

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

MINUTES FOR SPECIAL MEETING

June 9, 2021 6:00 PM

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

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

The meeting began at 6:02pm. The Chairman, David McNary, asked that each member of the Board confirm that they were alone and no one present would influence their vote. All members confirmed.

Chairman McNary lead the Pledge of Allegiance.

Resolutions on Previously Heard Applications:

#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.

Town of Hyde Park
ZONING BOARD OF APPEALS
4383 Albany Post Road
Hyde Park, NY 12538
845-229-5111 ext. 2

RESOLUTION UPHOLDING DETERMINATION OF THE ZONING ADMINISTRATOR

WILDLIFE PROPERTIES LLC
290 Cream Street
Poughkeepsie, NY 12601

Date: June 9, 2021

Motion: David McNary

Resolution #21-03Z

Second: Richard Perkins

WHEREAS, the applicant, Wildlife Properties LLC, has submitted an appeal of a Notice of Violation issued by the Zoning Administrator regarding alleged violations of the Zoning Law and of the conditions of a use variance granted to allow a building

contractor’s facility and office (the “Appeal”) at property located at 290 Cream Street, identified as tax parcel no. 6263-03-387480, in the Greenbelt Zoning District (the “Site”); and

WHEREAS, by resolution dated April 22, 2009, the Zoning Board of Appeals granted a use variance to permit the use of the Site as a “building contractor’s facility and office” with a freestanding sign not to exceed 30 sq ft (the “Use Variance”); and

WHEREAS, the Use Variance contained the following conditions of approval:

1. Payment of all fees and escrow.
2. There shall be no outdoor storage of petroleum products, pressure treated wood or demolition materials.
3. Outdoor storage is limited to the 25x28 foot enclosed area at the rear of the structure, as shown on the drawings submitted to the Board entitled Estate of Margaretta M. Anderson prepared by R. Smisko dated 1/20/09 (attached hereto) and made a part of this resolution. Small construction vehicles may be parked in the parking lot.
4. Any dumpster shall be enclosed and screened from the road.
5. The area of the use as a building contractor’s facility and office is limited to the area described in the deed from the Roosevelt Fire District to Margaretta M. Rymph Anderson dated August 21, 2000, document No. 02 2000 9067, and the 50x100 ft parking area on lot 6263-03-305465. There shall be no further expansion of the use without approval of an additional use variance.
6. The applicant shall obtain site plan approval for the use of the property as a building contractor’s facility and office with a freestanding sign, from the Planning Board.
7. This variance does not permit any other general commercial use of the property.
8. The use of the site is limited to a business office, accessory parking of vehicles and incidental assembly and modification of components used to facilitate off site construction projects and storage as is limited in Condition #3; and

WHEREAS, by Notice of Violation and Order to Remedy dated February 16, 2021, the Zoning Administrator determined that the current use of the Site violates the Hyde Park Zoning Law § 108-4.1B as well as the conditions of the Use Variance; and

WHEREAS, the Notice of Violation and Order to Remedy specifically found the following:

“September 18, 2018, unlicensed, unregistered vehicles were on the property, piles of old and/or used wood and other site construction items

were being stored in the area labeled for parking on the approved site plan and this storage was not within the enclosed area as specified in the Use Variance. These conditions were still present on September 18, 2018; December 7, 2018; December 12, 2018; March 20, 2019; May 10, 2019; December 11, 2019; May 25, 2020; July 26, 2020; August 25, 2020; and February 12, 2021.

In addition, On July 26, 2020, a temporary structure had been installed and signage posted as notice of items for sale establishing a use that was not authorized by the ZBA or Planning Board site plan approval and the sign was installed/displayed without site plan approval or permit. These conditions were still present on August 25, 2020 and February 12, 2021;” and

WHEREAS, by application received March 18, 2021, the applicant appealed the Notice of Violation and Order to Remedy; and

WHEREAS, the Appeal is a Type II action under the State Environmental Quality Review Act pursuant to 6 NYCRR 617.5(c)(37); and

WHEREAS, a duly noticed public hearing was opened on May 26, 2021 during a remote meeting held by the Zoning Board of Appeals in accordance with New York State Governor Cuomo’s Executive Order 202.1 and the subsequent extensions thereof, during which all those who wished to speak were heard; and

WHEREAS, the Zoning Board of Appeals closed the public hearing at its May 26, 2021 meeting but kept the record open for the submission of written comments for a period of seven (7) days thereafter; and

WHEREAS, the following documents were analyzed in reviewing the Appeal and constitute the record of this decision in addition to the applicant’s testimony and the public comments received at the public hearing for the Appeal:

1. The Town of Hyde Park Zoning Law.
2. The Town of Hyde Park Zoning Map.
3. A copy of the Dutchess County tax map for the Site and surrounding parcels.
4. A copy of the January 12, 2009 application for a use variance for the Site and the attachments thereto.
5. A copy of the landscape plans and renderings for the Site entitled, “Landscape Plan – Rendering for H&H Contracting,” prepared by Robert G. Smisko Jr., P.E., RGS Engineering, P.C., dated January 12, 2009, last revised January 26, 2009.
6. A copy of the site plan for the Site entitled, “Site Plan for Ron Haase – Lands of Anderson,” prepared by Robert G. Smisko Jr., P.E., RGS Engineering, P.C., dated January 20, 2009.
7. Copies of the minutes of the Town of Hyde Park Zoning Board of Appeals’ meetings of February 25, 2009 and March 25, 2009.
8. A copy of Town of Hyde Park Zoning Board of Appeals Resolution # 2110-09, entitled, “Resolution Granting Use Variance,” dated April 22, 2009.

9. A copy of Town of Hyde Park Planning Board Resolution # 16-08D, entitled “Site Plan Resolution – Haase – Estate of Margretta Anderson,” dated August 19, 2009.
10. A copy of the Zoning Administrator’s February 16, 2021 Notice of Violation and Order to Remedy.
11. Copies of photos of the Site taken by the Zoning Administrator on or about the following dates: September 18, 2018; December 7, 2018; December 12, 2018; March 20, 2019; May 10, 2019; December 11, 2019; May 25, 2020; July 26, 2020; August 25, 2020; and February 12, 2021.
12. The applicant’s March 18, 2021 Appeal of the Notice of Violation and Order to Remedy.
13. The applicant’s supplemental letter to the Appeal, received March 31, 2021.
14. A copy of a photograph of the Site taken by Herbert Sweet on April 11, 2021; and

WHEREAS, all testimony and documents having been carefully considered, in compliance with Hyde Park Zoning Law Article 33, the following pertinent facts are noted by the Zoning Board of Appeals:

1. The April 22, 2009 Use Variance and the August 19, 2009 Planning Board approval for the Site only permit its use as a building contractor’s facility and office.
2. The Use Variance and the approved Site Plan for the Site limit outdoor storage at the Site to the 25’x28’ enclosed area at the rear of the structure.
3. The Use Variance does not allow the outdoor storage of petroleum products, pressure treated wood or demolition materials at the Site.
4. The Use Variance does not permit any other general commercial use of the Property.
5. The Use Variance only allows one freestanding sign at the Site.
6. The Site is located in the Greenbelt Zoning District, which prohibits general commercial uses.
7. The Site currently contains unlicensed, unregistered vehicles.
8. The Site currently contains piles of old/reclaimed wood.
9. The Site currently contains reclaimed demolition materials.
10. The aforementioned vehicles, wood, and demolition materials are stored outdoors on the Site in areas other than the designated 25’x28’ enclosed area at the rear of the structure.
11. The aforementioned outdoor storage comprises several thousand square feet.

12. The applicant has intermittently erected a temporary structure at the Site and erected a freestanding sign advertising that certain items at the Site were for sale.
13. Scrap yards are permitted in the Greenbelt Zoning District subject to site plan and special use permit approval, as well as any other applicable approvals, permits, and requirements; and

WHEREAS, the Hyde Park Zoning Law provides in pertinent part as follows:

1. § 108-2.2: COMMERCIAL USE (GENERAL)
A nonresidential use involving an occupation, employment or enterprise that is carried on for profit by the owner, lessee or licensee not otherwise specified in the use regulation. This use shall not be interpreted to include any temporary or transient overnight accommodations or permanent residences or dwellings. Also referred to herein as “general commercial use” or “commercial, general.”
2. § 108-2.2: RETAIL SALES
Establishments engaged in selling goods or merchandise to the general public for personal or household consumption and rendering services incidental to the sale of such goods.
3. § 108-2.2: SCRAP YARD
The use of more than 100 square feet of land or structures for more than 30 days for the dismantling or accumulation of used and discarded materials outside of a completely enclosed building. The term does not include a refuse disposal site as defined in Chapter 66.
4. § 108-4.1B: Applicability. No land or structure shall be used or occupied for any purpose other than as authorized in this chapter. No structure or portion thereof shall be erected, moved, altered, rebuilt or enlarged other than as authorized in this chapter. No vehicle or vessel serving as a building shall be located, used or occupied for any purpose other than as permitted by the provisions of this chapter applicable to such building.
5. § 108-8.2: Applicability.
 - A. Uses requiring a special use permit are listed in § 108-5.14, Schedule of Use Regulations.
 - B. Prior to the submission of any application for a building permit or certificate of occupancy for any use requiring a special use permit under this chapter, an application shall be made to the Zoning Administrator for a special use permit in the manner and form specified in Article 30 of this chapter, together with the fee set forth in the fee schedule adopted by the Town Board.
 - C. Any revision of an approved special use permit or any reconstruction, enlargement, extension, moving or structural alteration of an existing special use shall require approval and submission of a new application for approval.

- D. All buildings, structures and uses that require a special use permit under this chapter must also obtain site plan approval pursuant to Article 9 of this chapter.
6. § 108-9.2B. Applicability. No building permit shall be issued for the construction of any physical improvement on any lot for which site plan approval is required under this chapter until the Planning Board has approved, or approved with modifications, a site plan for such improvement. Site plan approval is required for:
- (1) Any use requiring a special use permit or site plan approval as specified in § 108-5.14, Schedule of Use Regulations.
 - ...
 - (5) Any unenclosed storage occupying more than 1,500 square feet of ground area.
7. § 108-33.5E: Imposition of conditions. The Zoning Board of Appeals shall, in the granting of any variance, have the authority to impose such reasonable conditions and restrictions as are directly related to and incidental to the proposed use of the property. Such conditions shall be consistent with the spirit and intent of this chapter, and shall be imposed for the purpose of minimizing any adverse impact such variance may have on the general neighborhood or community.

NOW, THEREFORE, BE IT RESOLVED, that:

1. The Zoning Administrator's February 16, 2021 Notice of Violation and Order to Remedy is upheld and additionally modified to the extent it is inconsistent with the following findings.
2. The Zoning Board of Appeals finds that the use of the Site is unpermitted as it, at least in part, constitutes more than the approved building contractor's facility and office.
 - a. The use of the Site constitutes, at least in part, a scrap yard because it contains more than 100 square feet of land or structures that have been used for more than 30 days for the dismantling or accumulation of used and discarded materials outside of a completely enclosed building. The applicant did not obtain site plan and special use permit approvals for the operation of a scrap yard at the Site and has therefore violated the Sections 108-4.1B, 108-8.2, and 108-9.2B of the Zoning Law.
 - b. The use of the Site constitutes, at least in part, a general commercial use other than a building contractor's facility and office. The Site has been, and upon information and belief continues to be, used for retail sales of materials stored therein. This use exceeds that of a contractor's facility and office, which is limited in the Use Variance to consist only of a business office, accessory parking of vehicles, incidental assembly and modification of components used to facilitate off site construction projects, and storage. General commercial uses are not permitted in the Greenbelt District without a use variance

and the applicant has therefore violated the Section 108-4.1B of the Zoning Law.

3. The Zoning Board of Appeals finds that the use of the Site is unpermitted as it, at least in part, violates the conditions of the Use Variance.
 - a. The use of the site for the outdoor storage of demolition materials violates condition 2 of the Use Variance. The applicant has therefore violated the Section 108-33.5E of the Zoning Law.
 - b. The use of the site for outdoor storage in areas other than the 25'x28' area designated on the approved Site Plan violates condition 3 of the Use Variance. The applicant has therefore violated the Section 108-33.5E of the Zoning Law.
4. The Zoning Board of Appeals finds that the use of the Site is unpermitted as it, at least in part, violates the conditions of the Planning Board's site plan approval for the Site.
 - a. The use of the site for outdoor storage in areas other than the 25'x28' enclosed area and for retail sales within a temporary structure on the Site is not depicted on the site plan or permitted by the Planning Board's site plan approval for the Site. The applicant has therefore violated the Section 108-9.2B of the Zoning Law.
5. A copy of this decision shall be filed with the Town Clerk, the Zoning Administrator, the Building Inspector, and the Secretary of the Planning Board within five days of the adoption of this resolution.

Adopted:

James Agrawal	YES	
Paul Donnelly	[absent]	
Richard Perkins	YES	
John Scileppi	YES	
David McNary	YES	CARRIED

Filed with Town Clerk 6/10/21

#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.

Town of Hyde Park
ZONING BOARD OF APPEALS
4383 Albany Post Road
Hyde Park, NY 12538

845-229-5111 ext. 2

RESOLUTION ADOPTING A SEQRA DETERMINATION OF SIGNIFICANCE

HUDSON VALLEY HOSPICE
542 Violet Avenue and 31 East Dorsey Lane

Date: June 9, 2021

Motion: James Agrawal

Resolution # 21-05Z-2 (corrected 6/10/21)

Second: Richard Perkins

WHEREAS, the applicant, Hudson Valley Hospice, Inc., has submitted an application for an area variance to increase the maximum permissible graphic height for the entrance signage for a proposed in-patient care facility (the “Project”) at property located at 542 Violet Avenue and 31 East Dorsey Lane, identified as tax parcel nos. 6163-02-552748, -570735, in the Neighborhood Core Zoning District (the “Site”); and

WHEREAS, the proposed signage is depicted on sketches entitled “Monument Sign - Hospice House,” prepared by Timely Signs of Kingston, received March 24, 2021, and on a site plan entitled “Hudson Valley Hospice House,” prepared by Berger Engineering and Surveying, PLLC, dated April 6, 2021 (collectively, the “Site Plan Set”); and

WHEREAS, the applicant seeks an area variance from Zoning Law Section 108-24.2(F)(2)(a) to permit a height of 23.5 inches for a “flower” element on the sign, where a maximum height of 10 inches for any symbol or graphic is permitted (the “Requested Variance”); and

WHEREAS, the applicant has submitted a Short Environmental Assessment Form Part 1 (“EAF”) dated April 21, 2021; and

WHEREAS, on April 28, 2021, the Zoning Board of Appeals classified the Project as an unlisted action under SEQRA and determined to conduct an uncoordinated review; and

WHEREAS, the Zoning Board of Appeals has considered all available information concerning the potential impacts of the Project and found that it has sufficient information on which to base a determination of significance; and

WHEREAS, the Zoning Board of Appeals has considered the criteria contained in 6 NYCRR 617.7 and thoroughly analyzed all identified relevant areas of environmental concern.

NOW THEREFORE BE IT RESOLVED, that the Zoning Board of Appeals hereby determines that the Project will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared.

Adopted:

James Agrawal	YES	
Paul Donnelly	[absent]	
Richard Perkins	YES	
John Scileppi	YES	
David McNary	YES	CARRIED

Filed with Town Clerk 6/10/21

Town of Hyde Park
ZONING BOARD OF APPEALS
4383 Albany Post Road
Hyde Park NY 12538
(845) 229-5111

RESOLUTION TO GRANT AN AREA VARIANCE

HUDSON VALLEY HOSPICE
542 Violet Avenue and 31 East Dorsey Lane

Date: June 9, 2021

Motion: James Agrawal

Resolution # 21-05Z-3 (amended 6/10/21)

Second: John Scileppi

WHEREAS, the applicant, Hudson Valley Hospice, Inc., has submitted an application for an area variance to increase the maximum permissible graphic height for the entrance signage for a proposed in-patient care facility (the “Project”) at property located at 542 Violet Avenue and 31 East Dorsey Lane, identified as tax parcel nos. 6163-02-552748, -570735, in the Neighborhood Core Zoning District (the “Site”); and

WHEREAS, the proposed signage is depicted on a plan entitled “Monument Sign – Hospice House,” prepared by Timely Signs of Kingston, received March 24, 2021 (the “Sign Elevations”); and

WHEREAS, the applicant seeks an area variance from Zoning Law Section 108-24.2(F)(2)(a) to permit a height of 23.5 inches for a “flower” element on the sign, where a maximum height of 10 inches for any symbol or graphic is permitted (the “Requested Variance”); and

WHEREAS, pursuant to Section 239-m of the General Municipal Law, the Project was referred to the Dutchess County Department of Planning and Development, which responded on May 6, 2021, that the Project was a matter of local concern; and

WHEREAS, a duly noticed public hearing was opened on May 26, 2021 during a remote meeting held by the Zoning Board of Appeals in accordance with New York State Governor Cuomo’s Executive Order 202.1 and the subsequent extensions thereof, during which all those who wished to speak were heard; and

WHEREAS, the Zoning Board of Appeals closed the public hearing at its May 26, 2021 meeting but kept the record open for the submission of written comments for a period of seven (7) days thereafter; and

WHEREAS, on June 9, 2021, by Resolution #21-05Z-2 the Zoning Board of Appeals determined that the Project as proposed will not result in any significant adverse environmental impacts and that a Draft Environmental Impact Statement will not be prepared; and

WHEREAS, the applicable standards for considering an area variance are set forth in Town Law Section 267-b and Hyde Park Zoning Law Section 108-33.6(B)(2), which require the Board to take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, and welfare of the general neighborhood or community by such grant.

NOW THEREFORE BE IT RESOLVED, that the Zoning Board of Appeals makes the following findings in accordance with Section 267-b of the Town Law and Hyde Park Zoning Law Section 108-33.6(B)(2) regarding the Requested Variance:

1. The Requested Variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.

The increased dimension for the sign's flower symbol allows the applicant to easily and effectively represent itself to passersby traveling along Violet Avenue, aka Route 9G. The sign design is aesthetically pleasing and the scale of the symbol is proportionate to the monument sign on which it is displayed. The increase in the permissible symbol height will therefore not have a significant impact on the neighborhood or negatively affect nearby properties.

2. The benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than an area variance.

The applicant wishes to display their logo in order to represent itself to passersby and alert potential visitors of its location. Due to the scale of the flower in the applicant's logo relative to the size of the lettering within the logo, requiring the flower symbol to be 10 inches in height would result in lettering ranging from approximately 2-3.6 inches in height. Such lettering would not be feasible for a commercial entity's entrance sign.

The applicant could potentially reduce just the height of the flower symbol without changing the height of the letters, but doing so would be less aesthetically pleasing and may make portions of the sign less easily discernible.

3. The Requested Variance is numerically substantial, as the permitted dimension for the size of a symbol or graphic on the sign will increase by 13.5 inches (135%). However, as discussed herein, the impacts of the Requested Variance will not be substantial.
4. The Requested Variance will not have an adverse effect or impact on the physical or environmental conditions in the general neighborhood or district.

Allowing the symbol height to be larger than what is permitted by the Zoning Law would not result in the sign having any significant additional effect on the environment. In addition, as discussed above, the impacts of the Requested Variance on the Site and neighborhood will be minimal. There will be no ground disturbance as a result of the area variance, and the impact to the environment would be approximately the same if the “flower” symbol were zoning compliant.

5. The difficulties are self-created.

BE IT FURTHER RESOLVED, that the Zoning Board of Appeals hereby grants the Requested Variance subject to the following condition:

1. Payment of all fees and escrow.

Adopted:

James Agrawal	YES	
Paul Donnelly	[absent]	
Richard Perkins	YES	
John Scileppi	YES	
David McNary	YES	CARRIED

Filed with Town Clerk 6/10/21

#21-07Z

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.

Town of Hyde Park
ZONING BOARD OF APPEALS
4383 Albany Post Road
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(845) 229-5111

RESOLUTION TO GRANT AN AREA VARIANCE

Catherine & Michael DuBois
21 Roosevelt Road
Hyde Park, NY 12538

Date: June 9, 2021

Motion: James Agrawal

Resolution #21-08Z

Second: David McNary

WHEREAS, the applicant, Catherine & Michael DuBois, has submitted an application for an area variance to 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 (the “Project”) at property located at 21 Roosevelt Road Hyde Park, NY 12538, identified as tax parcel no. 6164-04-809431, in the Neighborhood Zoning District (the “Site”); and

WHEREAS, pursuant to 6 NYCRR 617.5(c)(17), the granting of an area variance for a single-family, two-family or three-family residence is a Type II action under the State Environmental Quality Review Act and is not subject to review under the Act; and

WHEREAS, a duly noticed public hearing was opened on May 26, 2021 during a remote meeting held by the Zoning Board of Appeals in accordance with New York State Governor Cuomo’s Executive Order 202.1 and the subsequent extensions thereof, during which all those who wished to speak were heard; and

WHEREAS, no members of the public were present to speak; and

WHEREAS, the Zoning Board of Appeals closed the public hearing at its May 26, 2021 meeting but kept the record open for the submission of written comments for a period of seven (7) days thereafter; and

WHEREAS, no written public comments were received; and

WHEREAS, the applicable standards for considering an area variance are set forth in Town Law Section 267-b and Hyde Park Zoning Law Section 108-33.6(B)(2), which require the Board to take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety, and welfare of the general neighborhood or community by such grant.

NOW THEREFORE BE IT RESOLVED, that the Zoning Board of Appeals makes the following findings in accordance with Section 267-b of the Town Law and Hyde Park Zoning Law Section 108-33.6(B)(2) regarding the Requested Variance:

1. The Requested Variance will not produce an undesirable change in the character of the neighborhood or a detriment to nearby properties.

The site contains a single-family dwelling. The requested variance would allow the applicants to construct an above-ground pool on a property with a house already built within the stream corridor. Additionally, the pool will not have an adverse effect on the neighbors or neighborhood. (A pool was already constructed on the property in the rear of the house.) The granting of the variance will not adversely affect the Neighborhood District since the above ground pool will not have a significant adverse effect on the watershed or stream.

2. The benefit sought by the applicant cannot be achieved by some method feasible for the applicant to pursue, other than an area variance.

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The pool will be properly situated for the applicant’s enjoyment at the rear of the house.

3. The Requested Variance may be considered numerically substantial as the permitted setback will decrease from 100 feet to 25 feet – a variance of 75%. However, as discussed herein, the impacts of the Requested Variance will not be substantial.
4. The Requested Variance will not have an adverse effect or impact on the physical or environmental conditions in the general neighborhood or district.

The requested variance will allow the construction of a pool in a previously disturbed area where a smaller pool existed. The construction and use of a larger pool will result in insignificant ground disturbance and will not cause new significant adverse impacts to the stream or other surface water resources. Therefore, the Requested Variance will not have an adverse effect or impact on the environment.

5. The difficulties are self-created.

BE IT FURTHER RESOLVED, that the Zoning Board of Appeals hereby grants the Requested Variance subject to the following condition(s):

1. Payment of all fees and escrow.
2. Old or excess pool water cannot be discharged directly into the stream.

Adopted:

James Agrawal	YES	
Paul Donnelly	[absent]	
Richard Perkins	YES	
John Scileppi	YES	
David McNary	YES	CARRIED

Filed with Town Clerk 6/10/21

Richard Perkins motioned to adjourn, and John Scileppi seconded the motion.

VOICE VOTE

ALL IN FAVOR: 4
ALL OPPOSED: 0 CARRIED

The meeting adjourned at 6:31 pm.