



Historic Town of Hyde Park
Zoning Board of Appeals
4383 Albany Post Road
Hyde Park, NY 12538
(845) 229-5111, Ext. 2

"Working with you for a better Hyde Park"

DRAFT MINUTES of
PUBLIC HEARING/REGULAR MEETING
OF THE HYDE PARK ZONING BOARD OF APPEALS

Held on March 22, 2023 6:00 PM

Meeting held at Hyde Park Town Hall, 4383 Albany Post Road, Hyde Park, NY

ZBA Board Members in Attendance:

Present Chairman David McNary
Present Vice Chair Gerald Bowen
Present James Agrawal
Present Paul Donnelly
Present Richard Perkins

Others Present:

Sarah Ryan Attorney to the Zoning Board of Appeals
Kathleen Moss Zoning Administrator
Kathleen Hoppe ZBA Secretary

PLEDGE OF ALLEGIANCE

Chairman David McNary opened the meeting and led the Pledge of Allegiance.

NEW PUBLIC HEARING:

CHEVEZ

Location: 32 East Market Street, Hyde Park
Grid #: 6065-04-914274

Owner & Applicant: Edis Chevez

Area Variances – Section 108-4.3B(5)(b) Animal Husbandry – to allow animal husbandry to be conducted as close as 171 feet from a residence on another lot where 350 feet is required (or 250 feet without a rooster), and
Section 108-4.3B(5)(d) Animal Husbandry – to permit unenclosed storage of manure as close as 171 feet from a residence on another lot, where 250 feet is required.

Chairman McNary asked for a motion to open the public hearing for the Chevez application. James Agrawal made the motion, and Paul Donnelly seconded it. The motion passed by unanimous voice vote.

Chairman McNary welcomed Edis Chevez and his family. Mr. Chevez explained his application and answered questions from the Board. K. Moss explained that Mr. Chevez received a Notice of Violation regarding the family's chickens, and that they need area variances for distance to other residences before they can go to the Planning Board for site plan approval.

Chairman McNary read the following comment letter into the record:

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Thank you for the opportunity to submit our comments regarding the Chevez application for Animal Husbandry.

We would ask that this is **NOT approved** for the following reasons:

1. When the chickens and rooster are allowed to roam free they make their way to our property and peck and dig into our flower beds and lawn. We have had to chase them off of our property several times over the last year and a half.
2. The rooster crows ALL hours of the day and night, which is truly annoying.
3. We have seen them very close to the road. If they go into the road they could get hit and/or cause an accident. Because it's on a bend in the road you do not see them until you are upon them.
4. If this application is approved, this could possibly set a precedence for future residences in the neighborhood to also apply and what assurance would we have that they would not be approved as well.

As taxpaying homeowners we believe we have a reasonable expectation to live on our property in our neighborhood without having to listen to and chase chickens all the time. We also believe that having farm animals of any kind provides a potential risk of hindering property values in this area.

Sincerely,

Roland and Mary Witherwax
28 E. Market St.
Hyde Park, NY 12538

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A neighbor, Barbara Hobens of 31 East Market Street, was in attendance. She spoke against granting the area variances and showed some brief videos on her laptop, taken from her property.

Chairman McNary asked to be able to schedule a site visit. Mr. Chevez indicated that would be acceptable. The site visit will be scheduled by the ZBA secretary for a mutually agreeable time and date to take place before the next ZBA meeting.

Chairman McNary asked for a motion to continue this public hearing to April 26, 2023. Richard Perkins made the motion, and Paul Donnelly seconded it. The motion passed by unanimous voice vote.

ADJOURN:

Chairman McNary asked for a motion to adjourn tonight's meeting. James Agrawal made the motion, and Richard Perkins seconded it. The motion passed by unanimous voice vote.

The meeting ended at approximately 6:30 PM.