

**NOTICE** — This APPLICATION must be filed in duplicate within 30 days of the date of the order of the administrative official on which application is based, accompanied by necessary data. (See reverse side of this sheet.)

## TOWN OF OLIVE

## BOARD OF APPEALS

Owner: Bengtson Trust u/a7. Isabel Antonia Deus

Address: 139 Acorn Hill Rd  
Olivebridge NY, 12461

Signature: \_\_\_\_\_

Date: \_\_\_\_\_ Phone: 845-417-8254

Applicant, If other than owner:  
Praetorius & Conrad, P.C.

Address: PO BOX 360, Saugerties, NY 12477

Phone: 845-246-3671

(For Office Use Only)

Date Initials

Cal. No. \_\_\_\_\_

Application &amp; Fee Rec'd. \_\_\_\_\_

Other Req. Documents/Information

Rec'd. \_\_\_\_\_

Hearing Notice Given \_\_\_\_\_

Copy Sent to Town Board and Planning  
Board \_\_\_\_\_

Planning Board Opinion Rec'd. \_\_\_\_\_

Public Hearing Held \_\_\_\_\_

Decision Notice Sent \_\_\_\_\_

County Planning Board

Referral \_\_\_\_\_

Notice to Abutting Property

Owners \_\_\_\_\_

Interest of applicant, if other than owner: \_\_\_\_\_

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF OLIVE: Application is hereby made for:

☒ A Variation of Article \_\_\_\_\_, Section 155:A1(5) of the Zoning Ordinance.

( ) An Interpretation of Article \_\_\_\_\_, Section \_\_\_\_\_ of the Zoning Ordinance.

( ) An Interpretation of the Zoning Map in the \_\_\_\_\_ (Describe the general area)

( ) Appeal under Section 280(a) of the Town Law.

( ) An Appeal from an Order of the Zoning Inspector to correct a Violation of the Zoning Ordinance, Section \_\_\_\_\_

( ) (Other) \_\_\_\_\_

and further described as follows (Specify ruling sought):

The request is for a variance from the zoning ordinance, Section 155:A1(5) to change the side yard setback from 50' to 19.85' to allow for an existing structure, in order to facilitate the lot line adjustment.

## 1. Location of Affected Premises

139 Acorn Hill Rd, Olivebridge NY, 12461

(Give street number, name, site distance from cross street)

and shown on the Tax Map (if any) as: Sheet 53.2 Block 3 Lot 61.100

Zoning District R/R-3A ( Rural/Residence-3 Acres District )

2. Size of Lot: Front 334' +/- Rear 291' +/- Depth 243' +/- (Ave.) Area 1.631 +/- Acres

3. Have previous appeals been filed in regard to these premises? Yes

(If yes, give calendar number and date, if any)

Cal. No. Reference No. 23-04

Date June 7, 2023

Cal. No. \_\_\_\_\_

Date \_\_\_\_\_

Cal. No. \_\_\_\_\_

Date \_\_\_\_\_

4. Has court summons been served relative to this matter? No

5. Have you inquired of the Clerk of the Town of Olive whether there is any petition pending to change the use district regulations affecting the block on which these premises are located? No petition pending

6. ATTACHED HERETO AND MADE A PART OF THIS APPLICATION, I SUBMIT THE FOLLOWING:

(Note— All these papers must be submitted with the application or as required by the Board)

a. A facsimile copy of decision of order of administrative official on which application is based.

b. A statement of the grounds on which I base my application with a clear and accurate description of proposed work, if any.

c. THREE SETS OF DIAGRAMS, including:

a block diagram with street numbers and tax block and lot numbers (if any and street frontage, showing the character and occupancy of all property affected, with points of compass and scale indicated. A copy of ground floor plans and elevation of buildings with all necessary measurements. A copy of Zoning Map for location.

d. A full list of NAMES and ADDRESSES of owners of all property shown on block diagram or all abutting properties, and indicating property owned by Tax Section, Block and Lot numbers (if any.)

e. Duly acknowledged or signed consents, given by such property owners; affidavits of publication and service of notice by mail, and such other data or information as the Board may deem necessary when specifically asked for by the Board.

f. Copy of notice to the particular Town office, offices or agency from whose order I have appealed.

g. A fee in the amount of \$ \$ 75.00

(Spaces below to be completed by the Notary Public except where otherwise indicated)

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith, are true.

Sworn to before me this 18 day) Isabel Antonia Deus Bengtson  
(Applicant to sign here)

of October 20 24  
TH

#### AFFIDAVIT OF OWNERSHIP

State of New York  
County of Ulster, Isabel Antonia Deus Bengtson being duly sworn,

deposes and says that he resides at 202 Van Kleeck Lane in the Town of  
Ulster, in the County of Ulster, in the State of New York

and that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Town of Olive, N.Y., aforesaid and known and designated on the Tax Map (if any) as Lot Number 61.100 in Block 3 on Sheet 53.2 and that he hereby authorizes Practorius & Conrad PC to make the annexed application in his behalf and that the statements of fact contained in said application including the statements contained in all of the exhibits transmitted herewith are true.

Sworn to before me this 18th day)

of October 20 24  
TH

Theresa J. Higgins  
THERESA J. HIGGINS  
Notary Public, State of New York  
Reg. #01HI6141046  
Qualified in Ulster County  
Commission Expires 2-13-2026

(Notary Public)

## **Praetorius and Conrad, P.C.**

Professional Engineering and Land Surveying  
*Established 1981*

Richard J. Praetorius, P.E.  
Thomas W. Conrad, L.S.  
Jeffrey A. Hogan, P.E.  
Bruce D. Utter, P.E.  
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Telephone: (518) 750-2030  
Fax: (845) 246-3691  
www.praecon.com

### **Letter of Agent / Authorization**

I, Bengtson Trust u/a7. Isabel Antonia Deus, give my permission for Praetorius and Conrad, PC to act as my agent in all aspects of my application that has been submitted to the Town of Olive Zoning Board Of Appeals (ZBA) in reference to property located at:

139 Acorn Hill Rd, Olivebridge NY, 12461 – SBL : 53.2-3-61.100.

I understand that my agent will attend all meetings on my behalf and act as a liaison between myself and the Town ZBA.

Isabel Antonia Deus Bengtson  
Applicant/Owner's Signature

October 18, 2024  
Date

NOTICE — This APPLICATION must be filed in duplicate within 30 days of the date of the order of the administrative official on which application is based, accompanied by necessary data. (See reverse side of this sheet.)

## TOWN OF OLIVE

## BOARD OF APPEALS

Owner: Laura Conner & Mark Granfors

Address: 201 Mill Road  
Olivebridge NY, 12461

Signature: *Mike H. Laura Conner*

Date: 10/22/24 Phone: 518-222-0408 &  
845-489-2050

Applicant, if other than owner:  
Praetorius & Conrad, P.C.

Address: PO Box 360, Saugerties, NY 12477

Phone: 845-246-3671

(For Office Use Only)

Date

Initials

Cal. No.

Application &amp; Fee Rec'd.

Other Req. Documents/Information  
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Owners

Interest of applicant, if other than owner:

TO THE ZONING BOARD OF APPEALS OF THE TOWN OF OLIVE: Application is hereby made for:

☒ A Variation of Article \_\_\_\_\_, Section 155:A1(5) of the Zoning Ordinance.

( ) An Interpretation of Article \_\_\_\_\_, Section \_\_\_\_\_ of the Zoning Ordinance.

( ) An Interpretation of the Zoning Map in the \_\_\_\_\_ (Describe the general area)

( ) Appeal under Section 280(a) of the Town Law.

( ) An Appeal from an Order of the Zoning Inspector to correct a Violation of the Zoning Ordinance, Section \_\_\_\_\_

( ) (Other) \_\_\_\_\_

and further described as follows (Specify ruling sought):

The request is for a variance from the zoning ordinance, Section 155:A1(5) to change the side yard setback from 75' to 51.65' to allow for an existing structure, in order to facilitate the lot line adjustment.

## 1. Location of Affected Premises

201 Mill Road, Olivebridge NY, 12461

(Give street number, name, site distance from cross street)

and shown on the Tax Map (if any) as: Sheet 53.2 Block 3 Lot 62.100

Zoning District R/R-3A ( Rural/Residence-3 Acres District )

2. Size of Lot: Front 502' +/- Rear 483' +/- Depth 210' +/- (Ave.) Area 3.821 +/- Acres

3. Have previous appeals been filed in regard to these premises? Yes

(If yes, give calendar number and date, if any)

Cal. No. Reference No. 23-04

Date June 7, 2023

Cal. No. \_\_\_\_\_

Date \_\_\_\_\_

Cal. No. \_\_\_\_\_

Date \_\_\_\_\_

4. Has court summons been served relative to this matter? No

5. Have you Inquired of the Clerk of the Town of Olive whether there is any petition pending to change the use district regulations affecting the block on which these premises are located? No petition pending

6. ATTACHED HERETO AND MADE A PART OF THIS APPLICATION, I SUBMIT THE FOLLOWING:

(Note— All these papers must be submitted with the application or as required by the Board)

a. A facsimile copy of decision of order of administrative official on which application is based.

b. A statement of the grounds on which I base my application with a clear and accurate description of proposed work, if any.

c. THREE SETS OF DIAGRAMS, including:

a block diagram with street numbers and tax block and lot numbers (if any and street frontage, showing the character and occupancy of all property affected, with points of compass and scale indicated. A copy of ground floor plans and elevation of buildings with all necessary measurements. A copy of Zoning Map for location.

d. A full list of NAMES and ADDRESSES of owners of all property shown on block diagram or all abutting properties, and indicating property owned by Tax Section, Block and Lot numbers (if any.)

e. Duly acknowledged or signed consents, given by such property owners; affidavits of publication and service of notice by mail, and such other data or information as the Board may deem necessary when specifically asked for by the Board.

f. Copy of notice to the particular Town office, offices or agency from whose order I have appealed.

g. A fee in the amount of \$ \$ 75.00

(Spaces below to be completed by the Notary Public except where otherwise indicated)

I hereby depose and say that all the above statements and the statements contained in the papers submitted herewith are true.

Sworn to before me this \_\_\_\_\_ day)

(Applicant to sign here)

of \_\_\_\_\_, 19\_\_\_\_

#### AFFIDAVIT OF OWNERSHIP

State of New York )  
County of \_\_\_\_\_ )

being duly sworn,

deposes and says that he resides at \_\_\_\_\_ in the Town of

\_\_\_\_\_, in the County of \_\_\_\_\_, in the State of \_\_\_\_\_,

and that he is the owner in fee of all that certain lot, piece or parcel of land situated, lying and being in the Town of Olive, N.Y., aforesaid

and known and designated on the Tax Map (if any) as Lot Number \_\_\_\_\_ in Block \_\_\_\_\_ on Sheet \_\_\_\_\_

and that he hereby authorizes \_\_\_\_\_ to make the annexed application in his behalf and that the statements of

fact contained in said application including the statements contained in all of the exhibits transmitted herewith are true.

Sworn to before me this \_\_\_\_\_ day)

of \_\_\_\_\_, 19\_\_\_\_

(Notary Public)

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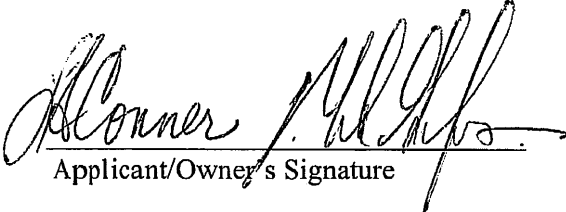
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[www.praecon.com](http://www.praecon.com)

### **Letter of Agent / Authorization**

I, Laura Conner & Mark Granfors, give my permission for Praetorius and Conrad, PC to act as my agent in all aspects of my application that has been submitted to the Town of Olive Zoning Board Of Appeals (ZBA) in reference to property located at:

201 Mill Road, Olivebridge NY, 12461 – SBL : 53.2-3-62.100.

I understand that my agent will attend all meetings on my behalf and act as a liaison between myself and the Town ZBA.

  
Applicant/Owner's Signature

10/21/24

Date

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22 October 2024

Town of Olive  
Zoning Board of Appeals  
P.O. BOX 513, Shokan, New York 12481

**SUBJECT: PROPOSED LOT LINE REVISION**

**Tax Map Id: 53.2-3-61.100 (139 Acorn Hill Rd) Bengtson trust u/a7. Isabel Antonia deus**

**Tax Map Id: 53.2-3-62.100 (201 Mill Rd) Laura Conner & Mark Granfors**

**TOWN OF OLIVE -ULSTER COUNTY-NY**

**OUR JOB NO. D22-218**

Dear Chairman Vilkelis, and the respected Board Members,

The Town of Olive ZBA previously issued approval to the SUBJECT properties granting a variance of Article IV, Section 155-16/Article X, Section 155:A1(6) of the zoning ordinance to change the rear yard setback from 75' to 68.19' and Section 155:A1(5) of the zoning ordinance to change the side yard setback from 50' to 25.62' to allow for existing structures in order to facilitate lot line adjustments (REFERENCE: **Application 23-04**).

After filing the previously approved map, our office discovered a drafting error resulting in a change in the distance granted for both properties. Correcting the error will require the following information presented by the table below:

<b>Tax Map Id</b>	<b>Owner</b>	<b>Adress</b>	<b>Required setback</b>	<b>Variance Granted (REF: App. 23-04)</b>	<b>Variance requested</b>
53.2-3-61.100	Bengtson trust u/a7. Isabel Antonia deus	139 Acorn Hill Rd, Olivebridge NY 1246	50' Side setback	25.62'	19.85'
53.2-3-62.100	Laura Conner & Mark Granfors	201 Mill Rd, Olivebridge NY 1246	75' Rear setback	68.19'	51.65'

The rest of the approved variances granted by the resolution dated June 7, 2023, will remain in effect and will not change. I have attached a copy of the original approval resolution for your reference.

Thank you for your understanding and consideration.

If you have any questions, or need any additional information, please feel free to contact me at this office.

Very Truly Yours,  
PRAETORIUS & CONRAD, P.C.



Khattar I. Elmassalemah, P.E.



# *Town of Olive Zoning Board of Appeals*

P.O. BOX 513, Shokan, New York 12481  
jperry.olive@gmail.com

William Vilkelis  
Chairman

Members  
Frederick Perry  
Sandy Friedel  
Chet Scofield  
Brian O'Rourke

Reference No. 23-04

Section 53.2, Block 3, Lots 60, 61, 62 & 63

June 7, 2023

TO: Matt Gillis for Isabel Bengtson  
John H. Ingram  
Dawn Giuditta  
Dianna Carchidi

- Applicant  
- Code & Enforcement Officer  
- Town Clerk  
- Sole Assessor

REFERENCE: **Application 23-04** of Matt Gillis, for properties owned by Isabel Bengtson located at 189 and 201 Mill Road, and 139 Acorn Hill Road, Olivebridge, NY 12461 requesting an area variance of Article IV, Section 155-16/ Article X, Section 155:A1(1) of the zoning ordinance to permit a residential lot containing less than three acres in a R/R-3A acre zone, and an area variance of Article IV, Section 155-16/ Article X, Section 155:A1(3) of the zoning ordinance to change the lot depth requirement from 400' to 257.02'. Additionally, requested is a variance of Article IV, Section 155-16/Article X, Section 155:A1(6) of the zoning ordinance to change the rear yard setback from 75' to 68.19' and Section 155:A1(5) of the zoning ordinance to change the side yard setback from 50' to 25.62' to allow for existing structures in order to facilitate lot line adjustments. There will be no changes to the outward appearance of the properties in question.

## SUBJECT: FINAL ACTION OF THE ZONING BOARD OF APPEALS

At a meeting of the Town of Olive Zoning Board of Appeals held on June 1, 2023 the referenced application was considered and the action indicated below was taken on the applicant's request for a variance of Article IV, Section 155-16/ Article X, Section 155:A1(1) of the zoning ordinance to permit a residential lot containing less than three acres in a R/R-3A acre zone, and an area variance of Article IV, Section 155-16/ Article X, Section 155:A1(3) of the zoning ordinance to change the lot depth requirement from 400' to 257.02'. Additionally, requested is a variance of Article IV, Section 155-16/Article X, Section 155:A1(6) of the zoning ordinance to change the rear yard setback from 75' to 68.19' and Section 155:A1(5) of the zoning ordinance to change the side yard setback from 50' to 25.62' to allow for existing structures in order to facilitate lot line adjustments.

By resolution of the Board, it was determined that the approval be granted.

It was the decision of the Board that this variance would not be a detriment to the health, safety and welfare of the community and no environmental impact statement is required. The following Findings of Fact were considered in the decision:

- A) The concerns of adjoining neighbors were considered and satisfactorily resolved.
- B) There will be no changes to the outward appearance of the properties in question. The lot line adjustments will be changing four non-conforming lots into one conforming lot and one less non-conforming lot. It will also allow the well servicing the house at 139 Acorn Hill Rd. to be on the same parcel as the house.
- C) There are no adverse effects on the physical or environmental conditions of the neighborhood by allowing the variance request.
- D) No public interest would be served by denying the applicant's request.

By William Vilkelis  
William Vilkelis, Chairman  
Town of Olive, ZONING BOARD OF APPEALS



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17 September 2024

Town of Olive Planning Board  
PO Box 513  
Shokan, New York 12481

**SUBJECT: LOT LINE REVISION, MILL ROAD & ACORN HILL ROAD, TOWN OF OLIVE, ULSTER COUNTY, NEW YORK  
OUR JOB NO. S22-218**

<u>S.B.L.#</u>	<u>Name &amp; Address</u>
53.2-3-61.100	Bengtson Trust, Isabel Antonia Deus, 201 Mill Rd, Olivebridge, NY 12461
53.2-3-62.100	Laura Conner & Mark Granfors, 201 Mill Rd, Olivebridge, NY 12461
53.2-1-15.210 53.2-2-4 53.2-3-58	Golden Woodlands LLC, 13 Robandy Rd, Andover, MA 01810
53.2-3-67.100	Matthew & Karen Jankowski, 184 Mill Rd, Olivebridge, NY 12461
53.2-3-72	Keith & Jean Burgher, 17 Shepherd Ln/Acorn Hill Rd, Olivebridge, NY 12461
53.2-1-13	John Bream, Jr. & Lora Yu, 132 Acorn Hill Rd, Olivebridge, NY 12461
53.2-2-1.100	Kathy Fiume Living Trust, 156 Acorn Hill Rd, Olivebridge, NY 12461
53.2-1-15.110	Tim & Patricia Krueger, 142 Acorn Hill Rd, Olivebridge, NY 12461
53.2-3-68	James O'Donnell & Helena Patilla, 463 West St Apt. B-333, New York, NY 10014
53.2-3-71	Ternice Winne & Bettie Osterhoudt, 216 Mill Rd, Olivebridge, NY 12461
53.2-3-69	Fred Cristiani, 194 Mill Rd, Olivebridge, NY 12461
53.2-3-70	Michael & Mary Lou Giuliano, 132 Mill Rd, Olivebridge, NY 12461
53.2-3-64	The Bussa Paraggio Family Trust, 30 Organ Hill, Poughkeepsie, NY 12603
53.2-3-59 53.2-3-55.100	Kranenburg Living Trust, Peter Kranenburg, 153 Acorn Hill Rd, Olivebridge, NY 12461
53.2-2-2	Elise Lark, 172 Acorn Hill Rd, Olivebridge, NY 12461
53.2-2-3 53.2-2-5	Thomas & Shau Yu Lynch, 135 Park Ln, West Harrison, NY 10604

53.2-3-57

Norma Hampson Freeman, 199 Acorn Hill Rd, Olivebridge, NY 12461

53.2-1-12

Jesse Mernin & Rosalie Calcagno, 108 Acorn Hill Rd, Olivebridge, NY 12461

