4-0)

Adjournment

7:52 P.M.

Recorded and Submitted.

Shawn Marks
Planning & Zoning
Town of Marbletown

Approved March 24th, 2021