

RESOLUTION DISMISSING WOODSTOCK ZONING BOARD OF APPEALS CASE WITHOUT PREJUDICE:

IAN VINCI ZBA 25-01

WHEREAS, Mr. Ian Vinci made an application to the Zoning Board of Appeals on February 21, 2025 for property located at 234 Tinker Street, Woodstock NY 12498, a 5.15 acre parcel located within a SLI Zoning District, for variances from the Zoning Law of the Town of Woodstock, Article IV, Area & Bulk Regulations, Section 260-16 Attachment 2, for an 87-foot infringement into a 125-foot side-yard setback (West side) and Section 260-16 Attachment 2, for a 94-foot infringement into a 125-foot side-yard setback (East side) in order to construct a 50 foot by 100 foot metal storage building; and

WHEREAS, the Zoning Board of Appeals held a duly advertised public hearing on this Application at Town Hall on March 21, 2025. Several members of the public provided comments and concerns, including, but not limited to, the size of the structure, encroachment into the setbacks, proposed location, impact to quality of life, impact to nearby stream corridor, and potential noise. The public hearing was continued to a later date; and

WHEREAS, the Zoning Board of Appeals referred the application to the Ulster County Planning Board, pursuant to New York State Law General Municipal Law §239-m; and

WHEREAS, on May 07, 2025, the Ulster County Planning Board reviewed the application at its public meeting. Several members of the public and neighbors were also in attendance at the Ulster County Planning Board and provided additional comments to the Ulster County Planning Board; and

WHEREAS, the Ulster County Planning Board requested additional information in its comments back to the Zoning Board of Appeals. According to the Ulster County Planning Board, “This request is for critical details necessary for the ZBA to conduct the area variance balancing test, particularly regarding community character and the degree of the requested variance, which exceeds 50% of the statute’s requirement.” The Ulster County Planning Board stated “contextual details must be provided so the ZBA can understand how the proposal fits into the surrounding neighborhood. Photo simulations are recommended for this purpose.” The Ulster County Planning Board also noted that the applicant requests two area variances, greater than the 50% of the requirement of the zoning statute, and noted the requirement that “the minimum variance necessary and adequate to satisfy the hardship must be balanced against the other aspects of the variance test.” The Ulster County Planning Board recommended an exploration of alternative layouts, designs, and locations for the proposed storage building. The Ulster County Planning Board further recommended a coordinated review with the Town of Woodstock Planning Board under the New York State Environmental Quality Review act to identify potential environmental impacts with constructing a “5,000-square-foot-building, particularly the requested side yard variances.”; and

WHEREAS, the Ulster County Planning Board recommended the above-referenced materials and analysis be provided to the Zoning Board of Appeals and then referred again to the Ulster County Planning Board with the updated materials; and

WHEREAS, the Zoning Board of Appeals continued the public hearing on June 12, 2025; and

WHEREAS, additional comments and concerns were received from the public during the public hearing. The Zoning Board of Appeals also discussed comments and requested information received from the Ulster County Planning Board; and

WHEREAS, the Zoning Board of Appeals recessed the public hearing with instructions for Mr. Vinci to return with alternate plans, photos, as well as detailed site plans as recommended by the Ulster County Planning Board; and

WHEREAS, on February 9, 2026, having not received any further submissions, the Chair of the Zoning Board of Appeals emailed Mr. Vinci requesting an update on the status of the Application on whether he planned to continue his application, and further included a request that Mr. Vinci respond by February 23, 2026, with a date certain that he will return to the Zoning Board of Appeals with the materials requested by the Board; and

WHEREAS, Mr. Vinci replied via email on February 10, 2026 to the Zoning Board of Appeals that he would like to keep the Application open, but did not provide any of the requested materials, nor did he provide a date by which such materials would be provided; and

WHEREAS, the Zoning Board of Appeals has now waited an additional 6 months and has not received any further communications from Mr. Vinci; and

WHEREAS, no further submission or requested materials have been received by Mr. Vinci in over a year; and

WHEREAS, the Zoning Board of Appeals has determined that the lack of communication and progress for many months warrants the dismissal of the Application.

NOW, THEREFORE, BE IT RESOLVED based on all of the facts described above and upon the reasoning described above, as follows:

Section 1. Due to the inactivity and lack of requested materials from the Applicant, Mr. Ian Vinci, the Zoning Board closes the public hearing on ZBA Case: Mr. Ian Vinci #25-01.

Section 2. Due to the inactivity and lack of requested materials from the Applicant, the Zoning Board of Appeals dismisses ZBA Case: Mr. Ian Vinci #25-01 as incomplete, without prejudice.

Section 3. This dismissal shall be without prejudice, and the Applicant shall be permitted to submit an amended area variance application, with the submission of the materials previously requested by the Zoning Board of Appeals and the requested materials and information previously requested from the Ulster County Planning Board.

Section 4. We direct the Zoning Board of Appeals Clerk to obtain the final invoices from the Board's consultants and to pay those invoices from the escrow deposit posted by the Applicant. The Town of Woodstock shall return any remaining escrow funds to Mr. Vinci once all accounting is completed.

Section 5. Any submission of an amended area variance application shall be contingent upon the Applicant paying all applicable fees and required escrow deposits.

Motion to approve resolution by: _____

Seconded by: _____

The vote was announced as follows:

Judith Sillato: (), Joseph Belluck: (), Martin Mills: (), Gregg Goodbrod: (),
Olivia Twine: (), Howard Harris: (alternate) ().

THE RESOLUTION WAS (ADOPTED) by a vote of () in favor, () opposed, () absent,
and () abstaining.

ZONING BOARD OF APPEALS, FILED WITH THE TOWN CLERK

BY: _____ Date: _____

Judith Sillato, Chairperson

BY: _____ Date: _____