

ZONING BOARD OF APPEALS

SEPTEMBER 16, 2004

Present

George Fellows
John Dole
Michael Flavin

Absent

Chairman Powell-Keery
Barbara Strine

Others Present

Richard Olson, Village Attorney
Trustee Rauber, Village Liaison

Mildred Dibble
Dave Matt
Geoff Feltner
Joan Quigley

85 Parkhurst Drive
Schultz Associates
76 Amity Street

At this time, George Fellows led the Pledge of Allegiance.

Public Hearing

The application of Mildred Dibble, 85 Parkhurst Drive for an area variance for a proposed front porch addition with a front setback of 27 ft whereas the minimum required front setback is 50 ft pursuant to Chapter 140-12B (1) in an R-1 Residential District.

Ms. Dibble stated to the board that her proposal is to construct an open porch 8ft x 18 ft addition to the front of the house.

Attorney Olson: This is for the benefit of the applicant; the map I am looking at is 50 years old. This is a tape location map, not an instrument survey. Tape location maps were notorious for their inaccuracies, my concern is we give you a variance and then 10 years from now you go to sell the property and there is this short setback if it comes up 26.8 instead of 27 feet you will have to come back in front of this board. It would be in your best interest to get an instrument survey done of this property.

George Fellows read aloud correspondence into the record from Jack Crooks. (file)
Such letter states Jack Crook's recommendation to approve such area variance.

Michael Falvin: Underneath the porch, will that be left open?

Ms. Dibble: The existing sidewalk will lead right up to the porch, flower pots will be arranged in front of the deck. The decking will be maintenance free, decking and framing lumber will be pressure treated from deck down. All lumber from deck up will be hem fir.

At this time, the following resolution was offered.

**Resolution No 142
September 16, 2004**

**Introduced by John Dole
Seconded by Michael Flavin**

Resolved that the application of Mildred Dibble, 85 Parkhurst Drive for an area variance for a proposed front porch addition with a front setback of 27 feet whereas the minimum required front setback is 50 ft pursuant to Chapter 140-12B(1) in an R-1 Residential District be approved.

Such approval based on the following considerations and conditions:

1. Such addition will not have a negative impact on the neighborhood.
2. Nor, will such addition have an adverse environmental impact on the neighborhood.
3. Such porch maintains the character of the neighborhood.
4. Such porch to be built to professional standards.

Furthermore, such variance is a Type 2 action and no further environmental review is required.

Next on the agenda is the application of Brian Wydra, 86 Amity Street for two (2) area variances for a proposed newly created subdivision lot on property located at 86 Amity Street.

1. For a proposed lot depth of 119.16 ft deep whereas the minimum required lot depth is 150 ft pursuant to Chapter 140-12 (1) (a) in an R-2 Residential District.
2. For a proposed front setback of 27.5 ft, whereas the minimum required front setback is 50 ft pursuant to Chapter 140-12 B (1) in an R-2 Residential District.

David Matt from Schultz Engineering will be representing the Wydra Application.

Mr. Matt: The existing home at 86 Amity Street is 18 ½ feet off Amity Street and 12 ½ feet off Clark Street. Across the street, a new home was just built which is 29 1/2 feet off the street. At this end of the street this will be not be out of line.

There will not be any adverse environmental impact from this proposal.

The requested variances are minimum, as small as we could make them.

The house is set back as far as possible to minimize the requested setback. There is more room on the side but we needed that for a drainage swale, to keep storm water off the neighbor's property.

The Wydras have put a lot of time and effort into renovating their house at 86 Amity Street, they want to downsize and stay in the village.

This subdivision was designed in the best possible way to maximize the usage for the lot.

This application has been in front of the Planning Board and the only outstanding issues they had were the zoning variances and a storm drain in the back which I am working with Tom West on.

George Fellows asked for any questions from the audience and the village attorney.

Mr. Feltner: What will the house look like, one story?

Mr. Matt: The house will have a full basement, 1800 sq ft single story home, with the garage on the south side of the house.

Attorney Olson: The plan is showing a two story home, I realize the plan could change.

Attorney Olson: Is this an accurate footprint?

Mr. Matt: Yes it is, the plans will be changed to a one story home.

George Fellows: Are you sure, your footprint won't change when you take two stories and smash it into one? You will still only require the two variances.

Mr. Matt: The distance from the road will not change.

Attorney Olson stated that he had already reviewed this site plan for the Planning Board, and had requested such variances.

George Fellows read aloud correspondence into the record from Jack Crooks. (file)
Such letter states Jack Crook's recommendations to approve such variances.

Mr. Feltner: I see there are two garages.

Mr. Matt: One for each property, they meet all the setbacks.

George Fellows: The house will compliment that corner.

At this time, the following resolution was offered:

Resolution No 143
September 16, 2004

Introduced by Michael Flavin
Seconded by John Dole

Resolved that the application of Brian Wydra, 86 Amity Street for two (2) area variances for a proposed newly created subdivision lot on property located at 86 Amity Street be approved. The proposed variances are as follows:

1. A proposed lot depth of 119.16 feet deep whereas the minimum required lot depth is 150 ft pursuant to Chapter 140-12(1) (a) in an R-2 Residential District.
2. A proposed front setback of 27.5 feet whereas the minimum required front setback is 50 ft pursuant to Chapter 140-12 B (1) in an R-2 Residential District.

Such approval is based on the following considerations and conditions:

1. Such variance will not have a negative impact on the neighborhood.
2. Nor, will such a variance have an adverse environmental impact on the neighborhood.
3. The proposed structure maintains the character of the neighborhood.
4. The proposed new structure will conform to all village codes and permits.
5. This approval is contingent upon approval of the Planning Board within 6 months of this meeting.

Furthermore, such application is a Type 2 action and no further environmental review is required.

Approval of Minutes

Motion made by George Fellows seconded by John Dole and carried unanimously to approve the July 15, 2004 minutes as written.

Adjournment:

Motion made by John Dole seconded by George Fellows and carried unanimously to adjourn the meeting at 7:35 p.m.