

Danielle Jose-Decker - And on the side by the ramp as well? Mr. Luongo – Sure, which signs, No Parking or No Standing? Danielle Jose-Decker – No parking.

Mr. Luongo – There is plenty of space for snow removal now. I'm working with Shop Rite for landscaping. I'm getting a construction easement for the wall behind the building. There is a driveway behind the building now and I'm going to increase it by two feet. I submitted to the DOT for calculation for the drainage system. They were fine with everything. Since last month's meeting the service pole has to be relocated. The 150 square feet addition to the building is for bathrooms. Jay Mendels- The footprint is not changing? Mr. Luongo – Correct.

Chairman Richard McClernon – How much bigger is the new canopy? Mr. Luongo – Same height. Chairman Richard McClernon – And what about the setback for the canopy? Mr. Luongo – I made it parallel to the road way. Jay Mendels – What is the current setback for the existing canopy? Mr. Luongo - 17.8 feet. Danielle Jose-Decker – That's on the corner where its 14.3 feet? Mr. Luongo – Correct.

Mr. Luongo – We always put the fuel tanks on the lower side of the property.

Jay Mendels – Can we increase the size of the setback for the new canopy, or decrease the size of the new canopy to try and match the setback that currently exists? Mr. Luongo – If we do we will lose a dispenser island. Jay Mendels – The way the pumps are setup there are 5 pumps? Mr. Luongo – One is a diesel pump for cars. Jay Mendels – Four cars can line up on either side of those pumps? Mr. Luongo – Yes.

Jay Mendels - What will people do if they have to come inside after filling the car up? Where will they leave their cars? Mr. Luongo – Just leave them there. The design was for getting gas or shopping not both. If they are shopping then they will park in the parking spaces.

Danielle Jose-Decker – If the first person at the pump goes inside then what about everyone behind them? Mr. Luongo – There is 14 feet so they can go around other cars at the pumps. Chairman Richard McClernon – Will the hoses be long enough to reach the other side of the vehicle? Mr. Luongo – I don't think so.

Chairman Richard McClernon – We have a 239 review from the county and their recommendation is Local Determination.

PUBLIC COMMENT:

No public comment

PUBLIC COMMENT CLOSE:

AREA VARIANCE CRITERIA:

- (1) Whether benefit can be achieved by other means feasible to applicant; All voted no
- (2) Undesirable change in neighborhood character or to nearby properties; All voted no
- (3) Whether request is substantial; All voted yes
- (4) Whether request will have adverse physical or environmental effects; All voted no
- (5) Whether alleged difficulty is self-created; All voted yes

A motion for negative declaration under SEQRA was made by Danielle Jose-Decker and seconded by Richard Benson
4 in favor; 0 opposed

A motion to approve the variances requested were made by Richard Benson and seconded by Jay Mendels
4 in favor; 0 opposed

Appel by: Pelham Parkway Bungalow

Property is located at 350 Fraser Road, Monticello, NY S/B/L: 10.-8-6 in the SR zone with water/sewer
Jay Zeiger, ESQ – Kalter, Kaplan, Zeiger & Forman
Allen Frishman, consultant
Mr. & Mrs. Landowel

Applicant is requesting area variances from §250-21B (4) of the Town of Thompson Zoning Code for the following purpose: Density per acre with Water/Sewer 2.0 4.0

Summer Camp/Bungalow Colony:

- One side Yard 50 feet 10 feet
- Front Yard 100 feet 45 feet
- Combined side yard 100 feet 83 feet
- Percentage of lot coverage 10% 14.19%

Increasing a nonconforming structure – §250-21B (4) N/A

Bungalow separation

Increase floor area (§250-34(E) 2,181 sq. ft 2,400 sq. ft

Proof of mailing was provided to the Board.

Mr. Zeiger – This is an existing bungalow colony and we want to remove 2 buildings and build one in their place. We are asking for a variance.

Mr. Frishman shows the board pictures of the building.

Mr. Frishman – We are not going any closer to the road and we are increasing the size.

Mr. Zeiger - We are going from 5 living quarters now to 4 living quarters. Danielle Jose-Decker – It say's 4 bedrooms? Mr. Zeiger – We are not increasing the bedrooms. Jay Mendels – Was one of the buildings vacant? Mr. Zeiger – One was not occupied. Chairman Richard McClernon – How bad is the seconded building? The first building is un-habitable. Mr. Frishman – These are old bungalows that need to be replaced. We are trying to make it looks better as well as make them more energy efficient. Mr. Zeiger - There will be 4 bedrooms and a deck. Jay Mendels – Is there a basement or it on a slab? Mr. Frishman – It will be on a slab.

Mr. Zeiger – We are continuing with what already exists. We are not getting any closer to the current setbacks. Danielle Jose-Decker – Will is be inconvenient with the side walk being right in front? Mr. Frishman – No we will be moving the sidewalk.

Chairman Richard McClernon- The town code doesn't provide us anyway to do this. The code say's that you can tear down and then put up a new building in the existing footprint with a 15% or 200 square feet increase. You are rewriting the town code. You could take the first building down and make it a two-story building allowing you to have the same footprint. Mr. Frishman – I didn't think you could have a two-story bungalow. We want to clean up the area and build just one building that is bigger with the same number of bedrooms.

Richard Benson – Is it a monolithic slab? Mr. Frishman – Yes. Richard Benson – I don't think you can put in a two story with a monolithic slab.

Jay Mendels – Does anyone have a problem with taking down two building and put in one? Chairman Richard McClernon – I do, because the Town Code doesn't allow for it and I don't want someone else coming here later on and trying to do the same thing, by taking down six bungalows and replace it with a bigger building. Richard Benson – As long as you're within the square footage allowed. Mr. Frishman – We can take one down and increase the square footage by 200 feet. We are over it just a little bit.

Danielle Jose-Decker – I believe the code says that if it's more than 10% then you can't increase it.

Mr. Zeiger – The issue is this is an existing colony. We are trying to keep the community there and remove two old building and replace it with a new building. Even if we are allowed to tear down and rebuild without a variance we will still be over the 10%. The benefit is that instead of bungalow it will be a nice house. Jay Mendels – My concern is the size of the house. Two houses coming down totaling 1,700 sq. feet each and that's with the 200 square feet being added to both and then adding them together to make up the 2,400 square feet. I don't have a problem with adding a building that is the same size of the two houses together, just not making it larger than the footprint. Richard Benson – As long as you're within the square footage allowed. Mr. Zeiger – Your talking about the 200 square feet being added twice, once per house? Jay Mendels- I don't think we should add the 200 square feet to either because you're not following the guidelines.

Jay Mendels - We don't have any guidelines for taking two buildings down and putting up one building. I don't like the fact that your trying to increase the building to 2,400 square feet. I don't think I would

have a problem with 2,100 square feet. Richard Benson – So, your saying to add only the 200 square feet to one of the bungalows? Jay Mendels – I think you would want to try and equate the square footage.

Chairman Richard McClernon – So your adding both houses that are coming down. Danielle Jose-Decker – Maybe you can decrease the size of the kitchen. Jay Mendels – I like the fact that your trying to make it look better, but I want to see some kind of limits set so other colonies can't come in and try to do something similar. Mr. Zeiger – I understand your perspective. And your ok with the 2,100 square feet? Jay Mendels- I can see how you came up with the 2,100 square feet but I don't see any rational reason for going to the 2,400 square feet. I think 2,400 square feet it too excessive for this area.

Danielle Jose-Decker – It is 1,781 square feet combined if you did them on their own. There is one calculation that say's if you just add them together you will have 2,048 square feet and then there is another calculation that you used that comes up with 2,181. Maybe if you can get the one building to be 2,181 square feet instead of 2,400 square feet. Jay Mendels – I would have less of an issue with 2,181 square feet then the 2,400 square feet.

Danielle Jose-Decker – I would like to see this written down. Mr. Frishman – The footprint would be the same we would just bring it back from the road. Mr. Zeiger – The front yard required is 50 and we would be 45 with the 2,400 square feet. Mr. Frishman are you going back five feet? Danielle Jose-Decker – According to this agenda it says the front yard setback is 100 feet. Mr. Zeiger – The application say's 50 feet. I believe that's a typo. On the site plan it says minimum front yard required is 50 feet. It's existing at 47 square feet and the proposal will be 45 square feet. Mr. Frishman – We will like to get this going for the summer.

Richard Benson – I think we need to stay around 2,000 sq. feet. That would give them 200 square feet over. Chairman Richard McClernon – One building is 1,077 square feet and we are giving them the 700 square feet plus 200 square feet. We are giving them 900 square feet instead of the 200 square feet. Jay Mendels – If they were to stay on one footprint? Chairman Richard McClernon – Correct. Mr. Frishman – That's impractical. Chairman Richard McClernon – If we do the 1,780 square feet they will still have four bedrooms. Mr. Frishman – Those are tiny bedrooms still and that is the issue now with the existing buildings. Richard Benson – I think we should stay around 2,000 square feet that will give us a fair compromise.

Danielle Jose-Decker – How many bathrooms did you have? Mr. Frishman - One bathroom in each of the buildings and now we will have three.

Richard Benson – I think 2,000 square feet will work. We have 1,781 square feet and then add 200 square feet giving us 1,981 square feet. We will then round it up to 2,000 square feet.

Jay Mendels – I think we need to establish a guide lines in case we get into this situation again.

Ian Constable – We can't do a resolution if we don't know what the exact setback is.

Mr. Frishman – The only setback that will change is the front. Jay Mendels- If the required is 50 and he cuts it back 5 feet then they won't need a variance then. Danielle Jose-Decker – The Agenda say's 100 feet! Melinda Meddaugh – It's not 100 feet it's only 50 feet.

Chairman Richard McClernon – The side setback is 15 and we have 10. We can move the building 5 feet further from the line. Mr. Zeiger – With central water and sewer it's actually 40 feet in the front yard. Then we won't need a front yard variance.

Jay Mendels – If they can accommodate the side yard variance within the 15-foot minimum do we need for them to come back? Chairman Richard McClernon – I think we still need them to come back with the new plans.

Michael Mednick– If your redrawing the front yard variance then you don't need to re-notice.

Chairman Richard McClernon – Put in a contingency saying that no other buildings will be built in this area. This way they can't come back and say they took down two buildings and only put up one and want to put up another one later on.

Mr. Zeiger – We will agree with that.

Mr. Frishman – We are reducing the square foot to 2,000. And moving the building 15 feet away from the property line. Jay Mendels – Yes, that will eliminate the variance. Mr. Frishman – Can we compromise with 12 or 13 feet? I have some trees on the other side of the sidewalk and would like to keep them. We would like to keep the building all in line with the existing buildings. Chairman Richard McClernon – It's 10 feet now. Mr. Zeiger – The side yard requirement is 15 feet. Danielle Jose-Decker – The map say's 20 feet and the notice say's 50 feet. Mr. Zeiger – The code says, one side yard is 15 feet and two side yards is 40 feet. Chairman Richard McClernon – One is showing 10 feet and the other is 30 feet minimum. Mr. Zeiger – We have plenty on the other side. Your code say's 15 feet. Tim's Gottlieb's map say's it's 8 feet. Danielle Jose-Decker – And the notice say's 50 feet and 10 feet.

Mr. Zeiger – I want to double check with everything: Allowable building size 2,000 square feet. Lot coverage will be the calculation. Required is 10 % and it's currently 12.77% at the 2,400 square foot giving us 14.19 % so that will now come down. The front yard is 40 feet, side yard is 15 feet and will keep it at 10 feet. Density per acre is 1.49

Chairman Richard McClernon – Building separation will be 25 feet? Mr. Frishman – We can do that. From the deck or wall of the unit? Chairman Richard McClernon – The deck.

Danielle Jose-Decker - Do we need to re-notice? Mr. Zeiger – The first notice is more drastic then what is being asked for and given that no one is here, I would see no reason to re-notice. Michael Mednick – Since the biggest discrepancy is being withdrawn then I don't believe we need to re-notice.

Chairman Richard McClernon – Can someone please stop in the building department and confirm all the numbers? Mr. Zeiger – I will do it.

PUBLIC COMMENT:

No public comment

PUBLIC COMMENT CLOSE:

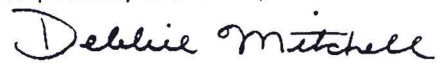
Motion to hold meeting open until April 10, 2018 was made by Ian Constable and seconded by Danielle Jose-Decker

5 in favor; 0 opposed

A motion to close the meeting at 8:01 pm was made by Ian Constable and seconded by Richard Benson

5 In favor; 0 opposed

Respectfully submitted,

A handwritten signature in cursive script that reads "Debbie Mitchell".

Debbie Mitchell

Secretary

Town of Thompson Zoning Board of Appeals