

**VILLAGE OF COXSACKIE
ZONING BOARD MINUTES
August 26, 2026**

Chairman Sal Bevilacqua called the Zoning Board Meeting to order at 6:00 p.m. Present were Zoning Board Members: Brian Goble, Jocelyn Lane, Jason Southwick, and Brian Tighe.

A motion to approve the minutes from the April 8, 2026 Zoning Board Meeting was made by Brian Goble and seconded by Brian Tighe. Chairman Bevilacqua voted yes. Brian Goble voted yes. Brian Tighe voted yes. Jocelyn Lane and Jason Southwick abstained. The motion carried.

Old Business

Chairman Bevilacqua stated that the Zoning Board of Appeals needs to schedule a Joint Public Hearing in September, along with the Planning Board, for an Area Variance application received from 49-51 Mansion Street, LLC, owned by Colleen J. VanCuren & Mary E. Matousek.

A motion to approve the Area Variance application received from 49-51 Manson Street, LLC, principal Colleen J. VanCuren & Mary E. Matousek, as complete, for the purposes of scheduling a Joint Public Hearing along with the Planning Board, tentatively for Thursday, September 17th at 6:00 p.m. was made by Brian Goble and seconded by Brian Tighe. Chairman Bevilacqua voted yes. Brian Goble voted yes. Jocelyn Lane voted yes. Jason Southwick voted yes. Brian Tighe voted yes. The motion carried.

New Business

14 Lawrence Avenue-Chairman Bevilacqua stated that the Zoning Board of Appeals received a request for an Area Variance from Abraham Kessler, of Troy Deals, LLC, for a variance from the parking restrictions per Village Code. He said that he will have to recuse himself from any decision making, as he is involved in this through his employer. The Village Code states that there should be 2 parking spots per unit. The applicant has a 3 unit building, that is currently operating as a 2 unit building. The building has been operating for the last 20 years as a non-conforming 3-unit, but he is looking to do so legally. He can utilize on street parking for 2 cars, and fit 2 in the rear of the building. However, he is seeking an easement from Mansion Street Development in order to use their land between their two buildings to fit the other 2 cars. This is considered an Area Variance because the applicant needs to be able to put the 2 cars, nose to back, so that cars can still pull past them. So, the Village Code states that it must be 9' per vehicle width, and they only have 8'. So, they are short 1' of width.

A representative of applicant, Abraham Kessler, was present. He stated that the original plan was

to have 4 cars parked in the rear of the building. However, an issue was brought regarding where the snow would be pushed when snowplowing. So, they changed their plan to put the 2 vehicles on the side with the easement, with room for 2 vehicles to pass through to the back, and then they have enough space for everything.

Chairman Bevilacqua stated that it is noteworthy that there was already a Public Hearing for this via the Planning Board, and there was public comment over the concern of putting 4 cars in the rear, and having nowhere to push snow. He was not a part of the process, but heard that there was a concern there. So, he, in his business capacity, is willing to provide this easement. There is actually already an easement in place. He is willing to let the applicant use that space in order to access the rear lot. Now, they would have to modify the easement, which he is willing to do so. This would allow them to use the land for 2 parking spots, and a pull through.

The applicant's representative stated that the issue at hand is whether or not they can have a vehicle pass the parked vehicle on the side with 8' of width next to the parked vehicle. Which, technically, is very comfortable and possible.

Chairman Bevilacqua stated that there are a lot of nonconforming apartments in the village in terms of the parking restrictions in the Village Code.

Brian Tighe asked if the Board is planning on deciding on this matter tonight.

Chairman Bevilacqua stated that the Board will not be deciding on this matter tonight. Tonight is just to allow the applicant to present their application, and the Board can ask any questions of the applicant. The next step would be to schedule a Public Hearing for next month.

Jocelyn Lane asked if the applicant had a survey of the property.

The applicant's representative stated that the area in question they measured themselves. The property was surveyed, but he does not have it handy here tonight.

Jocelyn Lane stated that she feels that the Board should be provided a copy of the survey.

Chairman Bevilacqua stated that he didn't have a survey available at this property when the conversation first came up about the easements. They will be utilizing the grass area as well in this scenario. The applicant also doesn't anticipate having 6 vehicles there at the same time, but this decision will live with this property indefinitely, and set a precedent for other apartment situations.

Jocelyn asked if it was safe to say that you can't force people to park in there. She asked if

people could refuse, and then park on the street.

Chairman Bevilacqua asked if she meant that as a landlord, they could dictate where the tenants park.

The applicant's representative stated that as a landlord, they can dictate where tenants have to park.

Chairman Bevilacqua stated that the landlord can tell tenants that they have to follow those rules, but you can't force their hands.

Jocelyn Lane stated that she is worried that if there were 6 cars, and they didn't want to park where they are designated, then where do the cars go.

The applicant's representative stated that over the last several years there were always tenants there, and there have been no problems. They have received no complaints from neighbors about cars in the street.

Jason Southwick asked how many bedrooms there are in the building.

The applicant's representative stated that he was not sure off the top of his head.

Jason Southwick stated that that could help foresee how many cars there may be.

Chairman Bevilacqua stated that he believes there is one bedroom upstairs, and then downstairs is broken into a small studio, and the other unit might be a 1 bedroom apartment. It's possible the upstairs might be a 2 bedroom. He is only going off of what he remembers from the past. He is not sure.

Jason Southwick stated that it sounds like that chances are there might only be 4 cars for most of the time anyway.

Chairman Bevilacqua stated that there is a lot to discuss here. He feels like it is a bottleneck for a lot of development around here, or at least for affordable housing opportunities, because to conform to the parking standards in the Village Code, it is almost impossible in some areas. The Board saw this when reviewing Amy Bennett's building downtown as well. They were able to reconfigure her parking by allowing for smaller parking stall dimensions in the rear of the building.

The applicant's representative stated that the 9' width rule for vehicles is when they are driving.

When one car is parked, and one needs to pass, then technically, it can be much smaller than what they already have with the easement. A vehicle is no wider than 5 or 6 feet. They are only short 1'.

Brian Tighe asked if he understood correctly that Sal Bevilacqua owns the adjacent property that is also a rental.

Chairman Bevilacqua stated that that is correct. When the applicant purchased the property, he was under the assumption that the driveway was his, because there is no other driveway on the other side.

Brian Tighe asked if there is a current easement then to begin with.

Chairman Bevilacqua stated that there is just for the purpose of pulling anything onto the property. He has a survey for his property.

Jocelyn Lane stated that that was what she was getting at earlier. She is surprised that the applicant didn't see a survey before purchasing the property.

Brian Tighe asked if he understood correctly that the applicant is just looking for a variance on another 1' of easement, or just the ability to park there.

Chairman Bevilacqua stated that the ability to park there is on him, as the property owner. The ability to call it legal parking per the Village Code, is what they are dealing with here. The County GIS tax map reflects it as his parcel.

Jocelyn Lane stated that reading through the Planning Board Public Hearing comments, a resident stated that the residents of 10, 14, & 16 Lawrence Avenue routinely park their cars on the sidewalk, and there are kids that walk to school. Another resident had also asked if the property had been surveyed, and the reply was that it hadn't been surveyed. They technically have room to maneuver at 47 feet wide in the rear, but they are not considering the stairs for the back apartment. So, there is a lot to consider.

Brian Goble asked if there has been any other communication from residents since that Public Hearing.

Jocelyn Lane stated that that next opportunity for residents to speak would be once they were notified that the application has gone before the Zoning Board.

Brian Goble asked if there has been any additional communication from neighbors who were

against this at the Public Hearing.

Nikki Berezna, Clerk, stated that there has been no additional communication from residents regarding this.

Chairman Bevilacqua stated that that is because the Planning Board denied their application. So, the applicant submitted it to the Zoning Board in the form of an Area Variance, rather than in the form of a Special Use Permit.

Jocelyn Lane stated that the building was never properly issued a Special Use Permit. She knows that the applicant is trying to go through that process now.

The applicant's representative stated that all they are trying to do is get approval to have a vehicle parked in less than 9'. The easement is granted.

Chairman Bevilacqua stated that he cannot really direct the conversation, other than divulging what he knows.

Brian Goble asked if that easement is permanent, or revocable.

Chairman Bevilacqua stated that it is written to be revocable with breaches of certain conditions outlined within it, but this agreement will general live to see the next owners of the properties as well.

Jason Southwick stated that he is concerned that if they alter their driving path, it could mess with the foundations of both buildings.

Brian Tighe asked if he understood correctly that if cars are parked next to the foundation, it could cause damage over time.

Jason Southwick stated that that is correct. Especially with the cars passing on the left side towards the other building. Right now, they are passing directly in between, so they are not affecting the foundations of either building.

Jocelyn Lane asked if it came before this Board prior to getting a survey done, or is that something that still needs to be requested of the applicant.

Chairman Bevilacqua stated that this is the first meeting with the applicant. He knows that when they were before the Planning Board, there was some conflict with the Sitzer's over how far they owned back for that lot where the cars would be parked. That is why they needed to utilize the

side of the building, because it was determined that there wasn't enough space back there to maneuver plowing, pulling in, and pulling out for 4 cars.

Jocelyn Lane stated that at the Public Hearing, it was also asked if the applicant planned to turn the studio into a 3rd apartment. This raises the same question that Jason Southwick had about how many bedrooms there were, and in turn, how many cars there would really be.

Jason Southwick stated that also in terms of snow removal, if there are 2 cars on the side, then a 9' plow truck wouldn't fit through there with the 2 cars.

Jocelyn Lane asked how that would be handled during snow removal.

The applicant's representative stated that if there were 4 vehicles in the back, then there's nowhere to put the snow. If there are 2 vehicles, you can have them pull out while plowing, and then they can move the cars back. There would be 2 in the back, 2 on the street, and 2 in the driveway.

Brian Goble stated that the Site Plan they have in front of them shows 4 parking spots in the rear.

The applicant's representative stated that that is what they are looking to change. That was their original plan, but now can't do that because of the issues with the snow.

Jason Southwick asked if there was any way this item could be tabled until the next meeting, so that they could review some of the information.

Chairman Bevilacqua stated that if everyone feels that they don't have any other questions at this time, then the Board can move to schedule a Public Hearing for next month.

Jocelyn Lane stated that she feels that the Board should hear from the public on this.

Brian Tighe stated that the Board can still ask questions at the Public Hearing as well.

Chairman Bevilacqua stated that he is limiting his influence on this, but he knows that a couple of the Board Members have asked about the survey. He doesn't know if the rest of the Board would like the applicant to provide that to them at the Public Hearing.

Brian Tighe stated that an updated Site Plan should be needed also.

Chairman Bevilacqua stated that the applicant will need to provide the Board with an updated Site Plan, and a copy of the survey.

A motion to approve scheduling a Public Hearing for the Area Variance application received from Abraham Kessler, of Troy Deals, LLC, tentatively for Wednesday, September 23rd at 6:00 p.m., pending submission from the applicant of the most recent property survey, and an updated Site Plan showing the new plans for parking, was made by Jason Southwick and seconded by Brian Goble. Chairman Bevilacqua voted yes. Brian Goble voted yes. Jocelyn Lane voted yes. Jason Southwick voted yes. Brian Tighe voted yes. The motion carried.

117 Riverside Avenue-Chairman Bevilacqua stated that the Zoning Board of Appeals received a request for a Variance from Local Law #4 of 2023-(Short-Term Rental Local Law) for 117 Riverside Avenue. Owner, Monica Youn, is seeking approval to grandfather her Short-Term Rental as a legal, nonconforming use, outside of the allowed Zoning Districts per the Village Code.

Brian Tighe asked if he understood correctly that Ms. Youn is appealing to the Zoning Board from a denial of the Short Term Rental (STR) Certificate from the Village Board.

Chairman Bevilacqua stated that that is correct. The applicant stated that they were operating as a STR prior to the moratorium, and then when it was determined that Short Term Rentals were only allowed in certain Zoning Districts, they found themselves outside of the allowed Zoning. They missed the period in which they could apply for a variance from the Local Law, and ask to be grandfathered in. They went to the Village Board, and were denied. So, now they are appealing that decision, and would like to run their STR on the grounds that they should be grandfathered in.

Brian Tighe asked if he understood correctly that existing Short Term Rentals were grandfathered in provided that they applied for a variance from the Local Law during a certain time period.

Chairman Bevilacqua stated that that is correct.

Brian Tighe asked if the Board was expecting the owner to be present tonight.

Clerk Nikki Berezna stated that she is not sure. The applicant did not state whether or not she would be present.

Chairman Bevilacqua stated that he thinks that the applicant would need to provide as much evidence as possible of having been operating as a STR for the past 15 years.

Brian Goble stated that unfortunately, he would have like to have heard from the applicant.

Jason Southwick asked how long the applicant stated she was renting this out for.

Clerk Nikki Berezna stated that per the letter from the applicant's attorney, it states that she has been operating as a STR for 15 years.

Jocelyn Lane stated that she sees that the Mayor sent the applicant an email in 2024 stating that her application was denied, and that she needed to appeal through the Zoning Board, but she never did until now.

Chairman Bevilacqua stated that they will table this discussion for now, and will ask if the applicant, or someone on her behalf, can please attend the next meeting in September, in order to afford her the opportunity to explain why she thinks the decision is wrong, and to provide the Board whatever evidence she has that the property has been used as a STR for the past 15 years.

UMH-Mountain View Estates-Chairman Bevilacqua stated that the Board will table their review of the Area and Use Variance applications for UMH's Mountain View Estates Project. They are awaiting review by the Village's Attorney and Engineer.

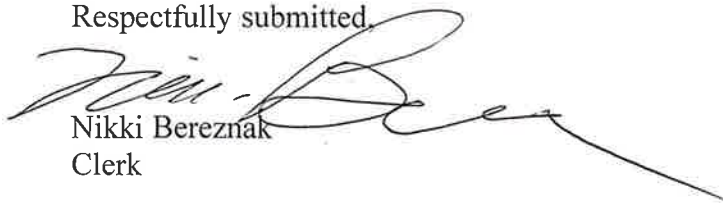
Public Comment

No public comment was received.

A motion to adjourn the Zoning Board meeting was made by Jason Southwick and seconded by Brian Goble. Chairman Bevilacqua voted yes. Brian Goble voted yes. Jocelyn Lane voted yes. Jason Southwick voted yes. Brian Tighe voted yes. The motion carried.

The meeting was adjourned at 6:53 p.m.

Respectfully submitted,



Nikki Berezna
Clerk