

Town of Hyde Park  
**Zoning Board of Appeals**  
4383 Albany Post Road  
Hyde Park, New York 12538

**MINUTES FOR REGULAR MEETING**

**May 26, 2021 7:00 PM**

**Present:** David McNary, Chairman  
James Agrawal  
Paul Donnelly  
Richard Perkins  
John Scileppi, Alternate

**Absent:**

**Others Present:** Kathleen Moss, Zoning Administrator  
Patrick Logan, Attorney to the Board  
Sarina Teuschler, Secretary to the Board

[The meeting began at 7:01 pm.]

**CHAIRMAN McNARY:** Good evening. My name is David McNary. I'm the chairman of the Zoning Board of Appeals. Welcome to the May 26th meeting of the Hyde Park Zoning Board of Appeals. Will each member confirm that they are alone or that no one is present that may influence his or her vote? Please raise your hand.

[The Secretary polled the board. All confirmed.]

**CHAIRMAN McNARY:** I've confirmed with the Zoning Board council that tonight's meeting has been convened in accordance with the New York State Executive Order 202.1, which suspends certain provisions of the Open Meeting Law to allow a municipal board to convene a meeting via video conferencing. The public has been provided with the ability to view and participate in tonight's meeting, which is being streamed on the town's YouTube channel. I've done a roll call of the board members, and there is a quorum present for this meeting. I've also confirmed with the Zoning Secretary that this meeting has been duly noticed. Uh, we will now commence with the Pledge of Allegiance.

[Chairman McNary lead the Pledge of Allegiance.]

**CHAIRMAN McNARY:** As the Chairman, I want to make one comment before we begin officially. Herb Sweet has stepped down from the Zoning Board of Appeals and I and the board members want to thank him for his tenure with the Zoning Board. Herb brought energy, curiosity, and great technical knowledge and know-how to the Board. We are extremely grateful. We also want to recognize him for all his contributions to making this community, Hyde Park, more viable for all of us. We will miss his unique perspective, his humor, and his service. Thank you, Herb Sweet. We miss you already.

**James Agrawal motioned to accept the minutes of April 28 and May 12 as submitted by the Secretary, and Paul Donnelly seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5**  
**ALL OPPOSED: 0**

**CARRIED**

**New Public Hearings:**

[Chairman McNary introduced the application.]

**#21-03Z** Ronald Haase, Wildlife Properties LLC  
290 Cream Street  
Poughkeepsie, NY 12601  
Tax Grid No. 6263-03-387480

**Appeal – Notice of Violation**

Appeal to a determination of the Zoning Administrator with respect to an alleged violation of the Zoning Law at the above-referenced property.

**Paul Donnelly motioned to open the public hearing, and James Agrawal seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5**

**ALL OPPOSED: 0**

**CARRIED**

[Applicant Ronald Haase was present to answer questions. Three members of the public were present to comment: Barbara Hobens, Ari Raleigh, Troy Franke.]

**CHAIRMAN McNARY:** Welcome. The public hearing is now open, and the public [comment] is limited to the appeal. The public hearing is limited to the appeal of the Zoning Administrator's Notice of Violation, which found that the use of the property was in violation of the Zoning Law and the conditions of the Use Variance previously granted to the property to allow the use of a building contractors facility and office. The applicant presented the appeal at our April 28th meeting.

Is there anything that the applicant would like to add regarding the appeal before we open up the floor for public comment? Mr. Haase?

**APPLICANT, RONALD HAASE:** Yes. Correct. I would like to add that I was grateful to speak with Sarina and Tad Moss in regards to our last meeting on April 28<sup>th</sup>; in regards to, um, what might best suit me in going forward, on my behalf, within – being within compliance with the Town of Hyde Park in order to try to be able to utilize the parking lot area, um, which I have materials.

**CHAIRMAN McNARY:** So... any other thoughts on that?

**MR. HAASE:** At this point in time, we're looking forward to, um, the secondary... She – they had mentioned that, um, to utilize a Special Use Permit and a site plan approval, um, going forward with partaking in a salvage yard. Within regards to the salvage yard, there's one that says over 10,000 feet. My parking lot is 10,025 square feet. In regards to what I would like to move forward with, if I'm doing so, I still need to utilize the parking area for parking of cars, um, that do come in there. So we would not be utilizing the whole entire area. So as we move forward, um, there would be a certain amount of that area that the material would need to be there stored, per se. And I was just wondering if there was ever an opportunity, like when I was first granted, um, granted the use variance, enabling me to have a storage area in the back of the facility. Um, and I was just wondering if there was ever like an attachment or an amendment for, per se, that within the confines of this storage area, but then utilizing a portion of my parking lot for maybe, per se, outdoor storage, um, not with it under cover, right. Um, so I'm just trying to

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work through being within compliance and how I can be in compliance with the town. And just have a, have a great business within the town and, um, look forward to seeing how I could proceed and what would be the best avenue that would work for everyone.

**CHAIRMAN McNARY:** Very good. Thank you, sir. Appreciate that.

**MR. HAASE:** I appreciate your time.

**CHAIRMAN McNARY:** At this time, we'll accept any public comments. [Is there anybody there in the public who would like to make comments or [ask] questions?

[Three members of the public – Ari Raleigh, Barbara Hobens, Troy Franke – were present.]

**CHAIRMAN McNARY:** Barbara, do you want to start please?

**BARBARA HOBENS:** Certainly. I have, uh, I've been to the site and, um, I see stone and metal, which is not like it's a lot of construction materials and boards and, you know, shingles and whatnot. It's just natural materials that wouldn't be an issue being outside. So I just hope that, um, there can be something worked out because, um, it's a great thing to be able to get salvaged materials, um, and have things for not just contractors, but landscapers and it's, um, it's a positive, um, very positive business. So I really hope something can be worked out. Uh, it's a very large parking lot. I don't think he's going to have a, you know, it's not a CVS, so it's only a couple of parking spaces for parking and, uh, I just hope something can be worked out.

**CHAIRMAN McNARY:** Good. All right. Thank you, Barbara. I appreciate your comments and your perspective. Ari Raleigh, you have some comments?

**ARI RALEIGH:** Um, I would just have to agree with Barb. I think, uh, the last horrific year that we've all been through [the last thing] we need to do is to stifle local business. And, uh, it's a great business. People love it. They say they love it and it helps their projects. Um, it's a good thing. Quite frankly, I don't see any business and Hyde Park that's thriving. Uh, to me it's a ghost town. I see a lot of vacancy. I see a lot of closed storefronts. I see empty lots. And this is the kind of business that the community needs at this point.

**CHAIRMAN McNARY:** Okay. Thank you very much for your comments and your observations. Uh, Troy Franke?

**TROY FRANKE:** Um, yes, can you hear me? I've known, uh, thank you for letting me join your meeting this evening. I've been a resident here in Hyde Park now 15 years, and I've known actually Ron Haase for 15 years. He's done some work here at my home with his construction business. Um, I think what he's doing actually is a very positive thing as Ari and Barbara have said. I think his business is a very positive business for the Town of Hyde Park. It's a very unique business. It's an eco-friendly business. Um, he's able to utilize prod— you know, have different products that are going to be able to be reused and not thrown into the trash can. So I hope that the Hyde— the Town of Hyde Park can work with directly with Ron and, uh, make his business successful. It's exactly what we need here in Hyde Park.

**CHAIRMAN McNARY:** Okay, good, Mr. Franke, I appreciate your comments and your support there. Sarina, have we received any written comments?

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There were no written comments from the public. The Chairman asked the Zoning Administrator, Attorney, and other Board members if they had questions or comments. The discussion follows.

**ZONING ADMINISTRATOR, KATHLEEN MOSS:** Not at this time. I believe I presented the case and the, uh, restrictions that are on the property, and I appreciate you reviewing the file and making a determination.

**ATTORNEY TO THE BOARD, PATRICK LOGAN:** I just want to reiterate again – because this is a unusual proceeding, it's not our typical application – that the ZBA is focusing on whether or not to uphold Tad's determination that the current use of the property is in violation of the Zoning Law. And I also wanted to just put on the record during the public hearing itself a picture of the property that was presented at last month's meeting as well. [Mr. Logan screenshared an image of the property.] So, uh, I believe... the violation was based on the use of the property as more than just an office, and the storage in areas outside the designated storage area on the approval. And that's my comment.

**JAMES AGRAWAL:** I think what I'd like to say is, um, Ron, I think you have a good business that I'm sure a lot of people would like to support. My question would be to what degree would you be willing or not willing to, for lack of a better word, clean up kind of what we just saw in that picture? And maybe keep things outside to some degree, but covered, and kind of out of sight? To what degree are you able or willing to modify what we saw in the picture?

**MR. HAASE:** Um, yes, I do agree, there's um... Since the last meeting, I've been going through and cleaning and organizing and kind of dissecting what needs to be there and what does not need to be there. In that regards, um, kind of organizing, staging the material as far as, um, you know, kind of reorganizing the piles, right? And that, that, um, to answer your question, there are things that will continuously be cleaned up and to make it organized and more friendly. Um, I think what I would be asking is a certain portion of the parking lot, um, of that manner, um, I'm trying to find a way to, to address your, your question to me. Um,

**MR. AGRAWAL:** So I guess you're willing to work with the Zoning Enforcer to try to make this work that satisfies all the parties involved.

**MR. HAASE:** Absolutely. One hundred percent. I, uh, you know, um, I'm totally entrenched in my whole background is historical restoration within a lot of the buildings and structures within the town of Hyde Park as well. So there's nothing more than I want to do to make it more friendly and more eye appealing and aesthetically pleasing and working with the Town as well to be within compliance and to, to work together. And I want to be a part of the Town for many years to come and just grow a great business and be a part of it and be very proud of it as well. Um, you know, as you and other members of the board, you know, stopping by saying hi and, uh, you know, just having that, you know, um, family core values, um, I think that's, what's important to me. So I'm willing to do whatever it would take to structure a great business and organize to move forward in the best way that would work for all of us.

**PAUL DONNELLY:** I have a couple of questions. Um, I just want to make sure that we're clear and we're on the same page that the original variance that was granted in 2009 was for storage. Right? Not for selling salvage material. It was for storage.

**MR. HAASE:** The business has always been structured around that. We've always been a demo and salvaging business within the historical restoration company as well. So that's always partaked in that. Um, so nothing has really changed on that behalf. Um, it has grown and spread out into the parking lot, and I think that's why we're here where we're at today. Um, we did, we, we were granted the use of the

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storage area in the rear, um, and that's where the, you know, that material has been stored. And I think it's just grown and it's grown out into the parking lot, but I don't think anything has changed in that manner.

**MR. DONNELLY:** Well, I just want to, all right. Well, maybe this could be directed towards Ms. Moss as well, because... I'm reading over the notes; there was also a disagreement about the use of a sign was posted in July 26, 2020. A sign I guess it was posted, um, as a business to sell these products. So that would that be a separate variance? I just want to make sure I'm understanding this correctly. Is this—was this area supposed to be used just for storage or is this part of the business as well?

**MR. HAASE:** In my eyes, I was granted that use to be storage area and the part – that's, that was the whole part of the business. That is my business. And I... in Ms. Moss' regards there was, you know – I hand painted a little sign out front, which I was granted the main sign. And it's almost like a pizza store, right? We have, you know, we have "Giacomo's Pizza", right? But every day he pulls out the sign that says, you know, "large pie sale, \$10," you know, what, what his product is that he's selling, you know, to walk-in traffic, right? So my business has always been that the primary sign. And then I, I just was explaining a little couple of things that were there that we do, uh, that incorporates, surrounds my business. But I don't think anything has changed on that behalf.

**CHAIRMAN McNARY:** But one of the... let me make a comment. One of the concerns in terms of the violation was that you've changed the use of the property from what it was originally agreed upon in 2009. And the sign confirms that. So the use that you originally had has changed. Your business has expanded, yes; but the use of the property and the use of the type of business has changed. If I understand it correctly, Ms. Moss, am I interpreting that correctly?

**MR. LOGAN:** At this point, you are interpreting the Zoning Law yourself. So we're not going to defer to Ms. Moss at this juncture.

**CHAIRMAN McNARY:** Right.

**RICHARD PERKINS:** I think that Mr. Haase has had some sincere attempts to try and make his business work. But he keeps forgetting that the property is currently zoned differently than what he's using it. And we right now have to determine whether or not Tad's determination of him being in violation is true, or if it is not true. So I think that we probably need to get on that and, uh, and that we can make [inaudible] or anything else, but I think it's the first thing that we need to do.

**JOHN SCILEPPI:** I was under the impression that the use variance—which, by the way, is somewhat unusual. Almost all the variances are area variance – and this was an unusual, special thing to make a use variance rather than an area variance. And for the use variance, I thought it was for our construction company. And I can certainly assume that a certain amount of storage is necessary for construction. Uh, but when I looked at those photographs, I saw it as being more than construction. It's fine for a business to evolve, but the use variance was for construction, not salvage and demolition.

And while I liked the idea of recycling, my problem is when I looked at those photographs it looked like a bit of an eyesore. And you know, if you were behind a fence or a hedge or a burm, I don't think I'd have a whole lot of concern. Although I'd still think that we would need to change the use variance to reflect – or to decide whether we would like to change the use variance to something else. Of course, you'd have to apply for a new Use Variance. But I would be most concerned about the looks. The scenic look of the property. How that reflects on Hyde Park and how it reflects on people driving by when they look at it.

I know that there's another salvage yard – I believe on Cardinal Road – and they've kind of blocked it off so that it's not something that would be seen easily. Now I can understand that you might want to show your, the things that are available, should someone want [them]. Of course, they could come into the property and then see it. You could probably put some of that on a website and then people would be able to go to the website to see what kinds of materials are available. But I would be, I guess, just to conclude, I would be most concerned about the look of the property from the road and I would want some sort of change to happen to make it less odious.

**CHAIRMAN McNARY:** Mr. Haase, any other comments or thoughts?

**MR. HAASE:** I think just one. I agree. And as we move forward as well, I'm doing the best I can to make it more aesthetically pleasing and kind of redefine what I do have in the parking lot and, and go through what needs to be there, what does not need to be there. Um, and just make it more appealing. Of course, nobody wants to drive by and look at, per se, like an ugly site or something. That's not appealing to them. We want it to be aesthetically pleasing. And of course, to have a business like that, you want the, if someone's going to drive in you, you want them to be feeling comfortable about it. So, um, I'm doing the best I can and as I move forward, I will continuously make it more appealing. And like I said, I'm willing to do whatever it would take to work with the Town to be within compliance. And maybe I can plant some shrubbery alongside the guard rail to minimize the view or something. Um, but correctly so you do want some traffic going past taking in eyesight on the goods that are available. We do, um, you know, can visually see things online and stuff like that. So, um, that's a great way as well. I'm just willing to do the best I can.

**CHAIRMAN McNARY:** Good. Thank you. We've heard a lot of comments from everybody in terms of the positive nature of the business... it's a growing business in Hyde Park. I think yet the Board is still focused on the violations which the [Zoning] Enforcement Officer has held. And our decision really is: do we continue to support that decision? That does not obviate in the future what can be done to ameliorate the situation for the business and for the town. I think that's beyond the scope of what we're going to make a decision on tonight. Mr. Logan, any comments from you?

**MR. LOGAN:** I'd have to say that your summation just then was well said. I'd also note that this action is exempt from SEQRA as a Type II action, so there's no need to perform any [environmental review].

**Richard Perkins motioned to close the public hearing, and John Scileppi seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5**

**ALL OPPOSED: 0**

**CARRIED**

**CHAIRMAN McNARY:** Mr. Haase, thank you very much for all of your participation, your comments. I think you have a better understanding of where we are, and I think we have a better understanding of where you are. And we will be making a final decision, I think, in the next two weeks in terms of our judgment on this.

**MR. HAASE:** Okay. And I appreciate your time greatly. And, um, and I, I am, as I might've said before, looking into, you know, what would be within compliance with the planning board and the literature that

Tad had presented to me. So that's going to take the application, and things of that nature, to proceed with what is the correct way to be within compliance.

[Chairman McNary and the Board members thanked Mr. Haase and the public speakers for their participation, and bid them goodnight.]

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[Chairman McNary introduced the next application.]

**#21-05Z**                      Timely Signs of Kingston for Hudson Valley Hospice  
542 Violet Avenue  
Hyde Park, NY 12538  
Tax Grid No. 6163-02-570735 & 6163-02-552748  
**Variance – Section 108-24.2 F (2)(a)**  
Change maximum logo size from 10 inches to 23.5 inches to allow a larger logo on their sign.

[Applicant Michael Kaminski and Representative Paul Beichert were present.]

[Chairman McNary asked the applicants to explain why they were requesting the variance.]

**MICHAEL KAMINSKI:** In its simplest form, what we're asking you for is the ability to have a sign that says Hudson Valley Hospice House, that it is part of the logo of Hudson Valley Hospice to make it clear that this facility is part of the agency that's about a mile south of where the facility will be constructed. And apparently there's some sort of a code that, um, would potentially create – we would create a problem with the lotus flower, the yellow and orange lotus flower, that's superimposed on the words “Hudson Valley Hospice House.” And we're asking – similar to the logo that's affixed to the building of where our offices are – to allow us to continue with this size of a lotus flower.

**CHAIRMAN McNARY:** Uh, I've got a little ahead of myself in terms of just introducing it. You've already done that in a very effective way. Being new at this, I would like to open the public [hearing] for this.

**Richard Perkins motioned to open the public hearing, and John Scileppi seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5**  
**ALL OPPOSED: 0**                      **CARRIED**

[No members of the public were present; and the secretary received no written comments.]

[The Chairman asked the Zoning Administrator, Attorney, and other Board members if they had questions or comments. The discussion follows.]

**MS. MOSS:** As Mr. Kaminsky said, the other location a bit south of this does have ... the same logo on the building. So if you're looking to see an example of what it looks like ... I believe it's still there. And [this application] is a freestanding sign. The location's shown on the site plan. Mr. Beichert has provided the drawings with all the measurements, and we appreciate that. Time to move forward.

**REPRESENTATIVE, PAUL BEICHERT:** I just have one comment. I just want to say that ... The entire sign complies with the code, it's really just the symbol. Which has been problematic for the hospice logo, just because of the proportion. ... Every other item on the sign falls within the code. We've been through this before. It's a fairly innocuous logo. I don't think anyone would have any objection to it. It's just a dimensional challenge.

[Chairman McNary continued polling the Board and council.]

**ATTORNEY TO THE BOARD, MR. LOGAN:** I'll just note that we referred this application to Dutchess County Planning last month; and I believe we're still waiting for a response.

**SECRETARY, SARINA TEUSCHLER:** We did get a response. They said that it's a matter of local concern with no comments.

**MR. LOGAN:** Excellent. I'd also note that at our last meeting, we classified it as an unlisted action under SEQRA, which means that the Zoning Board will perform an environmental review. They can make those findings before they vote on the resolution to grant variance or not at their next meeting.

**MR. PERKINS:** I think it's very subtle and [in]offensive. And I think that [inaudible] letters and words might jump out at you, but this is very nice. And, as long as in our environmental review we mentioned that it is part of the Maurice Hinchey Hudson River Valley National Heritage Area, I will be happy.

**MR. SCILEPPI:** I think that the sign is useful and I'm happy when you said that the size of the sign is not a problem. It's just the individual flower. And I agree with what Rich said. It seems to be identifying very nicely without being in any way offensive to me.

[There were no further comments.]

**Richard Perkins motioned to close the public hearing, and John Scileppi seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5**

**ALL OPPOSED: 0**

**CARRIED**

[The Board thanked the applicants for attending.]

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[Chairman McNary introduced the next application.]

**#21-08Z**

Catherine & Michael DuBois

21 Roosevelt Road

Hyde Park, NY 12538

Tax Grid No. 6164-04-809431

**Variance – Section 108-4.3 G (2)**

Change stream corridor setback for a Fallkill Creek watershed from 100 feet to 25 feet for the installation of an above-ground pool on a property with a house already built within the stream corridor, in the Neighborhood District.

**James Agrawal motioned to open the public hearing, and Paul Donnelly seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5**

**ALL OPPOSED: 0**

**CARRIED**

[Michael & Catherine DuBois were present to answer questions.]

**CHAIRMAN McNARY:** Okay. We have the DuBois's here. Welcome. Can you give us an idea of what you're trying to accomplish? I know you want to go for a swim.

**APPLICANT, CATHERINE DuBOIS:** We're just trying to construct the pool, you know, to the side, you know, in front of the house. I mean, in the backyard in between the house and the easement. It's kind of not moving too much. I don't know – it's a stream, but it's, you know, it's there and we have the pool pretty set back from it. And, you know, it's in a space that's...

[Webmaster Krupnick screenshared an aerial photo of the property.]

**APPLICANT, MICHAEL DuBOIS:** Okay. Yeah. Can you still see us? ... Actually by the middle of the summer, every summer, when the spring waters go away, it's no longer a stream. It's just mud. It's considered an easement on the map, if I'm not mistaken.

**CHAIRMAN McNARY:** In this picture, is that a pool already in the back?

**MRS. DuBOIS:** That was a pool that's not any longer there.

**CHAIRMAN McNARY:** And the pool that you're asking to [build] is, would be where relative to the existing pool?

**MR. DuBOIS:** Basically the same area, [the new pool is] just a little bit bigger.

**MRS. DuBOIS:** A little bigger, but in the exact same spot.

**MR. DuBOIS:** We would move it, you know, as close to whatever we need to move it to in order to appease any laws.

**CHAIRMAN McNARY:** How does the size of that compare to this in the picture here? It's bigger?

**MR. DuBOIS:** The other one was an 18. This one's a 24 feet diameter.

**MR. SCILEPPI:** About 12 bigger.

**MR. DuBOIS:** Well, it's three feet wider on all sides.

**MR. AGRAWAL:** Another 6 feet in circumference.

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[The Webmaster screenshares another photo.]

**MR. DuBOIS:** And that's truly – I'm sorry. Can I say one more thing? And it's actually not a stream. It does not move. You could stand out there for two minutes in a row and it will not move back or forth in either direction. Okay. That's truly a ditch.

**MR. PERKINS:** May I ask how long you've lived there?

**MRS. DuBOIS:** Seventeen years.

**MR. PERKINS:** Yeah. So you've seen quite a bit of water in the back though over that time, right?

**MR. DuBOIS:** Every spring, yes. The snow melt and everything, yes.

**MR. PERKINS:** So you know that [the water is] going to come through there one way or another when it wants to.

**MRS. DuBOIS:** Sure.

**MR. PERKINS:** Patrick, can I ask you –

**CHAIRMAN McNARY:** Rich, let me come back to you.

[The Chairman asked the Zoning Administrator, Attorney, and other Board members if they had questions or comments. The discussion follows.]

**ZONING ADMINISTRATOR, KATHLEEN MOSS:** There has to be some kind of a standard that I use to evaluate applications; and on the DEC website, this segment shows up as a blue line, which I use to trigger the requirement to evaluate the stream corridor. So that's why this particular application for a building permit was flagged, because that's a blue line on a DEC map that's on the Dutchess County Parcel Access.

**ATTORNEY TO THE BOARD, PATRICK LOGAN:** I'd note that this, being a residential area variance, is going to be exempt from 239m review or SEQRA. So no environmental review.

**MR. AGRAWAL:** Just the existing deck and house are well within the hundred foot stream corridor already, correct?

**MRS. DuBOIS:** Yes.

**MR. AGRAWAL:** Okay. I have no further comments.

[Mr. Donnelly had no questions.]

**MR. PERKINS:** I just wanted to ask Patrick, um, if we were to approve this, we are responsible for anything that happens in that area, as far as water damage or anything like that. Are we as a town?

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**MR. LOGAN:** If you're asking about the town's liability based on approvals that it grants, that is something that I would like to discuss with you offline in an attorney client session. I can say that generally the individuals ZBA members would not be held personally liable because you are government officials.

[Chairman McNary continued polling the board.]

**MR. SCILEPPI:** Yes. I have a couple of questions. In your application, you said that you weren't using public or private water. How do you fill the pool?

**MR. DuBOIS:** Did we say that? That might've been a mistake? Generally we either fill with the hose or – building a new pool – we'll generally get a water delivery.

**MR. SCILEPPI:** So you're going to get a water delivery. That's good. I don't know a whole lot about pools, but I know that you have to keep them clean; and you've got a filter and you've got chemicals that go into the pool. How will you empty the pool at the end of the season?

**MR. DuBOIS:** You generally don't. You generally leave the water in the pool until the following spring, and then you clean it and start it, et cetera.

**MRS. DuBOIS:** Right. We put a cover on it.

**MR. DuBOIS:** You don't empty it every winter, you just cover it.

**MRS. DuBOIS:** We've never emptied it.

**MR. DuBOIS:** And then you treat it the following spring to prepare for the following summer.

**MR. SCILEPPI:** I see. Okay. And then, and so you don't, once you fill it, you don't really then empty it. You just keep on cleaning it, is that correct?

**MR. DuBOIS:** Exactly.

**MR. SCILEPPI:** The reason, the reason for my questions is, um, that, uh, no.

**MR. DuBOIS:** You don't want to fill up the ditch, right? Yeah, no, no, that won't be an issue.

**MR. SCILEPPI:** Okay. Cause, you know, I was concerned about whatever chemicals go in there. The Fallkill Creek goes into the Hudson, people get water from there. And you know, I didn't want to have a problem that way. But you're saying that once you fill it, it's filled. Then whatever chemicals come out in the filtering system, and that sort of stuff, then get disposed of somehow.

**MR. DuBOIS:** Yeah, that just gets handled. Correct.

**MR. SCILEPPI:** Okay. That was my only concern.

**MR. PERKINS:** That would be during the backwash cycle. Right? [Inaudible] backwash the filter [inaudible].

**MR. DuBOIS:** Yeah, that happens occasionally.

MR. SCILEPPI: What does that mean?

CHAIRMAN McNARY: Can you explain that, Mike?

MR. DuBOIS: Me, Mike? Yes, well all pools are designed to do a backwash, which means you let some of the...

MRS. DuBOIS: I know, they want to know where it goes.

MR. DuBOIS: Oh, where's it go? Um... generally we do the yard. It goes into the yard, but that's what all people do with their pools. As far as I know.

MR. SCILEPPI: Can you put it in your yard so that it's further away from the stream? Not going towards the stream?

MR. DuBOIS: Absolutely. Yes. Yeah. Without a doubt.

MS. MOSS: I believe also there, uh, the chlorine evaporates or dissipates as the water flows across the ground. It's actually considered a treatment. I don't know the length that's required; but it's preferable to discharge it on top of the ground rather than to put it into a storm drain or a dry well.

MR. DuBOIS: Correct. Yeah, that would, that won't be an issue.

**Paul Donnelly motioned to close the public hearing, and John Scileppi seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5**

**ALL OPPOSED: 0**

**CARRIED**

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**Withdrawn Applications:**

[Chairman McNary introduced the next application.]

**#21-02Z**

**Interpretation – Section 108-28 Rural Event Venues**

Whether Section 108-28 of the Zoning Law permits the construction of new permanent structures and buildings to house kitchen, bathroom, and/or public assembly facilities as part of a “rural event venue” use.

CHAIRMAN McNARY: I don't know that there's anything more we need [to say]. They've withdrawn it, so we don't need to consider it. Patrick, is that it?

MR. LOGAN: That's correct. You're just noting that you're done considering the matter.

CHAIRMAN McNARY: So we make note that they have withdrawn that and, it will have no further business before the Board on that.

**Other Business:**

[The next meeting is June 9, 2021, during which the ZBA will consider resolutions on the applications for which public hearings have been closed.]

**James Agrawal motioned to adjourn the meeting, and John Scileppi seconded the motion.**

**VOICE VOTE**

**ALL IN FAVOR: 5**

**ALL OPPOSED: 0**

**CARRIED**

[The meeting adjourned 7:47 pm.]