

## ZONING BOARD OF APPEALS

APRIL 15, 2004

### Present

George Fellows  
John Dole  
Michael Flavin  
Judy Sochia

### Absent

Chairman Powell Keery

### Others Present

Donna Stassen, Secretary Zoning Board  
Attorney Richard Olson  
Building Inspector Jack Crooks  
William Puffer  
Jim Marasco

12 Canalside Drive  
9 Canalside Drive

### Public Hearing

The application of William Puffer of 12 Canalside Drive for the following area variances for a proposed house on property located at 14 Canalside Drive.

1. Proposed front setback of 29.3 'whereas the minimum required front setback is 50' pursuant to Chapter 140-12-B.1.
2. Front lot width of 62.28' whereas the minimum required front lot width is 80' pursuant to Chapter 140-12 A(1) (b)
3. Lot depth of 119' whereas the minimum required depth is 150' pursuant to Chapter 140-12 A (1) (a). Such property is located in an R-2 Residential District.

George Fellows led the Pledge of Allegiance.

Mr. Puffer stated that he has put a lot of thought into the placement of the house on this lot. There will be 20 feet between houses this would fit comfortably, and allow enough of a setback for 4 cars to park off the street plus the garage

Mr. Marasco: I live across the street from Bill; unfortunately, I missed the Planning Board Hearing I was out of town. I haven't seen these plans, I guess other than Judy next door, I am most affected by this. I have questions and concerns. No reflection on Bill, he is a great neighbor. I love the Victorian house he has now it certainly fits the character of the Village.

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The question that I want to raise is the width of 62 feet this initially shocked me when I got the notice. I thought that was kind-of narrow, there are some small lots down there but I don't think any of them are below 70 feet, 62 feet seems like setting a precedent that I am a little concerned about in the Village.

Bill and I actually spoke out a lot against the development down at the end and I think to everyone's benefit we helped reconfigure that plan and instead of five homes there is four. One already is up for resale a year later and he wants \$15,000.00 more than what he paid. A credit to the neighborhood, I want to make sure that this home conforms to what we started down here. Bill's home, he has done a lot of work on it and that significantly raises the value not only for that home but also for the neighborhood. I would not want to deter from what we have already started.

I am hoping that this board can maybe ensure that approving such a home on such a lot would make sense and fit the character of what we are trying to build down there. My initial reaction is that the lot seems narrow.

You are leaving the existing lot with a width of 80 feet, can you infringe upon that lot at all?

Those are my thoughts and I am just asking the board to consider them.

Mr. Puffer: The reason we didn't split the difference between the two houses was to give the bigger house a wider lot, allowing more room to put up a ladder and also the fact that Judy the neighbor to the east has no windows on the west side of her home.

Jack Crooks: Having been involved in the Planning Board process and spent quite a few hours even before the submission of this application with engineers and the Planning Board Chairman, it was determined this was the most realistic subdivision size for that particular parcel. It is less than the current standard of 80 feet, but not inconsistent with some of the other village lots. Mr. Puffer will be improving this property, drainage issues have been resolved to ensure neighbors will not have any problems with drainage.

The Planning Board spent a significant amount of time to make sure this house would work on that lot. I don't see where this house will have an adverse effect on the neighborhood.

I don't believe this is a substantial variance based on the character of the neighborhood.

Attorney Olson: Looking at the plans it appears that the two lots across the street from these two lots are both 72 feet wide. Years ago, this lot was two lots and they were both

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72 feet wide, from a density point of view we have 144 feet with two houses which is the same as we have on the other side of the street. Looking at the minutes from the Planning Board I see that a lot of effort went into making this work.

George Fellows: What is the intent of this house; will it be sold?

Mr. Puffer: No, it will be for me I am selling the big one and moving into the two bedroom ranch. I want to stay in the Village, and the neighborhood. I have lived in the Village my whole life and it is important to stay here. This is the only way I can do it.

George Fellows: What type of house are you building?

Mr. Puffer: A two bedroom ranch.

George Fellows: It will fit into the neighborhood as far as looks?

Mr. Marasco: I don't think so, I would disagree. I'm not sure how it would enhance the neighborhood. I would take a contrary view to that. The four new houses at the end of the street selling for \$195,000.00 or more that was an enhancement, I'm not sure that this house will enhance the neighborhood. I have lived here for 11 years and I have seen the value of my house substantially increase. If it meets the specs and regulations than it has to be done, but I'm not going to nod my head and say that it will enhance this neighborhood.

Judy Sochia: That could be a matter of opinion, as far as those new houses go, in keeping in character with the neighborhood, compared to your Victorian and other Victorian type houses down there they are in drastic contrast as far as I can see.

Mr. Marasco: You are right they are not the same style; but when you enter that area, it is like a new area, but the architecture is nice two story larger homes, with peaked roofs.

Jack Crooks: I would like to suggest to the board that as well as I understand where Mr. Marasco is coming from the architecture of this house is not relevant to the area variances proposed tonight.

George Fellows: I would have to assume that because Mr. Puffer has done such a good job on his existing home, that he will do the same with his new home.

George Fellows: Were the other neighbors notified of this hearing?

Donna Stassen: Yes, all homeowners within 200 feet were notified.

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The Public Hearing was closed at 7:22 p.m. to go into board discussion.

John Dole: The variances were a little excessive but do fit in with the rest of the village in general.

George Fellow: I didn't realize that originally this was a two lot parcel, so basically it will once again be a two lot parcel.

At this time the following resolution was offered:

**Resolution No. 138**  
**4/15/04**

**Introduced by George Fellows**  
**Seconded by Michael Flavin**

Resolved that the application of William Puffer of 12 Canalside Drive for an area variance for a front setback of 29.3' as shown on drawings submitted by Schultz Associates dated 1/8/04, whereas the minimum required front setback is 50' pursuant to Chapter 140-12-B.1 be approved for a proposed house on property located at 14 Canalside Drive. Such property located in an R-2 Residential District.

Resolved that the application of William Puffer of 12 Canalside Drive for an area variance for a front lot width of 62.28' as shown on drawings submitted by Schultz Associates dated 1/8/04, whereas the minimum required front lot width is 80' pursuant to Chapter 140-12-A(1)(b) be approved for a proposed house on property located at 14 Canalside Drive. Such property located in an R-2 Residential District.

Resolved that the application of William Puffer of 12 Canalside Drive for an area variance for a lot depth of 119' as shown on drawings submitted by Schultz Associates dated 1/8/04, whereas the minimum required depth is 150' pursuant to Chapter 140-12-A(1)(a) be approved for a proposed house on property located at 14 Canalside Drive. Such property located in an R-2 Residential District.

Such approval contingent on the following consideration, the proposed house will not have a negative impact on the neighborhood, since other lots in that vicinity are similar in size.

Ayes: Fellows, Dole, Flavin, Sochia  
Nays: none

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**Approval of Minutes:** Motion made by George Fellows seconded by John Dole and carried unanimously that the minutes of March 18, 2004 be approved as read.

**Adjournment:** Motion made by George Fellows seconded by Michael Flavin and carried unanimously that the meeting be adjourned at 7:40p.m.