

ESOPUS ZONING BOARD OF APPEALS

Date: November 18, 2025
1 Town Hall Way
Ulster Park, New York

PRESENT: Karl Wick, Chairman
Katie Zahedi
Jim Tomassetti
Kathy Kiernan
Guy Brought

ALSO PRESENT: Councilperson Kathy Quick
CEO Mark Jaffee
ZEO Hannah Palen

EXCUSED: Gloria VanVliet
Michael Pittner

Chairman Karl Wick called the meeting to order with the Pledge of Allegiance to the Flag at 7:06 p.m.

Minutes - Upon Motion of Chairman Wick, seconded by Member Brought and all in favor, the October 21, 2025 Minutes as amended were approved by a vote of 5-0-2.

INFORMATIONAL and PUBLIC HEARING:

No applications.

DECISIONAL:

09-02-25-01 Laestadius Use & Area Variances
374 Broadway
SBL No. 56.83-4-15
GC-1 Zoning

Applicant Linda Laestadius was present. Chairman Wick noted request for a use and area variance for property located in a Commercial Zoning District. The Use Variance was to allow the use in a Commercial Zone and the Area Variance to address the proposed setbacks. Chairman Wick had printed and circulated an arial map of the area which showed that there was some commercial business in the vicinity, but no residential properties had an outbuilding forward of the house within the customary distance of the subject property. The Chairman also reminded that it was a self-created hardship given that the Applicant had purchased the property post the Zoning Amendments and knew or should have known the restriction but didn't preclude granting an area variance but was an optional condition. A use variance was more restrictive.

Ms. Lastadius offered to explain aerial view and answer questions. Chairman Wick noted that no public input was being taken during the decisional review of the request. He did request comments from Members. Member Zahedi noted good reasons had been given in support of

both the use and area variances given a proposed development being proposed in the vicinity and the proposal would shield lights shining onto the property. Member Kiernan supported the ADU proposal that supported what the Towns had been trying to encourage but personally felt that the location of the ADU was too close to the highway and given the comments from the Ulster County Planning Board which would also require a super majority to override. Member Tomassetti noted there were two (2) issues - one that it was in front of the house and secondly, its location was too close to the highway and asked if there were any alternatives that could be considered. He inquired if the secondary structure could be placed diagonally and set back further so the doors didn't directly face Broadway. Member Brought supported the concept to set at a forty-five-degree angle and set back. Member Kiernan inquired about possible required distance for an existing sewer easement and any required distances. Chairman Wick noted that anything could not be placed above it and could not restrict access. Chairman Wick had no issue with the proposed ADU in a commercial district but did not like the proximity to the highway and that each variance request should be addressed separately. Member Tomassetti stated one other consideration was if the ADU could be attached to the existing residence.

Chairman Wick entertained a Motion to allow the ADU use variance. Upon Motion of Member Zahedi, seconded by Member Brought and all voting in favor, the Motion to allow a use variance for an accessory dwelling in the GC1 Zoning District passed 4-0-2 by the following vote:

Karl Wick	Would change the character of the neighborhood but the neighborhood was so mixed, it was not enough to impact the neighborhood and there was a housing need Countywide
Guy Brought	Agreed - Aye
Katie Zahedi	Agreed - Aye
Kathy Kiernan	Agreed - Aye
Jim Tomassetti	Agreed - Aye
Mike Pittner	Excused
Gloria VanVliet	Excused

Chairman Wick entertained a Motion for an area variance to allow the proposed setbacks and location of the ADU forward of the main dwelling. Member Tomassetti presented a Motion to vote on approval of the proposed area variance as depicted, seconded by Member Zahedi.

Upon Motion of Member Tomassetti, seconded by Member Zahedi , the Motion to allow the area variance failed by the following 4-1-2 by the following vote:

Karl Wick	No
Guy Brought	No – too close to the highway and alternative should be considered
Katie Zahedi	Aye
Kathy Kiernan	No – too close to the highway and although sideyard was not as great a concern, it was proposed too close to the highway and supported the recommendations of the Ulster County Planning Board
Jim Tomassetti	No
Mike Pittner	Excused

Gloria VanVliet	Excused
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The Applicant stated that any alternative didn't make economic sense. Member Zahedi asked what impact other options to move the location back would have. Chairman Wick noted that locating the structure back, it would meet front yard setback and requirement restricting accessory structures in the front yard. Member Tomassetti and Members concurred that the proposed location within 10' of the main road was an issue.

River Heights Area Variance -

Architect James Reynolds and Attorney Ronald Pordy were present. Chairman Wick noted that neighbors had requested clarification from the Town and/or County as to whether the Planning Unit Development (PUD) still existed and asked if any response had been received. No responses had been provided. Architect Reynolds inquired if he could respond. Chairman Wick stated that unless Mr. Reynolds had a written response from the Town or County directly addressing the PUD, no opinion response would be heard.

Chairman Wick stated there were two options – vote based upon evidence presented or delay the decision 30 days pending further information regarding the PUD and if the property was still part of the PUD. Member Tomassetti noted that the property had gone for back taxes and changed ownership four times and had lost the property. His opinion was that the property was a liability to the Town and questioned if its status as a PUD was the issue being considered by the ZBA rather than the present application requesting whether to allow three units versus two per building (pursuant to the Code definition of Townhouses).

Chairman Wick entertained a Motion to vote on the allowed number of units per building. Chairman Wick motioned to allow two (2) units per building, seconded by Member Tomassetti.

Member Kiernan asked if the decision could apply specifically to the property. The Secretary provided that the Planning Board requested that any ZBA decisions are included on any plans approved by the Planning Board and would be specific to the project. Chairman Wick directed that any plans for the project reflect the decision of the ZBA.

The Motion to allow the area variance passed by the following 5-0-2 by the following vote:

Karl Wick	Yes- aesthetically pleasing, less crowded and better access for emergency access
Guy Brought	Yes
Katie Zahedi	Yes
Kathy Kiernan	Yes
Jim Tomassetti	Yes – two units more aesthetically preferred rather than the hotel appearance
Mike Pittner	Excused
Gloria VanVliet	Excused

Discussion: Request for clarification of a previous Decision made by the ZBA in June 17, 2025 regarding principle uses are permitted in non-residential zones and multiple-residential uses are not permitted on the same property, subject to special use permit. Change recommended to add “except when issued by special use permit.”

Member Kiernan inquired why a variance should not be requested rather than allowing the Planning Board review to require a special use permit. Member Tomassetti provided encouraging variances wasn’t preferred and making part of the Planning Board review would put more “eyes on the project.”

Member Wick entertained a Motion to confirm allowing secondary dwelling units on a property subject to special use permit to clarify the June 17, 2025 Decision. Upon Motion of Chairman Wick, seconded by Member Brought, the Motion was approved 5-0-2 by the following vote:

Karl Wick	Yes
Guy Brought	Yes
Katie Zahedi	Yes
Kathy Kiernan	Yes
Jim Tomassetti	Yes
Mike Pittner	Excused
Gloria VanVliet	Excused

Chairman Wick encouraged all Members to review training opportunities and there were online training opportunities were available.

Chairman Wick motioned to adjourn the meeting at 7:41 p.m., seconded by Member Kiernan and all present in favor.

Respectfully submitted,

Lisa K. Mance, Administrative Assistant
Submitted on December 18, 2026
Approved: February 17, 2026