

TOWN OF CORNWALL ZONING BOARD OF APPEALS

July 16, 2007
7:30 p.m.
Cornwall Town Hall
Cornwall, New York

ZONING BOARD MEMBERS PRESENT:

LENORA RANSOM, CHAIRPERSON
TED DOBLAS
EILEEN REGAN

ADAM RODD, ATTORNEY

ZONING BOARD MEMBERS NOT PRESENT:

MICHAEL McGUINNESS
BILL LEE

7/16/07 - MOUACDIE

PUBLIC HEARING - MICHAEL MOUACDIE

MS. RANSOM: The July 16th, 2007 meeting of the Cornwall Zoning Board of Appeals will now come to order. We have five hearings this evening. The first one is the continuation of the request from Michael Mouacdie. He is requesting an area variance for a single family dwelling with insufficient lot area and front yard setbacks. We got your new map.

MR. MOUACDIE: Yes.

MS. RANSOM: You took two feet off the back of the house?

MR. MOUACDIE: Right.

MS. RANSOM: I guess my only question is why did you choose the back rather than the front?

MR. MOUACDIE: Well, we thought about it and if we changed the front we would change the application for the variance because the front, even if it became more it would still not conform with the application.

MS. RANSOM: You require 60. You've got 43, so you figured 60 and 45 was not that big?

MR. MOUACDIE: We required a variance, so that would mean we would have to reapply. If we changed the numbers in the front it wouldn't have mattered to us except that it would just mean more time go by.

MS. RANSOM: Okay. So this is the smallest dwelling that you will consider for this lot?

MR. MOUACDIE: Yes.

MS. RANSOM: The 40 by 40? And you're proposing a two story dwelling then?

MR. MOUACDIE: Yes.

MS. RANSOM: Ted, any questions?

MR. DOBLAS: No, ma'am.

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MS. RANSOM: Eileen, anything else?

MS. REGAN: No.

MS. RANSOM: Anybody in the audience that would like to speak to this issue?

MR. MOUACDIE: Yes, I think so.

MS. RANSOM: Can I have your name and address for the record?

MR. SPAGNOLI: Yeah, Scott Spagnoli. We live at 71 Meadow Brook Lane. This is my wife, Tina.

MRS. SPAGNOLI: Tina Spagnoli.

MR. SPAGNOLI: It's a private road and everybody chips in for the road. This gentleman has always chipped in over the years and we don't see a problem with him building a house. We actually think it's a good idea. It will increase the property values of everybody else's house on the road.

MS. RANSOM: Okay.

MRS. SPAGNOLI: I was excited when I saw it started to go up. He came and introduced himself to us probably like eight, ten years ago. We were excited about it. All of a sudden I heard people were against it. It's ridiculous. If you ever saw any of the houses it's just going to beautify the road more.

MR. SPAGNOLI: It helps to have more people contribute, to go towards the upkeep of the road and road dues. It will be helpful.

MS. RANSOM: Thank you very much, we appreciate your comments. Mr. Mouacdie, anything else you would like to add?

MR. MOUACDIE: No. I just hope that we don't have to keep coming back.

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MS. REGAN: I have one question. Is it a private road or a town road?

MRS. SPAGNOLI: Private road.

MS. RANSOM: It says private road.

MS. REGAN: Is there a limit to the number of houses you can have on a private road?

MS. RANSOM: I don't know.

MS. REGAN: Adam, is there a limit?

MR. RODD: I think there is, but I don't think they need a variance for that. Just so we are clear, the size of the house is, the house size that's proposed is on your revised plan which is dated June 28, 2007.

MR. MOUACDIE: Right.

MR. RODD: So that indicates 40-foot on one side, 38-foot on the other?

MR. MOUACDIE: It's 40 this way and 40 this way. It was 42 before.

MR. RODD: Okay.

MS. RANSOM: Anything else?

MR. MOUACDIE: No.

MS. RANSOM: Okay, thank you very much.

MR. MOUACDIE: Thank you.

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7/16/07 - ROMAS

MS. RANSOM: Our next public hearing this evening is on the request of William G. Romas. He's at 9 Gayton Drive. Requesting an area variance for a garage and required front yard that will project nearer to the street than the principle dwelling.

MR. KELSON: Good evening, Ms. Chairperson and the board. Again, my name is Todd Kelson. I am an attorney in New Windsor. I'm representing Mr. and Mrs. Romas this evening. Since our last meeting I understand that several members of the board have had an opportunity to actually walk the property. In addition subsequent to that time Mr. Romas has submitted a landscape proposal which I think hopefully you have all had a chance to look at, as well as a narrative because I know this was a question for new people how the slab came to get there. In addition, I believe Friday or Thursday or Friday a letter was furnished to the board signed by Jim Raab chief of planning of Vincent J. Doce Associates which in a narrative form discusses why the three alternative locations on Mr. and Mrs. Romas' property are inadequate and cannot be used to place the proposed building. I think that letter pretty adequately demonstrates that there is a hardship in this case. Each of the alternative locations has some serious problems and it's really the standard is practical difficulty and I think that we show that in a pretty vivid way. There are problems with respect to soils. There's problems with respect to the terrain, wetlands problems because of the location of the house. There are also issues regarding access to the premises by emergency vehicles. And I think Mr. Raab fairly adequately described those issues for the board and I ask that all of those materials be included in the record.

MS. RANSOM: And each board member did receive a copy of the letter.

MR. DOBLAS: Yes.

MS. REGAN: Yes.

MR. RODD: I was just asking the landscaping plan that you referred to?

MS. REGAN: I don't see them.

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MS. RANSOM: It was in the packet that we received during the visit to the Romas' home.

MR. KELSON: We have another copy that we will furnish. This is what we furnished.

MS. REGAN: I didn't see that.

MS. RANSOM: Is there anything else you would like to add?

MR. KELSON: No. We thank the board for its indulgence and we appreciate the fact that they took the time to go out and look at the property. We hope that that more than anything else really demonstrated the practical difficulties that my client has in locating this building on another area of his property.

MS. RANSOM: Because when I was there the one question I did have was why it couldn't be located in section three and that's why I see that the chief of planning has kind of outlined why it couldn't be there.

MR. KELSON: Right. There was maintenance problems. There's soil problems there. And we hope that that's adequately addressed for the board.

MS. RANSOM: Okay. Ted, any questions?

MR. DOBLAS: No questions.

MS. REGAN: No.

MS. RANSOM: Anybody in the audience that would like to speak to this issue? Anything else you would like to add?

MR. KELSON: No thank you.

MR. RODD: I just have one question.

MR. KELSON: Sure.

MR. RODD: In terms of an alternate size other than the one proposed originally --

MR. KELSON: Right.

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MR. RODD: -- for the shed, what ultimate size would you, would your client be agreeable to?

MR. KELSON: I think we had indicated in our prior, the prior meeting and correspondence -- let me see if I can find that. We're proposing 14, 14 by 20 I think is what we're proposing.

MR. ROMAS: 14 by 20.

MR. RODD: What?

MR. KELSON: We would like to have 14 by 20, if that's not a problem.

MR. RODD: 14 feet wide 20 feet long?

MR. KELSON: That's right.

MS. RANSOM: And the slab right now that's sitting there is 14 by 22?

MR. KELSON: The slab is 14 by 22 and what we would propose to do is put the, set the building back on the slab so that the extra concrete would serve as an apron in front of the door.

MS. RANSOM: And then you were going to build that up to be able to get the lawnmower and the snowblower and everything else in and out.

MR. KELSON: They would slope it down, that's right.

MS. RANSOM: And then the landscaping plan is something that you will do.

MR. KELSON: We certainly invite that. We are very happy to do -- we invite the board to make that a condition of this approval. So that when Gary issues the permit and closes it out he can verify that that was done as a condition of the approval.

MS. RANSOM: Okay.

MS. REGAN: Okay.

MS. RANSOM: Is there anyone in the audience that

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would like to speak to this issue? Okay.

MR. KELSON: Thank you.

MS. RANSOM: Thanks very much. Hopefully we will make a decision this evening.

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7/16/07 - GIANNETTA

MS. RANSOM: Our next public hearing is on the request of Angela and Larry Giannetta, 423 Angola Road. We're going to just read the public hearing notice, notice is hereby given that the Zoning Board of Appeals, Town of Cornwall, County of Orange, State of New York will hold a public hearing at the Town Hall, 183 Main Street, Cornwall, New York on July 16th, 2007 at 7:30 p.m. or soon thereafter as the matter can be heard on the application of Angela and Lawrence Giannetta relating to property located at 423 Angola Road designated on the tax map as section 34 block three lot seven. The applicant seeks an area variance to section 158-14A4 of the zoning ordinance in order to allow an existing 8-foot by 16-foot storage shed to be relocated in a required front yard that will project nearer to the street than the principle building, the residence. The Zoning Board will at the above time and place hear all persons interested in the application. All written communication should be received by the board at or prior to the hearing dated June 25th, 2007 by order of the Zoning Board of Appeals, Town of Cornwall, Lorena Ransom, chairperson.
Hi.

MRS. GIANNETTA: Hi.

MR. GIANNETTA: Hi.

MS. RANSOM: Would you make your presentation to the board, please?

MRS. GIANNETTA: Okay. We had purchased a shed and we put it in an area of our yard that we thought would be acceptable and then Gary Vinson paid a visit and left a card in our door and then visited us again when we were home and explained that it wasn't in an area of the lawn that was acceptable to the town ordinance. It was actually in front of the front line of the home.

MS. RANSOM: That's where it's sitting right now, correct?

MRS. GIANNETTA: Yes, yes. And it's actually when we measured, we brought him a survey, he looked and said guess what, it's even worse than you think. The thing is not even on your property. So I said okay, we'll definitely have to move it.

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And we walked with him around the yard and we agreed and he saw the layout of our yard that one of the best places for it is over a well on the other side of our driveway which would be on the other side of our property. Smack opposite where it is now. The reason for the variance is it's still in front of the yard and we can't really put it in the backyard because in the backyard our property is completely hill. It's all, the bottom of the hill is a mountain actually. And we bought in some landscapers to actually terrace it so we could level part of it thinking we could hide it in the back completely from everybody, including ourselves. And people aren't really, landscapers aren't really interested in moving a shed, that's what we discovered. And I explained that to Gary we couldn't get a call back. We had two landscapers come and they really weren't interested in even giving us a price on moving the shed period. I explained that to Gary and he said he would be willing to work with us if everything went well. Apparently he knows people could just move a shed to that area, it might be more appealing to move the shed across the front yard than up the hill to another section.

MR. GIANNETTA: If I may, one of the problems with the hill that the few landscapers that came and looked at it was to level it we'd need an 8-foot retaining wall, that's how steep the hill is in the back. You couldn't use a sit down lawnmower, for instance, it's that hilly. So with the 8-foot retainer wall and making it wide enough to open the doors it would just be prohibitive anyway. So that's one of the problems. And the other issue is that well is somewhat dangerous. It's 12 feet down. It's like a vault almost. So the well, the shed over the well would solve two problems.

MS. RANSOM: Well, I was there yesterday but the german shepherd that wasn't tied was -- not like I was not getting out of the car.

MR. GIANNETTA: He is a pussycat. He has a collar.

MS. RANSOM: So I did drive up the neighbor's driveway and so there's no place there in the back. I noticed that it does go up pretty quick but there is, you can't cut into that without

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needing a retaining wall --

MR. GIANNETTA: No.

MS. RANSOM: -- to keep the earth from --

MR. GIANNETTA: Even where I thought it was kind of level when you look with your eye. As they were explaining to me once you start, you know, getting it flat it's still pretty steep. I was amazed. Just to look at it you would go oh, it doesn't look bad.

MS. RANSOM: To move onto the other side of the driveway how is the shed going to face?

MR. GIANNETTA: It's going to face, it's going to face sideways. The windows on the front of the shed will face the front of my house but not the street. The street will see the side which also has a door. The thinner side of the shed.

MRS. GIANNETTA: So it will fit lengthwise along the driveway, parallel to the driveway.

MS. RANSOM: It's kind of lengthwise now.

MR. GIANNETTA: Right.

MS. RANSOM: Tucked in the front there?

MR. GIANNETTA: Right.

MS. RANSOM: So you're going to turn it around and tuck it back in on the other side?

MRS. GIANNETTA: Right.

MS. RANSOM: Where the van was parked?

MRS. GIANNETTA: Right. Flip it.

MR. GIANNETTA: Exactly.

MR. DOBLAS: That's easy.

MS. RANSOM: Eileen, questions?

MS. REGAN: No, I'm good, thanks.

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MS. RANSOM: Is there anyone in the audience that would like to speak to this issue? Okay, so behind your pool that goes straight up, also?

MRS. GIANNETTA: That's even steeper and it's wooded.

MR. GIANNETTA: It's a forest. It's for the dog.

MRS. GIANNETTA: Unless people pull up our driveway and greets them.

MR. RODD: Just so the record is clear you're proposing to put the shed 50 feet from the street line, or the property line, correct? Is that true? I'm just going over your application.

MR. GIANNETTA: I'm guessing that's probably 50 feet.

MRS. GIANNETTA: I just want to be sure. Yes.

MR. RODD: Actually one corner of your home is actually closer to the street than your shed will be, correct?

MR. GIANNETTA: Oh, I don't know. On the other side?

MS. RANSOM: Because the house is on a diagonal.

MRS. GIANNETTA: Yes, because it's skewed to the road. Yes, it is.

MR. GIANNETTA: I didn't realize that.

MS. RANSOM: What kind of screening is around the proposed area? Is there -- are there trees? What's going to block this from your neighbor's view?

MR. GIANNETTA: I'm going to landscape it.

MRS. GIANNETTA: Right now there are trees but they wouldn't be enough for me if I lived on the opposite end of the property. So we want to put more screenage there on that side and then we would landscape in the front of it so it would be in keeping with the rest of the house. It actually by coincidence is the same color as our

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house. It's gray and white with white trim.

MS. RANSOM: What kind of landscaping are you proposing to block this view from your neighbors?

MRS. GIANNETTA: Well, I saw something recently that I liked. I don't know how large you can grow them or how large you can purchase them, I saw burning bushes that can grow rather large.

MS. RANSOM: So that would be between, as you're looking at your home, on the left-hand side --

MRS. GIANNETTA: Right.

MS. RANSOM: -- on your property line?

MRS. GIANNETTA: Right.

MS. RANSOM: Is there anything there currently?

MRS. GIANNETTA: Trees. There are some trees. But they would only be in bloom during spring and most of the summer. And then in the fall it would be gone and you wouldn't have any screenage if you just rely on those.

MS. RANSOM: Now, is this actually going on the driveway or it's going on --

MRS. GIANNETTA: No.

MR. GIANNETTA: The well is actually, has a footing, a cinderblock footing so it's, it's already there, you know that footing for the well. I have a problem with a well because I don't allow anyone to play there or anything. The whole thing just makes me nervous.

MS. REGAN: What is your water source?

MR. GIANNETTA: My well.

MS. RANSOM: Is it that well?

MR. GIANNETTA: Yes.

MS. RANSOM: How are you going to access it?

MR. GIANNETTA: We are going to put a hatch door

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in the shed. It's not fun. If we don't put it here I'll just lose the money on the shed and just get rid of it because there's no other place for it.

MS. RANSOM: And how large is the shed again?

MR. GIANNETTA: Eight by 16.

MS. RANSOM: Any other questions? Ted, anything else?

MR. DOBLAS: No.

MS. RANSOM: Okay. Thank you very much.

MRS. GIANNETTA: Thank you.

MR. GIANNETTA: Thank you.

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MS. RANSOM: Our next public hearing is on the request of John and Cynthia Latimer, 10 Sugar Maples, requesting an area variance to subdivide an existing parcel into two nonconforming lots. This is a Planning Board referral. Notice is hereby given that the Zoning Board of Appeals of the Town of Cornwall, State of New York will hold a public hearing at the town hall, 183 Main Street, Cornwall, New York on July 16th, 2007 at 7:30 p.m. or soon thereafter as the matter can be heard on the application of John and Cynthia Latimer relating to property located at 10 Sugar Maples Road and designated on the tax map as section 34 block one lot 45.1. The applicant seeks an area variance to section 158-12 part one SLR district use group B column number three of the zoning ordinance in order to subdivide an existing parcel into two nonconforming lots. The applicant proposes to create lot number one having a gross lot area of 3.18 acres and a net lot area of 1.83 acres where a minimum of 2 acres is required. The applicant proposes to create lot number two having a gross lot area of 2.55 acres, net lot area of 1.66 acres where a minimum of 2 acres is required. The Zoning Board at the above time and place will hear all persons interested in the application. All written communication should be received by the board at or prior to the hearing dated June 27th, 2007 by order of the Zoning Board of Appeals, Town of Cornwall, Lenora Ransom, chairperson. Good evening.

MR. JOHNSON: Good evening. Paul Johnson, attorney for the applicant.

MR. LATIMER: Good evening. John Latimer owner of the property.

MR. JOHNSON: Mr. Latimer owns 10 Sugar Maples Road where his current residence is. It's a 5.73, 5.74-acre parcel. He has a pending application in front of the Planning Board now to subdivide that lot into a proposed lot one and two. Both lots will have a gross area of greater than 2 acres but due to the fact of the deductions for wetlands, rights of way, easements and slopes both lot areas of the proposed lots will end up being, for proposed lot one, I think it's a .17-acre variance and proposed lot two a .34 acre variance.

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MS. RANSOM: Okay.

MR. JOHNSON: We're asking the board to grant the variance. Basically the only reason why these are going to be nonconforming, if they are approved, are the required deductions from the gross area.

MS. RANSOM: And let the record show that the board has received a number of letters, one dated July 3rd, 2007 from Kathy Ellick, 5 Roaring Brook Road, Helen Shult, Roaring Brook Road and Craig Ellick, 5 Roaring Brook Road. We've also received a letter that was addressed to the Planning Board dated December 4th, 2006 signed by Kathy Ellick, 5 Roaring Brook Road. We've received another letter also addressed to the Planning Board dated August 30th, signed 2006, signed by Kathy Ellick. As well as a letter that was addressed to Mr. and Mrs. Latimer signed by Craig Ellick, Kathy Ellick and Helen Shult. So these are available if anyone would like to take a look at them. This stream that runs through here, is that a stream that's running all the time?

MR. LATIMER: Yes.

MS. RANSOM: And there's quite a grade there, correct?

MR. LATIMER: Yes.

MR. RODD: The stream is actually a federal wetland?

MR. LATIMER: No, there is a small portion of wetlands on the bottom of the property, just down here. We had it all flagged by the surveyor and everything and the deductions were taken out for that area.

MS. RANSOM: So that's what the stream and the wetlands is basically what reduces this lot or --

MR. LATIMER: The private road that I have, that there's an easement up through my property.

MR. JOHNSON: Which is Roaring Brook.

MR. LATIMER: Which is Roaring Brook Road runs

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right across my property and that's the main deduction.

MR. JOHNSON: And the main deductions for lot one are basically the slopes of .78-acre deduction. And on lot two the water of course is together with the slopes also are each .31-acre deductions.

MS. RANSOM: So you own the property then on the other side of Roaring Brook Road?

MR. LATIMER: Yes, on both sides of Roaring Brook Road. My property goes to both sides of it.

MS. RANSOM: So when you take out the easement for the road and the stream that's how you get down to the 1.66 net acres?

MR. LATIMER: Yes.

MR. JOHNSON: Yes.

MS. RANSOM: And you're --

MR. JOHNSON: And the slopes.

MS. RANSOM: And you're proposing a four bedroom dwelling here?

MR. LATIMER: Yes.

MS. RANSOM: How large is this dwelling going to be?

MR. LATIMER: About 2,400.

MS. REGAN: How many other homes are on that road?

MR. LATIMER: Just the two other people that are in correspondence, the other two homes.

MS. REGAN: So you only have three homes currently and you're proposing four?

MR. LATIMER: No, there's only two currently. There will be one more. I'm on Sugar Maples, my road, my house.

MS. RANSOM: So there's really no way to put this house on Sugar Maples?

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MR. LATIMER: No.

MR. JOHNSON: No.

MR. LATIMER: Because of the town's ordinance with six houses on a private road. I have access to Route 32 as well so that's how. And the road frontage which allows me that.

MS. RANSOM: But you're proposing that the driveway comes in off of Roaring Brook, not in off of 32?

MR. LATIMER: Right. That Roaring Brook Road is already existing. So basically we would make -- this way we don't have another driveway cut into Route 32 or anything. It's already existing. Make a left turn, as soon as you come into Roaring Brook Road the driveway entrance will be right inside off of 32, another turn right in.

MS. RANSOM: So your property is the first property on Roaring Brook and the neighbors are up the road farther?

MR. LATIMER: Yes.

MR. JOHNSON: The neighbors, yes, they are over on this property of Roaring Brook over here.

MS. RANSOM: Okay.

MR. LATIMER: That's my house on top of the hill there. You know, this is all going to be my backyard as well. I'm not looking to destroy any property over there. We want to build a house for my sister-in-law and, you know, we don't plan on cutting down every tree on the property or anything like that.

MS. RANSOM: So your neighbors that are complaining are driving over your property?

MR. LATIMER: Yes.

MS. RANSOM: And how long is this driveway, the house is going to be how far off of Roaring Brook Road?

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MR. LATIMER: Well, it would have to be 50 feet, I believe is what the town setback is, correct?

MS. RANSOM: Right. Well, it looks like it's 50 feet to this dotted line and then the home is further back?

MR. JOHNSON: Maybe another 20 feet.

MR. LATIMER: But all of that can still be moved. We're still in the planning stages. So I mean the building envelope is quite large. So we can move it back, move it up or down the hill, you know, however the town would like it. Nothing is set in stone.

MR. RODD: Is there screenage in terms of natural landscaping or trees in the vicinity of the proposed lot lines separating the two lots?

MR. LATIMER: What it is, the proposed lot line here between this property and the lower property, this is my house, this is up on a, the hill. I'm not sure how much higher it is, about 50 feet higher and so it's just a steep, like a mountain, you know. And then the stream that goes through here and this is all wooded. It's all wooded on top of my property.

MS. RANSOM: Will you be able to see, from your current dwelling, will you be able to see this home?

MR. LATIMER: No, because where my house is I look right over the top of it.

MS. RANSOM: And vice versa, they will not see your home either?

MR. LATIMER: They won't, no, no.

MS. RANSOM: And so this is a very wooded area, correct?

MR. LATIMER: Yes.

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MS. RANSOM: And you're planning to not take down, you're going to --

MR. LATIMER: I was going to take down the bear minimum of the trees. Like I said it's still, I wouldn't even realize the house was back there, so I want to keep as many of the mature trees as possible, you know, so I don't affect my backyard.

MS. RANSOM: And how far on your property is it before it starts to slope down drastically?

MR. LATIMER: I'm going to guess about 95 to 100 feet.

MS. RANSOM: Is Roaring Brook a paved road?

MR. LATIMER: No, it's not, it's a private road. Private maintenance.

MS. RANSOM: So everyone has a maintenance agreement that lives on --

MR. LATIMER: Well, our road, Sugar Maples, has one in effect and, you know, adhered to. Roaring Brook does not have one. I don't know why, but it doesn't.

MS. RANSOM: So even though the road is traversing over your property you do not maintain any of that?

MR. LATIMER: No, that was, is done by the homeowners on the top of the hill.

MS. RANSOM: So then whoever buys this property, if this is granted, would have to be part of that maintenance agreement?

MR. LATIMER: Right. Well, there isn't one set in stone yet. So what we discussed with, during the Planning Board stages, was that we would try to join one with them if they were willing. They're not, you know. They don't want the house to go in so they're not, you know, cooperating.

MR. JOHNSON: There was a note on the original subdivision map which subdivided off two parcels now that are served by Roaring Brook which did recite there will be a road maintenance agreement

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recorded. It was never done. Then in the beginning that lot which is now I think 45-point, probably 45.21 and 45.22 it was one lot at that time. So the easement for Roaring Brook served one lot and then the owner of that parcel then further subdivided into two different parcels. So now we have those two parcels being served by that easement for Roaring Brook. The Planning Board asked us to, you know, put out a request to the two homeowners there if they would join in an agreement but, you know, we never got a response.

MS. RANSOM: Okay.

MR. LATIMER: So then what we discussed during the Planning Board stages was that I would maintain say the first 25 feet in. I would have a road maintenance agreement with myself, the one piece of property, so I would maintain, you know, up to my driveway cut which would be immediately off of 32.

MS. RANSOM: Eileen?

MS. REGAN: No.

MS. RANSOM: Ted, do you have any questions?

MR. DOBLAS: Do you know what the zoning law was before you put this thing together?

MR. LATIMER: I looked into it.

MR. JOHNSON: And I think in the beginning it was more favorable. But then as the engineering kept going, the deductions kept piling and piling and piling.

MS. RANSOM: Okay, so the whole area right now it's all owned by you --

MR. LATIMER: Yes.

MS. RANSOM: -- with your home and how acres is it?

MR. LATIMER: 5.73. And, again, each lot will still be left with over 2 acres just -- not 2 acres usable, you know. You know, we're not looking to make them into one acre lots here.

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We're going to be left with 3.18 acres for my home site and 2.5 for the other one.

MS. RANSOM: Is there anyone in the audience who would like to speak to this issue?

MS. SHULT: Yes.

MS. RANSOM: Can we have your name and address for the record, please?

MS. SHULT: Helen Shult, Roaring Brook Road, Mountainville, New York.

MR. ZAYAS: I'm Mark Zayas, Mountainville, Roaring Brook Road. I actually was involved in the original subdivision for that property and I live there now, also. Basically a few things after reviewing the plans I have a question as to the map shows a subdivision where the percolation tests are being done on a certain area and time. His drawing shows that it's at an unwitnessed perc test by the town engineer, McGoey, Hauser and Edsall. If it turns out that the percolation test on the, when they have to have it witnessed is a little bit more than the 30, 35 minutes that they have now, it may not fit on the property because of the separation between the well and the septic. Right now his well is about 200 feet maximum and that's what is required. If he has to have a bigger septic area based on say a 45 or a 50 minute perc, which is very possible, I don't think it's going to fit on there. So I mean granting a variance based on incomplete information seems to be -- I have a question in my mind. The other thing that they, has not been accounted for, is Central Hudson owns the power line that goes up through there and they also have an easement to that and so that hasn't been accounted into the net area, also. Thank you.

MS. SHULT: I'd like to address the application in that this variance will produce an undesirable change in the neighborhood. They are trying to squeeze in a lot on a very limited usable buildable area. You have the stream coming down. The road on one side. The majority of trees that will need to be cleared are greater than 8 inches in diameter. Also, it is certified wetlands by National Wildlife Federation. Thus, we are

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concerned about even though the curtain drain will deter water from around their dwelling and the septic and the well, it's also going to add an influx of silt into the Moodna. And that is a great concern to us. We've lived up there, we've seen what a torrential storm can do to our road, the culverts, that whole area down there. And I do believe Mrs. Ellick did provide some pictures, did she not, of the area?

MS. RANSOM: Yes.

MS. SHULT: Okay, that area is right where Mr. Latimer proposes to put his driveway. And in diverting all of that runoff of natural streams again my concern is with the adverse affect that it's going to have on the Moodna. Secondly, Mr. Latimer has used Roaring Brook Road without gaining permission from the owners and myself and I am part of the property maintenance agreement. He has misguided people in that he refers to his lot as lot two and in the original subdivision of this area known as Sugar Maples he bought the property as lot one. The property that Kathy Ellick and myself own is considered to be a subdivision that Mr. Zayas did, lot number two. Well, Mr. Latimer just conveniently took lot number two and put it on his property as the second subdivision. So he had people coming up on our road destroying culverts with their machines and doing perc tests, did not contact either one of us and we were left to fix the problems that he created. I'm under the understanding that if you own something and it's private that doesn't mean that someone that bought a piece of property oh, my God, I can't use the driveway because there's too many houses on the road or the D.O.T. does not allow access from 32, that he can just step in and say well, I'll use that road. And I will not contribute or even notify them that I've done damage to their road. My question is or my request is that it be thoroughly investigated whether or not Mr. Latimer has any right to access his property from our road when it was clearly planned up in the beginning that lot one would have access from Sugar Maples. Now, I know that the Ellicks are on vacation and it was a yearlong planned vacation, they are not able to be here and we're just asking for it to be held until August, any decision, so that some of these other things

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can be investigated, like the unwitnessed perc test, the lands that -- easement from Central Hudson and the private road issue.

MR. ZAYAS: The trees that have to be cut between the curtain drain, the septic system, the house and the road I think it would definitely change the drainage in that area right there.

MS. SHULT: And you're asking for a 12,000-foot variance. From 2 acres down to 1.6. And that piece of property, if you have not seen it, you should because it's basically shaped like a triangle with a tip cut off.

MR. DOBLAS: It's well kept, the property.

MS. SHULT: The property is just mature trees and a couple of stone walls which will all come down and create in, I believe, in a layman's term a tremendous amount of runoff.

MS. RANSOM: Okay.

MS. SHULT: Thank you for your time.

MR. RODD: If I can ask, you said that there's an easement that's not accounted for?

MR. ZAYAS: Central Hudson owns the property line. That's not a private line that goes up.

MR. RODD: Do you have any documentary proof that there is such an easement and how big it is?

MR. ZAYAS: Well, I suppose Central Hudson could be contacted on that. But for the most part they generally have a 25-foot strip on there because just this spring they came and did their normal maintenance of, you know, the trees. They cut them down so they don't go up and fall.

MR. RODD: Do you have any documentary proof about that easement or you're just telling me you think there is an easement?

MR. ZAYAS: I know there was.

MR. RODD: Do you have any documentary proof about that easement?

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MR. ZAYAS: Well, I can contact Central Hudson, but I was the property owner that had Central Hudson come in and mark out the line and do the installation of the power poles. They do own that and I had to sign that for that, or to them. I can look into it.

MS. RANSOM: Okay.

MS. REGAN: Thank you.

MS. RANSOM: Thanks. Is there anyone else who would like to speak to this issue? Is there anything else you'd like to add at this point?

MR. JOHNSON: Just that I'm a bit confused by some of the comments. She thinks, Mrs. Shult thinks maybe that she owns the road. Well, it's clearly not true. That's my client's property. They're grazed by an easement over to access their own property. As far as runoff, trees, I mean that's not what we're in front of the board for tonight. And, you know, how many planning boards have you been to?

MR. LATIMER: Four or five.

MR. JOHNSON: Four or five meetings. So I mean we still had more issues to go with the Planning Board, so things like that and, you know, the drainage and the runoff well, you know, we have an engineer who's going to make sure that, you know, everything is done in conformity with what the town requires. So that's where we are.

MS. RANSOM: Okay.

MR. LATIMER: Any area disturbed by taking down any of the trees for say the septic area the house area is going to be left with the, it's going to be replaced with grass and stuff or soil for soil erosion or in anyway. Right now what you have is a bunch of mature trees which is very beautiful, I'm not taking that away from them. That's why I moved up there. But when they come down right now there's no soil erosion really stopping that, you know. It's just dried up leaves and stuff on the grounds. Once the lawn is put in around the house, whatnot, you're going to have soil erosion controlled. So if anything it would benefit.

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MS. RANSOM: Okay, I think we do need to find out about the Central Hudson easement because if that's going to reduce the property further then that's going to change the variance request.

MR. LATIMER: Okay, but just --

MR. JOHNSON: I don't know where it is.

MR. LATIMER: I'm not either, but.

MR. RODD: Can you address that by the next meeting?

MR. JOHNSON: Yes.

MS. RANSOM: So we will definitely leave this open to find out the additional information about the Central Hudson easement that goes through the property. So our next meeting is on August 20th.

MR. JOHNSON: Thank you.

MS. RANSOM: Thanks very much.
* * *

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MS. RANSOM: Our next public hearing this evening is on the request of Patricia Gilardo, 149 Sycamore Drive requesting an area variance for a covered porch with insufficient front yard setback. Notice is hereby given that the Zoning Board of Appeals of the Town of Cornwall, County of Orange, State of New York, will hold a public hearing at the town hall, 183 Main Street, Cornwall, New York on July 16th, 2007 at 7:30 p.m. or soon thereafter as the matter can be heard on the application of Patricia Gilardo relating to property located at 194 Sycamore Drive and designated on the tax map as section two, block nine, lot 5.1. The application seeks an area variance to section 158-12 part 1SR1 district use group B, column number five of the zoning ordinance in order to construct a 7-foot by 38-foot covered porch with insufficient front yard. The ordinance requires 30 feet front yard and the applicant proposes 12 feet. The Zoning Board will, at the above time and place, hear all persons interested in the application. All written communication should be received by the board at or prior to the hearing dated June 13, 2007 by order of the Zoning Board of Appeals, Town of Cornwall, Lenora Ransom chairperson. Let the record show that we did receive a memo from Trudy Alaviro, 193 Sycamore Drive. It's dated June 16th, 2007. It's addressed to the Zoning Board of Appeals. And besides narrative text it includes photos. And that's here if anyone would like to take a look at it. We also have a proxy on file to allow Mr. Coppola to speak on behalf of the applicant.

MR. COPPOLA: Thank you. My name is AJ Coppola. I'm the architect who's prepared the drawings. I'll be briefly explaining what we are proposing, a little bit about the existing site, the existing house, what we are proposing to do and I have some photos and some additional drawings. Basically this site is about a third of an acre. It's on Sycamore Drive. It goes sharply downhill towards the rear. So the house sits low in relationship to the road. It's actually sitting below the road. And if you were to go around to the back of the house you'd see the deck that's shown on the drawing, that deck is at the basement level of the house and it's still up out of the ground. So I have the feeling that when this existing house was

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located it was located way up in front of the lot because of the kind of severity of the slope. So basically it's a one and a half story Cape Cod style frame house, a single family house. What we're proposing to do is basically add a 6-foot deep by 38-foot wide front porch to the front. The front setback right now is varying between 18 feet and 20 feet. The 30-foot, which is the required setback line, that existing line cuts through the middle of the existing house, so we're already nonconforming by ten to 12 feet. So we're basically subtracting 6 feet from that nonconformity. There is an existing driveway here. That driveway is almost entirely in the town's right-of-way. It really almost doesn't even come onto the property. Just briefly what we're proposing to do, this porch addition is also part of a renovation for the entire first floor. So basically it's to, we feel the purpose of this porch is to soften the front of this house because it is so close to the road, update it, provide shelter from the rain and from the snow. Basically also a porch this size also helps reduce the heat gain from the sun. So this is a western facing front and that will help reduce the gain, your late afternoon western sun inside the dining room, inside the living room. So this porching provides all of these things. What we are also looking to do on the interior is install a new kitchen, renovate the existing kitchen, open up the staircase and basically, like I said, modernize the layout, open up some walls and make this house more livable. And the covered porch is a part of that plan. This is what it would look like from the exterior. And I didn't realize that I don't think the board received this, but I could get -- I'll detach and give this to you if you would like, but this is the front facade. These are the two existing dormers that are going to remain. Basically it's a shed style porch with one reversed gable over the existing door, balusters, newel post going across the front, probably some lattice underneath to kind of hide what's underneath the porch. And there's an area over to the right side here that's going down around it, kind of feeds into an existing staircase. We're going to reduce that staircase, but that staircase goes down to the basement level. There's a door and then down and wraps around to the deck which is on the lower level. So that porch will extend over to the right side. We're conforming on our side and setback so

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it's just the front yard setback that we are looking for. So, basically that's what we are proposing to do. You know, typically I tell my clients and Mr. and Mrs. Gilardo probably would have said the same thing, when you look at porches you can look at a 4-foot porch, a 6-foot porch and an 8-foot deep porch. A 4-foot deep porch is very shallow and it's more or less for eye candor. It's very difficult, it's almost uncomfortable to sit on a 4-foot porch because your feet will probably hit the railing unless you're way back to the wall. A 6-foot porch is probably the most, it's the most popular porch we do in terms of the depth because it allows you to sit there, you get all the benefits of a softening of the front of the house and all of those types of things, but it also allows you to use it. And that's what we're proposing to do. An 8-foot porch really you don't see too much in this area, but that would be more of a southern type of porch, a porch where you can actually put a table and sit on and use it in that way. Most people actually end up using their rear deck instead of using their front porch in that way. So I believe that this 6-foot porch is appropriate for what we're trying to do here. I don't think it's excessive and I certainly think it's going to upgrade the appearance of the front of the house and actually even contribute to the neighborhood in that way by bringing up the style and updating and upgrading this existing house. So, as I said, I could give you that if you want.

MS. RANSOM: Maybe we should make it part of the permanent record so that the record does have the proposed structure. What's there now in the front?

MR. COPPOLA: Let me just, I'll bring up these other photos. It's just, there's just like, there's some -- it's all green. There's probably about 12 feet to the front from the front wall to the edge of the pavement. So there's a tiny little bit of grass way, a couple of beds, a walkway there. So about half of that would be taken up by this.

MS. GILARDO: If I could just interject here for a second, I took some recent pictures. Since the last time we met we have been doing some work on the driveway. We actually cut it back so we would

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have more lawn as Mr. Coppola said. We have no backyard because of the steep slope. So we cut back the driveway, which actually would come to the corner of the house, when it's completed. So that once the porch is put on we'll actually have a lawn leading up to the hill that goes to the road. And this is what the driveway, the proposed, the driveway will look like when all of the project is done which has to wait for the construction of the porch to be completed before we can complete the driveway. Because the driveway is actually 63 inches. The corner here, 63 inches to the corner of the house. So there is going to be some interference. So before we can complete that we need to have the porch done so then we'll know how to proceed with the driveway.

MS. RANSOM: So right now there's just a little stoop there on the front.

MS. GILARDO: That's all we have remaining.

MR. COPPOLA: Concrete pad. Like one step and then just a little sidewalk that leads up to that.

MS. RANSOM: So the porch then is only going to be one step as well or two?

MR. COPPOLA: One or two I would think, yeah, maybe two.

MS. RANSOM: And how is it going to tie into the roof line?

MR. COPPOLA: Let me show you that. It's below the roof line, so everything there, that's there right now stays. So, again, this is a front view. It's just a shed roof that goes back. It just has to be low enough to be underneath these, this existing window and the dormer. We can do that. And then just a little reverse in the front just kind of break up the linearity of it. It's very simple. It will be four posts, two centered on the gable, one on each end, and this will just extend out that way.

MS. RANSOM: So that's the piece that goes back towards the deck in the back?

MR. COPPOLA: Yeah. There is a staircase right

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now that goes down there.

MS. REGAN: And how does that finish on the left side?

MR. COPPOLA: I lost your question.

MS. REGAN: How does that finish on the left side.

MR. COPPOLA: It just finishes even with the existing house. So it's flush with that existing house. The corner of the existing house that extend a little bit further this way.

MR. RODD: If I can just clarify, on the application the proposed porch you said is going to be 6 feet in width?

MR. COPPOLA: Yes.

MR. RODD: Because I know the application materials reference 7 feet.

MR. COPPOLA: Yes. I'm not sure why, but the drawing shows six.

MS. REGAN: Width or depth?

MR. COPPOLA: The depth is 6 feet. I know you read it that way, but it's six.

MR. RODD: Depth will be 6 feet?

MR. COPPOLA: 6 feet.

MR. RODD: And it's the same proposed front yard setback 12 feet at it's closest point?

MR. COPPOLA: Yes.

MS. RANSOM: So it's going to be six by 38 feet and the, so you're still going to require, you're still going to need 12 feet, correct?

MR. COPPOLA: Yeah, that's correct. It's 18-foot now, less the six, so you end up with 12.

MS. RANSOM: Okay. Ted, any questions?

MR. DOBLAS: No.

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MS. RANSOM: Eileen anything?

MS. REGAN: No.

MS. RANSOM: Anybody in the audience that would like to speak to the issue. What is your name and address for the record, please?

MS. ALAVIRO: Yes, Trudy Alaviro, 193 Sycamore Drive. I live directly across the street from Pat. And I think that we need to look at the whole picture, not just the porch. Previously Pat had a full half moon driveway. In preparation for this addition they deleted half of the driveway. For years I've been having a problem with them regarding their parking blocking my mailbox, the flow of traffic up and down the street. But now that they've deleted part of that driveway it's a horrendous situation. I have provided photos. I went to the building inspector, the building inspector told me to go to the highway department, that they need to have a permit from the highway department to one, alter their driveway and two to build a stonewall. The highway department doesn't have anything. They went back as far as 2005. Because of the deletion of part of their driveway their vehicles obviously are not going to fit into a quarter, half of that half moon. Because of that their cars are lined up and down the street blocking approximately 7 feet into the roadway where if a car is coming up the hill they have to actually stop to go around. Traffic cannot flow up and down the street if there are two cars. It's now creating a dangerous situation for people walking as well as the cars. They block my mailbox. This is my latest notice that I don't get my mail (indicating). This has been for years and now it's progressively worsening since they put the stonewall and since they've eliminated their driveway. I'm asking that this not be granted. I live directly across the street, the traffic, the cars. I have photos. Did everyone see the photos?

MR. COPPOLA: Everyone got a copy.

MR. DOBLAS: We have it.

MS. ALAVIRO: You haven't?

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MR. DOBLAS: I have it.

MS. ALAVIRO: This is what it looks like and how you can't get around. This is a vehicle coming up the street. I live here. Traffic cannot go up and down this street. Barely can come up the road. Not only that but they are proposing that they will be able to put two cars there. That's only if they are willing to jockey their cars, which they haven't in the past years. When they had a full half moon now that it's just the quarter, it's totally impossible. Dangerous, it's a hazard, not to mention that it's like a highway now. I also would like to add that my neighbor, Karen Labori, next to me wanted to be here, she's unable to be here. She will have a complaint faxed tomorrow.

MS. RANSOM: Okay.

MS. ALAVIRO: Thank you for listening.

MS. RANSOM: Thanks very much. Is there anyone else who like to speak to this issue?

MR. HARTSELL: Hi. I live right to the left of them, 196 Sycamore Drive.

MS. RANSOM: I'm sorry, your name again?

MR. HARTSELL: David Hartsell. My concern is are they going to have adequate parking for four cars once they build the deck, that the cars are not going to be on the road obstructing traffic?

MS. RANSOM: Okay.

MR. HARTSELL: And I don't know if he has a diagram of the driveway, what they are proposing to redo and how the deck is going to come out into that driveway and go down.

MS. RANSOM: Now the circular driveway is already gone, correct?

MR. HARTSELL: That's correct.

MR. COPPOLA: Can I speak?

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MS. RANSOM: Absolutely.

MR. COPPOLA: Unless I am completely misunderstanding something we're only coming out 6 feet.

MR. HARTSELL: You are proposing --

MR. COPPOLA: Let me finish. This driveway is entirely in the town's right-of-way. We're not, I don't think we're changing anything. This deck is not causing that driveway to change. It should be still, at least it's probably going to be ten to 12 feet from the edge of the porch that we're proposing to the edge of the driveway there.

MR. HARTSELL: That drive is still existing?

MR. COPPOLA: Nothing, nothing is changing that's directly related to this covered porch. The whole issue of the number of cars, I mean that's a separate issue. And --

MR. HARTSELL: Show me where the new proposed driveway is going to be?

MR. COPPOLA: This is a survey which shows the existing driveway.

MR. HARTSELL: The existing driveway is no longer there.

MS. ALAVIRO: Exactly.

MS. GILARDO: We didn't ask Mr. Coppola to design a driveway.

MS. ALAVIRO: It's half gone, it's lawn now.

MS. GILARDO: He's working with to us to do our porch. The driveway was something that we initiated on our own. As I said, because we were thinking aesthetically if we're going to have a front porch I'd rather look out at a lawn rather than a driveway. So what we proposed doing was to reduce the length of our driveway and widen it. Thus we built a stonewall. We had one load of shale brought in. But, as I said to you earlier, until the porch is completed and we can see how the corner of the porch will interface, this is

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how, this is how it is right now. This is the edge of my house and this is the corner of the stonewall. It's 63 inches. So the depth of the porch is going to extend into, up to this stonewall. So I do not want to complete this until the porch is done, just in case we have to move something here. I don't want to fill it in, pave it and then have to dig it up and move it because it doesn't work with the porch. So our plan is to complete that driveway and three cars will fit in that driveway when it's completed. Right now I haven't seen the photos, I haven't seen the letter. We had a situation where I had my daughter's family living with me. They are relocated to Florida. Their two vehicles are in Florida and they're not coming back to my home. It's my husband, myself and my son that have vehicles and I have one vehicle, the fourth vehicle, that's for sale right now, and I won't be replacing it. So, this is a temporary situation. We will in the end have three vehicles that we will need to park, other than when we have company. And I think we had company this weekend, we had company last weekend. I think that was the boiling point for Trudy because I did have my company parked on the road. Right now my husband parks on the road, but if you drive up and down Sycamore there are many residents that park their vehicles on the road. We try to get as close to our property as possible so that we don't impede the traffic that's coming and going.

MR. COPPOLA: I mean I would propose --

MS. ALAVIRO: Can I say something else, please?

MS. RANSOM: Go ahead, Mr. Coppola.

MR. COPPOLA: Basically what Gary alluded to is that most of this work, any of the work that they are doing on the driveway has to conform to the highway department because it is in the town's right-of-way. So as part of this work when they're done putting the porch in maybe the highway inspector goes out there and gives a little direction in terms of what they can do and what they can't do. But technically they have to do that anyway because they're working in the town's right-of-way, so they would need the highway department's approval for anything that

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they would do.

MS. GILARDO: We'll do that. I'm sorry I didn't realize that was, I'm not as familiar with the requirements and maybe I should be, but I will do that.

MS. REGAN: What about the mailbox?

MS. GILARDO: The mailbox, I won't deny that there have been instances, but it's not a daily thing with mailboxes blocked. And I'll make sure that that doesn't occur. As I said, once the driveway is done we will have space for three vehicles. There'll be three of us in the home that have vehicles and even with the previous driveway, the circular driveway, we had to jockey around to let whoever was in the middle out anyway. It's just one of those things when you have multiple vehicles, you know, on a small piece of property. So I don't really think the circumstances are different. It's just rather than the length we'll have the width.

MS. RANSOM: Okay, thank you. You wanted to say something else.

MS. ALAVIRO: I would like to reiterate that due to them removing half of their driveway they are parking in the street now. Yes, they have three cars, two cars or three cars now, but who knows what they'll have in the future. They cannot park the way the rest of the neighborhood can park against their grass because they've built this stonewall practically right adjacent to the street. I know they have no permit from the highway to alter the driveway or to erect that stonewall because I was there today for two hours and they went through all their paperwork, there's nothing. So the cars are sticking out six to 7 feet in the road, coming around to my property, you can't even walk. It's a hazard. It's dangerous. It's not going to change. They couldn't jockey their cars when they had the full half moon, they won't be able to jockey, nor will they agree to jockey their cars all the time when they have just the half that they have now. I as a neighbor don't feel that I have to worry how many vehicles they purchase or how many guests they have or how many family members move into

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their home. With me being across the street it's horrendous. The photos speak for themselves.

MS. RANSOM: Can you see the proposed front porch from your home?

MS. ALAVIRO: Pardon me?

MS. RANSOM: Can you see the proposed front porch from your home?

MS. ALAVIRO: Oh, of course.

MS. RANSOM: How far is your home from their front porch?

MS. ALAVIRO: Well, I'm back, luckily. You can probably judge from one of the photos because I took it from my front door. Luckily I'm set back.

MS. RANSOM: Okay.

MS. ALAVIRO: But it doesn't, it doesn't alter the vehicles in the road sticking out blocking my driveway and blocking my mailbox. I am entitled to receive my mail each and every day like everyone here. The next day when I have no mail I have a notice in my box. This has been for years and it has increased since they've changed their driveway.

MR. RODD: As I understand the proposal the proposed porch is not going to affect the size one way or the other of the driveway as it now exists, is that correct?

MS. ALAVIRO: They did away with the driveway.

MR. RODD: I understand that. But the application before us right now is not either increasing or decreasing the driveway that is there, correct?

MS. ALAVIRO: Their existing driveway?

MS. GILARDO: This proposal is for the porch. The porch could have existed with the previous driveway as it's designed.

MS. ALAVIRO: But because they have removed the driveway it's made the situation that was already

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bad worse. Where are they going to park? You're going to pull your car into an area like this, two vehicles, one here, one here. They might be able to move one vehicle in here, but you have to move these two cars in order to move that car.

MS. RANSOM: But this does not affect the porch?

MR. COPPOLA: That's correct.

MS. RANSOM: The porch is a totally separate issue. The driveway has already been altered so the subject before the board tonight is the porch. So are there any concerns directly related to the porch?

MS. ALAVIRO: It's the parking situation and them altering. Then I will have to go to the highway department if you can't help me, which I already have been and they will be at my house this week.

MS. REGAN: Can I make a suggestion? Try to keep her mailbox clear even as a neighborly courtesy.

MS. GILARDO: Yes, I understand. I apologize if that has occurred.

MS. REGAN: Maybe you can work things out.

MS. RANSOM: Is there anything else you'd like to add?

MS. ALAVIRO: No.

MS. RANSOM: Sir?

MR. HARTSELL: No.

MS. RANSOM: Anyone else who would like to speak to this issue? Mr. Coppola, do you have anything else you would like to add?

MR. COPPOLA: No, I don't. I'll leave this for you.

MS. RANSOM: Thank you, you can leave it with Roberta, please.

MS. GILARDO: Would you like any of my photos?

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MS. RANSOM: If you would like to include them in the record we would be able to accept them. Would you like a copy of Mrs. Alaviro's letter?

MS. GILARDO: Yes, please.

MS. RANSOM: You said this was 63 inches?

MS. GILARDO: Yes.

MR. COPPOLA: You will deliberate later tonight?

MS. RANSOM: Yes.

MR. COPPOLA: Okay.

MS. RANSOM: Any other questions, anything? Eileen, anything? Okay. Thank you very much.

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MS. RANSOM: The minutes of the June meeting have been distributed. Are there any additions or corrections? Do I have a motion to approve the minutes as submitted?

MR. DOBLAS: I make the motion.

MS. RANSOM: Thank you. Do I have a second?

MS. REGAN: Second.

MS. RANSOM: All in favor of the minutes?

ROLL CALL:

MR. DOBLAS: Aye.

MS. REGAN: Aye.

MS. RANSOM: Aye.

MS. RANSOM: Motion is carried. Do I have a motion to consult with counsel regarding items for this evening?

MS. REGAN: So moved.

MS. RANSOM: Thank you. And second?

MR. DOBLAS: Second.

MS. RANSOM: Thank you. If you will wait in the hall for a few minutes, please.

* * *

(Whereupon, the Board went into executive session from 8:40 p.m. to 9:00 p.m.)

7/16/07 - MOUACDIE

MS. RANSOM: Our first public hearing this evening was on the request of Michael Mouacdie, 21 Meadow Brook Lane, seeking an area variance for single family dwelling with insufficient lot area and front yard setback. The applicant has gross area of 7.66 acres and a net area of .51 acres where 2 acres is required. The front yard setback is 60 feet. And the applicant is proposing front yard of 43. And he has modified the size of the house to 40 by 40. Okay, let's take the grounds for relief one at a time. Will the variance sought produce as undesirable change in the character of the neighborhood or be a detriment to nearby properties in the neighborhood in which applicant's property is situated?

MS. REGAN: No, I don't think so.

MR. DOBLAS: No.

MS. RANSOM: It's a residential road and this is a residence. Can the benefit sought by the applicant be achieved by some method feasible for the applicant other than an area variance?

MS. REGAN: No.

MS. RANSOM: No. And the gross area is 7.66 acres. So I think that the, it's a good use of the property. Is the requested variance substantial? I don't think so based on the size of the acreage and the front yard setback due to the wetlands. He has filled in as much as he can. I think he has testified to that. So that the 43-foot in the front yard is the best he can do on the private road right-of-way. Will the proposed variance have an adverse affect or impact on the physical or environmental conditions in the neighborhood or the District?

MS. REGAN: No.

MR. DOBLAS: No.

MS. RANSOM: It's a single family home. Is the applicant's alleged difficulty complying with applicable zoning self-created? Yes and no.

MS. REGAN: It is and it isn't because the land is the way it is because he can't do anything about

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it.

MS. RANSOM: Right. Do I have a motion that this is a type two action under SEQRA?

MS. REGAN: So moved.

MS. RANSOM: Thank you. Do I have a second?

MR. DOBLAS: Second.

MS. RANSOM: All in favor.

ROLL CALL:

MR. DOBLAS: Aye.

MS. REGAN: Aye.

MS. RANSOM: Aye.

MS. RANSOM: The motion is carried. Do I have a motion to approve the request by Michael Mouacdie for two area variances, one for the gross area and one for the front yard setback?

MS. REGAN: So moved.

MS. RANSOM: Do I have a second?

MR. DOBLAS: Yes.

ROLL CALL:

MR. DOBLAS: Aye.

MS. REGAN: Aye.

MS. RANSOM: Aye.

MS. RANSOM: The motion is carried.

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MS. RANSOM: Our second public hearing this evening was on the request of William G. Romas. Mr. Romas, we have a couple of questions.

MR. ROMAS: Do I have any questions?

MS. RANSOM: We have questions.

MR. KELSON: They have a couple of questions.

MS. RANSOM: We'd like to discuss the conditions that the board would like to -- we would like to have dialogue first with you. 14 by 20, that was agreeable?

MR. KELSON: Yes, 14 by 20 is fine.

MS. RANSOM: And there had been testimony previously that you would be willing to put some windows in this to make it look more cottagey?

MR. KELSON: Yes.

MR. ROMAS: Absolutely.

MS. RANSOM: What kind of windows are we talking about and where could they be placed?

MR. ROMAS: One on each side and the back, all sides.

MR. KELSON: Do you want to put double hung windows that have rungs from them?

MR. ROMAS: Usually casement windows you can keep them open in the rain. Double hung is a problem with water. Is casement okay?

MS. REGAN: Casement crank out.

MR. ROMAS: Yes, ma'am. You can leave it open and water won't go in when it rains.

MS. REGAN: You're talking about angled ones like this?

MR. KELSON: Do you want the kind that go like this or the kind that go like this?

MR. ROMAS: When you crank it there are hinges on

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the top and the window goes out like that.

MS. RANSOM: Those are awning windows.

MR. KELSON: Or hopper.

MR. ROMAS: It's called casement.

MS. REGAN: Casement go out this way. You're talking about an awning.

MR. KELSON: Does it go like this, this? Is that what you want?

MR. ROMAS: If this is the building and this is the window, the window goes like this so you can leave it open where the rain, the water doesn't go in, if that's satisfactory to you.

MS. RANSOM: Is that satisfactory?

MS. REGAN: Aesthetically.

MS. RANSOM: I think we want it to look more like a little cottage.

MR. KELSON: If I may, an awning window you can still, particularly if you go into Home Depot, you can buy an appropriate, a mullion, mullion water, plastic mullion to snap into it so it gives the appearance of a traditionally double hung window. That would be okay, right?

MR. ROMAS: Fine. Whatever is good for you.

MS. RANSOM: I think we want the appearance of a double hung window. We want it to look more cottagey.

MR. ROMAS: Fine.

MS. RANSOM: So what we are talking about is three double hung windows.

MR. ROMAS: Yes, ma'am.

MR. RODD: Let's have one on each side?

MS. RANSOM: Yes.

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MR. ROMAS: Three sides.

MS. RANSOM: Three sides without the garage door.

MR. ROMAS: I'm sorry.

MS. RANSOM: Three sides that do not have the garage door.

MR. KELSON: One double hung. I guess we're going to say double hung. One double hung window on each side of the, other than the garage door.

MR. RODD: We understand the garage door side is going to be the side furthest away.

MR. ROMAS: Facing the rear of the property.

MR. RODD: Right.

MR. ROMAS: Totally nonvisible from any angle in the front.

MS. REGAN: What size window were you thinking?

MR. ROMAS: Practical if it's small reasonably because inside I want storage, to hang things on the wall. If you got a double hung window you're stuck.

MR. KELSON: You want one window. Do you want them centered or do you want them over to one side? The short side it's obvious you're going to center it. Do you want, on the long, two long sides, do you want them centered on that side?

MS. REGAN: On the long side one window is going to look silly.

MR. KELSON: Two is going to be a problem when it comes to storage. We could put one to one side, I guess. Whatever.

MS. RANSOM: You've got a 20 foot space.

MS. REGAN: Typically, but I see your point, 20 feet you'd want to have two, but if you put two then you defeat the whole purpose.

MR. RODD: As a suggestion, you can leave that

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detail up to the applicant, if you're comfortable doing that. But I would indicate again to give them some flexibility a minimum size for them to work with.

MR. ROMAS: Good idea.

MS. RANSOM: So double hung windows on each side to be aesthetically appropriate.

MR. KELSON: Do you want a minimum size?

MR. RODD: I would say with a minimum size of at least --

MS. REGAN: I don't have a book with window sizes in my back pocket.

MR. KELSON: I'd say 24, I'd say 24 wide.

MS. REGAN: 2 feet.

MR. KELSON: By 2 feet, 24 by two feet?

MS. REGAN: I don't know what the standard window sizes are.

MR. KELSON: Not less than two by two and a half.

MS. REGAN: In proportion to the side. I mean to look aesthetically pleasing, but that's very subjective.

MR. RODD: I'll adopt counsel's suggestion not less than 24 inches wide and 30 inches high.

MR. KELSON: Is that a problem?

MR. ROMAS: I will do whatever. It's kind of big, but I will do whatever is compliant.

MR. RODD: It's minimum. I'm not saying you have to do it that size.

MR. KELSON: You can go up, if you have to go up to the next width.

MR. RODD: Go as big as you want.

MS. REGAN: Just so it looks aesthetically

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pleasing.

MS. RANSOM: We are going to have three of these, right?

MR. KELSON: Three of these.

MR. RODD: Double hung in appearance. Not less than 24 inches wide, 30 inches high.

MS. REGAN: I was just going to say what is good for one side may not be right for the longer side.

MR. KELSON: He may end up getting a wider one for that side.

MS. REGAN: It has to look nice to you, too. It affects your home. So you want it to look right.

MR. KELSON: If you want a bigger one on the bigger side you can do it.

MR. ROMAS: On the house we have like a utility -- I'll make it the exact same size.

MS. REGAN: I have a perfect idea, let's put some shutters up. Do you have shutters on your house?

MR. ROMAS: Shutters? That would give it -- we don't have shutters.

MS. REGAN: That can keep the window -- you don't have to go over size with the window and you put shutters up and that will soften the affect and that will take up more space, but it won't take up your wall space.

MRS. ROMAS: Give the allusion of a larger window.

MR. ROMAS: I can get windows the exact same size that's on the house.

MS. REGAN: Your wife knows what I'm talking about.

MS. RANSOM: Are we making shutters part of this, also?

MS. REGAN: This way the shutter, if you rather than going to, like an up-size window, if you had

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to you can create that allusion by having shutters and it doesn't take away from your wall.

MR. ROMAS: Is shutters part of the size of the width or is it beyond the width?

MS. REGAN: No, this is for the longer, the 20-foot length.

MS. RANSOM: The minimum size that we're going to approve for windows is 24 wide by 30 high.

MR. KELSON: And then on the two wide sides they're going to ask you to put decorative shutters on the wide sides. And if you want to on the third side, probably not a bad idea.

MS. REGAN: This way if you needed a larger window rather than going with the larger window you can make the affect up by putting the shutters and you don't lose your wall space on the inside.

MR. KELSON: Miss Regan is saying if you take a small window and put it there it will look like a bump on a log. You don't want that either. If you put the bigger shutters it will look nicer.

MS. REGAN: It will give a nicer appearance and it won't take away from your wall space on the inside. Your wife understands.

MR. ROMAS: I'm going to go into minimum requirements as this gentleman suggested.

MS. RANSOM: Yes.

MR. DOBLAS: Mr. Romas, I'm sure you're going to put nice windows in there to make it look just like your house.

MR. ROMAS: Absolutely match the house.

MS. REGAN: So you understand, Mrs. Romas, right?

MRS. ROMAS: Yes.

MR. RODD: Just so I'm clear, because I have to write the decision, we're having one window on each wall not less than 24 inches wide, 30 inches high?

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MS. RANSOM: Correct.

MR. KELSON: All right.

MR. RODD: And with respect to shutters if you want to add that I believe that's a suggestion of the board, not a per se condition, correct?

MS. RANSOM: Right. An option.

MR. RODD: Now let's talk about the landscaping.

MS. RANSOM: Norway spruces. Five to 6-foot Norway Spruces. The estimate you gave us doesn't really tell us where they're going to be. Are you talking about putting them on three sides?

MR. ROMAS: Just the one rear side facing anyone.

MR. KELSON: I believe that one of the, one of the submittals actually had the areas for the marked out.

MS. REGAN: We didn't see that.

MR. KELSON: May I approach?

MS. RANSOM: The original is -- it's in the black folder.

MR. KELSON: Not part of this, part of -- if I may, on one of the prior submittals that I had sent over remember, Bill, you marked it off in colors. If everybody can see, this is really hard to see, but there's -- the back of the building is sort of trapezoidal shape and then another triangle that's where he's proposing to put them. Here and here. This is the neighbor that has the beef. So he was going to put them over here and then a little bit off to sort of -- off to the side, the back here and off a couple of feet on either side.

MS. REGAN: Now this is Sarah over here, correct? Where is Sarah Drive? Turn that way.

MR. ROMAS: Sarah is over here.

MR. KELSON: So this is the neighbor with the beef

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and this is where the trees go.

MS. RANSOM: Now, that house though that's on the circle, your neighbor to the other side --

MR. KELSON: We have some this way and then you also have little triangle.

MR. ROMAS: John and Terry are over here.

MR. KELSON: We have sort of a, like a V-shaped planting almost.

MS. RANSOM: So that's going to provide enough screening for those folks up there as well as the people on --

MR. ROMAS: Half of it is covered right now with existing trees and bushes, but I will put extra, whatever it takes.

MS. RANSOM: I think we have that.

MR. KELSON: It's in there somewhere, I know it is.

MS. RANSOM: I didn't recognize it as the planting. So how many trees are we talking about putting in here?

MR. ROMAS: What does the quote say? You have the proposal.

MS. RANSOM: The landscapings proposal is in the back.

MR. KELSON: Seven five to six foot Norway Spruces. Number seven.

MS. RANSOM: Seven trees.

MR. KELSON: Quantity seven trees.

MR. ROMAS: I'll do whatever you want, but just practical. They are \$450 a tree.

MS. RANSOM: So the seven trees are going to be kind of along, they're going to be along the front and just this part of the sides there? The front facing Gayton and a little around the corner there

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of the shed, right?

MR. ROMAS: One side really can't because you're going into the driveway. The driveway is right there.

MS. RANSOM: It's like a V.

MR. KELSON: It's like a V-shaping planting almost.

MR. ROMAS: Yeah, but really they can't, no neighbor can see these sides. If anything they complain about that side. This is not an issue. You can't see.

MR. KELSON: We're going to have a landscaper do it.

MS. RANSOM: So we're going to have seven six foot Norway Spruces and they're going to be on the Gayton Drive side?

MR. KELSON: Yes.

MR. ROMAS: Yes. Which is the rear of the accessory building.

MR. KELSON: Kind of going to bend around a little. It's like a V-shape. It's almost like a V.

MR. RODD: As indicated on their plans.

MR. KELSON: As indicated on the plan.

MS. RANSOM: Are we ready to do this guys?

MR. KELSON: One suggested clarification before, Mr. building department --

MS. RANSOM: Gary.

MR. KELSON: Gary has made some observations regarding the actual building code classification of this building. And whether it gets called a garage for building permit purposes or whether it gets called a shed for building permit purposes, because of the door, we have agreed, and this can be a stipulation, a condition, that there are not

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going to be any vehicles stored in the building and that absolutely remains and is a true statement. It is possible that Gary Vinson may ask us to take out this permit as a garage, okay. But we wish to make clear, and if you want to make this as a condition that even if he makes it a garage that the condition be that no vehicles, no motor vehicles other than lawn and landscaping vehicles, be stored in the building. And for that reason I would suggest that the variance perhaps be granted for an accessory building because I don't know what Gary is going to call it.

MS. RANSOM: I will defer to you on that.

MR. KELSON: Thoughts on this?

MR. RODD: Well, yeah, I mean the appeal was simply because -- I'm trying to look at the notice.

MS. RANSOM: They were calling it a detached garage.

MR. KELSON: Right, that's fine. And if you want to grant that as a garage that's fine because the harder, the higher burden, I believe.

MR. ROMAS: Which I believe impacts the foundation specification. I don't know.

MR. KELSON: The reason -- I'll explain, the reason this is an issue is he's making, he's made comments about well, if you call it a garage he's looking for the structure, the rebar in the concrete and all those kinds of issues. Those are really Gary's issues and we are not disturbed by them here. But, if you say garage and we say okay, fine, call it a shed, we won't have to come back.

MS. REGAN: You want to make sure we identify it properly?

MR. KELSON: Yes. If we say accessory building I don't think it really matters.

MR. RODD: Well, there wasn't an appeal from the interpretation of what it is. There was simply an appeal from the denial of where it is.

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MR. KELSON: Right.

MR. RODD: So I don't think the board needs to render an interpretation. We weren't asked to.

MR. KELSON: We are not asking for an interpretation.

MS. RANSOM: Are we calling it a shed?

MR. RODD: Is it a shed?

MR. ROMAS: I wish somebody would tell me what is the difference, I don't know.

MR. KELSON: If I may, we think it's a shed. We are concerned that Mr. Vinson is going to call it a garage because of the existence of a door.

MR. ROMAS: The overhead door.

MR. KELSON: It's a definitional issue and I don't want a situation where we get a variance for a shed and then Mr. Vinson says we can not grant you a building permit for this building. That I the building inspector choose to call a garage for, you know, his, you know, for his reasons based on code compliance. So I believe that, I'm suggesting that the safer and sort of innocuous thing to do is to make it clear in the decision that the particularly in light of the fact that no request, we're not asking for an interpretation.

MR. RODD: How about this, we'll call --

MR. KELSON: The code contemplates accessory building. I don't think the code talks about shed, shed or garage.

MR. RODD: You're agreeing as a condition that you will not be storing motor vehicles?

MR. KELSON: Absolutely correct. Other than lawn and snow.

MS. REGAN: Equipment.

MR. RODD: I am comfortable because, again, I don't think the board is in the position to make a

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declaration because it wasn't an issue that was presented to us as to whether it's a shed or a garage.

MR. KELSON: Agree.

MR. RODD: That there's been no testimony on that. I don't think the board can make that, nor were we asked to make that an accessory structure. Add a condition that motor vehicles will not be parked or be accessed within that accessory structure and leave it at that.

MR. KELSON: That's fine. That's exactly what we are proposing. Thank you.

MS. RANSOM: So no motor vehicles in the accessory structure.

MR. KELSON: Yes.

MR. DOBLAS: Right.

MS. RANSOM: Are we ready to take the grounds for relief one at a time? We're going to do a finding.

MR. KELSON: Motor vehicles, we're not talking about lawn tractors?

MS. REGAN: Automobiles.

MR. KELSON: Say automobiles and motorcycles, how's that?

MS. RANSOM: We're going to do findings and fact and decision on this.

MR. RODD: The condition will be, facetiousness aside, no automobiles.

MR. KELSON: We are in complete agreement.

MS. RANSOM: Let's take the grounds for relief one at a time. Will the variance sought produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties in the neighborhood in which the applicant's property is situated?

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MS. REGAN: I don't think so, in light of the fact that he's willing to add features to make it blend in and not stick out.

MS. RANSOM: Agree. I agree with the conditions that the board is imposing that there will not be an undesirable change to the character of the neighborhood, that it will fit in with the neighborhood.

MR. DOBLAS: It will, yes, it will.

MS. RANSOM: Can the benefit sought by the applicant be achieved by some method feasible for the applicant other than an area variance?

MS. REGAN: Not really.

MS. RANSOM: I think after our site visit and also with the information supplied by the chief of planning and surveying at the Vincent J. Doce Associates, I think that they have shown that there is no other place on the property that this particular accessory structure can fit. Is the requested variance substantial? I think they've agreed to pair down the size. They've agreed to the conditions that we have imposed, so I don't feel that the variance is substantial. Ted, any comments?

MR. DOBLAS: No comment.

MS. RANSOM: Will the proposed variance have an adverse affect or impact on the physical or environmental conditions in the neighborhood or the District?

MS. REGAN: No.

MR. DOBLAS: No.

MS. RANSOM: No, I think there's adequate screening has been discussed. There's natural screening. I think that there shouldn't be any adverse impact. Is the applicant's alleged difficulty in complying with applicable zoning self-created?

MS. REGAN: Yes.

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MS. RANSOM: Yes, but since they have agreed to the conditions I feel that should not carry as much weight. Do I have a motion that this is a type two action under SEQRA?

MS. REGAN: So moved.

MS. RANSOM: Thank you. Do I have a second?

MR. DOBLAS: Second.

MS. RANSOM: All in favor of SEQRA?

ROLL CALL:

MR. DOBLAS: Aye.

MS. REGAN: Aye.

MS. RANSOM: Aye.

MS. RANSOM: Motion is carried. Do I have a motion to have counsel prepare a findings of fact and decision including all of the conditions discussed? Do you want me to enumerate the conditions?

MR. RODD: You can describe it and I'll incorporate it in the resolution which you'll vote on.

MS. RANSOM: That the accessory structure will be 14 by 20 feet, that there will be seven five to six foot Norway Spruces in a V-shaped configuration as outlined in the documents provided. There will be three double hung windows, one on each side, a minimum size of not less than 24 inches wide and 30 inches high. And that there will be no automobiles stored in this accessory structure.

MR. ROMAS: One question, the gentleman's language with the double hung door in appearance, is that what you said?

MS. REGAN: Appearance.

MR. ROMAS: Could we use that terminology?

MS. RANSOM: Double hung window appearance.

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MS. REGAN: Right.

MS. RANSOM: Okay? Do I have that motion?

MS. REGAN: So moved.

MS. RANSOM: Thank you. Do I have a second?

MR. DOBLAS: I'll second.

MS. REGAN: The only thing I would add is that the trees were going to be put in 3-foot intervals per the --

MS. RANSOM: Per the landscape.

MS. REGAN: Right.

MS. RANSOM: Ready to vote? Yes.

ROLL CALL:

MR. DOBLAS: Aye.

MS. REGAN: Aye.

MS. RANSOM: Aye.

MS. RANSOM: The motion is carried. So at the next meeting we -- counsel will prepare the findings of fact and decision and then we will have to vote on the findings and facts and decision.

MR. KELSON: They make a formal written decision and they vote on it after counsel prepares it.

MS. RANSOM: Let the record show that Orange County Planning left this to local determination.

MS. REGAN: Okay. Thank you.

7/16/07 - GIANNETTA

MS. RANSOM: Our next public hearing was on the request by Angela and Larry Giannetta requesting an area variance for a shed to be relocated in the required front yard that will project nearer to the street than the principle building. Let the record show that Orange County Planning has left it to local determination. Let's take the grounds for relief one at a time. Will the variance sought produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties in the neighborhood in which the applicant's property is situated?

MS. REGAN: No.

MR. RODD: Is this on Giannetta?

MS. RANSOM: Yes.

MR. RODD: We were waiting for Orange County Planning or we did get it?

MS. RANSOM: No, we have that one. That they left it for local determination.

MR. RODD: Okay.

MS. REGAN: We have Giannetta, yes.

MS. RANSOM: Before we do this though let the record reflect that I received a complaint about this shed and I referred this situation to the building department and I feel that I can make a fair and objective decision on this request. Let's take the grounds for relief. Will the variance sought produce an undesirable change in the character of the neighborhood or be a detriment to nearby properties in the neighborhood in which the applicant's property is situated.

MS. REGAN: No, I don't think so.

MR. DOBLAS: No.

MS. RANSOM: I think that we did hear that part of the house is actually closer to the road than the shed because of the angle at which the house is situated to angle the road. Can the benefit sought by the applicant be achieved by some method

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feasible for the applicant other than an area variance?

MS. REGAN: Not according to the testimony they provided.

MS. RANSOM: Right. The testimony indicated that the back of their house goes straight up. Is the requested variance substantial? I think the fact that part of the house does extend closer to the road than the shed will, and I think that they have agreed to do some landscaping around it, that it's not a substantial request.

MS. REGAN: No.

MS. RANSOM: Is the proposed -- will the proposed variance have an adverse affect or impact on the physical or environmental conditions in the neighborhood or the District?

MS. REGAN: No.

MR. DOBLAS: No.

MS. RANSOM: I think he's actually going to make the well safer by putting this over top of it. Is the applicant's alleged difficulty in compliance with applicable zoning self-created?

MS. REGAN: Obviously, yes.

MS. RANSOM: Yes. Are we ready to vote? Do I have a motion that this is a type two action under SEQRA?

MR. DOBLAS: Yes.

MS. RANSOM: Do I have a second?

MS. REGAN: Second.

MS. RANSOM: All in favor?

ROLL CALL:

MR. DOBLAS: Aye.

MS. REGAN: Aye.

MS. RANSOM: Aye.

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MS. RANSOM: The motion is carried. Do I have a motion to approve the request by Angela and Larry Giannetta for an area variance for a shed to be relocated in a required front yard that will project nearer to the street than the principle building?

MS. REGAN: So moved.

MS. RANSOM: Do I have a second?

MR. DOBLAS: Second.

MS. RANSOM: Roll call.

ROLL CALL:

MR. DOBLAS: Aye.

MS. REGAN: Aye.

MS. RANSOM: Aye.

MS. RANSOM: The motion is carried.

7/16/07 - LATIMER

MS. RANSOM: The next hearing was on the request of John and Cynthia Latimer. We're waiting for correspondence regarding the Central Hudson right-of-way as well as Orange County Planning decision.

7/16/07 - GILARDO

MS. RANSOM: Our next public hearing this evening was on the request of Patricia Gilardo, 194 Sycamore Drive. Mrs. Gilardo, we have not received the Orange County Planning documentation, so the board can't vote until we receive that. So hopefully -- the record shows it's been applied for. Hopefully it will be here by the next meeting. We'll make a decision probably on the August 20th meeting.

MS. GILARDO: Thank you very much.

MS. RANSOM: Anything else to come before the board?

MS. REGAN: No.

MS. RANSOM: Motion to adjourn?

MS. REGAN: So moved.

MS. RANSOM: Second?

MR. DOBLAS: Second.

MS. RANSOM: All in favor?

ROLL CALL:

MR. DOBLAS: Aye.

MS. REGAN: Aye.

MS. RANSOM: Aye.

* * *

C E R T I F I C A T I O N

THE FOREGOING IS CERTIFIED

to be a true and correct transcription of the
original stenographic minutes to the best of my
ability.

Roberta O'Rourke