

ZBA MEETING – FEBRUARY 27, 2014

(Time Noted – 7:29 PM)

LINDSEY McGANN

59 EAST ROAD, WALLKILL
(2-2-46) R / R ZONE

Applicant is seeking an area variance for the maximum height of an accessory building (garage) to build a second story addition on the existing garage.

Chairperson Cardone: Our next applicant Lindsey McGann.

Ms. Gennarelli: This applicant sent out thirty-six letters. All the mailings, publications and postings are in order.

Chairperson Cardone: And the report from the Orange County Department of Planning is Local Determination. For the record identify yourself.

Mr. Lytle: Ken Lytle, I'm representing the McGann family for a small addition on top of their existing garage. We, in doing so, we looked at a couple of different options. One was connecting the house a...to the existing garage a...that would actually require a variance for that also. Again the existing structure of the (inaudible) house to close to the property line. Also some things we took into consideration looking at that option the utilities for the house are currently in the existing garage and it would be substantial cost to relocate those to footings in between so this is the option we come up with again it's a cost factor when it comes down to it. A...putting an additional second floor on the existing garage a...and that's what we're proposing tonight.

Chairperson Cardone: I also have a report from the Town of Plattekill Zoning Board of Appeals.

The Zoning Department is receipt of the above information regarding the area variance for the maximum height in order to construct an addition over an existing garage. The Plattekill Zoning Board of Appeals has no issue with the area variance. Very truly your, Susan Bolde, Zoning Board Clerk
And that's because it's close to the line (Town of Newburgh/Plattekill border). Any questions from the Board?

Mr. Manley: I notice you indicated a possible bathroom. Is there going to be or is there not going to be a bathroom?

Mr. Lytle: It is going to come down to cost when it's all said and done a...we have it on there and during the Building Department's review a...if they do decide to put that in there we have to give them a plumbing schematic and show how to tie into the existing septic.

Mr. Manley: Okay but...

Mr. Lytle: We're not sure but it comes down to pricing.

Mr. Manley: ...right but for the purposes of this Board to determine whether or not we are going to approve or disapprove the application one of the factors is would there be or would there not be a bathroom.

Mr. Lytle: I am going to say worse case there could poss...there will be a bathroom then, worse case. I don't know if they are going to build it but we'll plan for that just in case.

Mr. Manley: You do realize the Board's approval has to be based on what the applicant is actually putting into the...?

Mr. Lytle: Correct, they are going to plan to actually put the bathroom in there.

Mr. Manley: Okay.

Mr. Lytle: And the only reason they were thinking about doing that is again because they are not attaching it to the house. While he's up there working on his computer he didn't want to run back and forth, cold, extreme cold back and forth while he's doing it.

Mr. Manley: So then beyond the...beyond the bathroom there is going to be electric, plumbing and heating?

Mr. Lytle: Yes.

Mr. Manley: Okay.

Mr. Lytle: It's a...it's a small area he is going to use like for his den. We did a small addition on the existing house about a year ago and now he has no room for his a...his computer and his little den so now he's actually looking at doing this on top of the garage is why he's doing this.

Mr. Manley: So it is also going to be used for habitational purposes? He is going to be using it to...to stay there, I mean not necessarily sleep but it's going to be used as...as residential space?

Mr. Lytle: For...yeah, for his den, yes absolutely.

Chairperson Cardone: And a business is not going to be conducted from that...?

Mr. Lytle: No.

Chairperson Cardone: ...location?

Mr. Lytle: (Inaudible)

Ms. Gennarelli: Was there an answer to that question, I'm sorry?

Mr. Lytle: No.

Ms. Gennarelli: A nod doesn't pick up on the...

Mr. Lytle: I understand.

Chairperson Cardone: It doesn't record it.

Ms. Gennarelli: It doesn't record nods.

Mr. Lytle: We try.

Ms. Gennarelli: So that was a no, Ken?

Mr. Lytle: Yes.

Chairperson Cardone: So this is not being used as any sort of living area as far as an apartment or something of that sort?

Mr. Lytle: Again, just a den, he has no space in his existing house. We did a small addition about a year ago and he still is very limited on space. This is the next alternative and the only space available to do it in the budget.

Mr. Manley: Is there going to be any requirement to increase the a...septic at all based on the additional bathroom.

Mr. Lytle: Well the septic actually isn't (is) based on the number of bedrooms, there's no increase, there's no change in bedrooms it's just actually adding a bathroom so there is no change...that would be required.

Mr. Manley: And that'll have to then be hooked up into the septic though?

Mr. Lytle: That's correct if they do that yes...yup.

Chairperson Cardone: Do we have any questions any questions or comments from the public?

No response.

Chairperson Cardone: Do we have a motion to close the Public Hearing?

Ms. Smith: I'll make a motion to close it.

Mr. Masten: I'll second it.

Ms. Gennarelli: Roll call.

Michael Maher: Yes

James Manley: Yes

John Masten: Yes

Roseanne Smith: Yes

Grace Cardone: Yes

Chairperson Cardone: Thank you.

(Time Noted - 7:36 PM)

ZBA MEETING – FEBRUARY 27, 2014 (Resumption for decision: 8:27 PM)

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(2-2-46) R / R ZONE

Applicant is seeking an area variance for the maximum height of an accessory building (garage) to build a second story addition on the existing garage.

Chairperson Cardone: On the application of Lindsey McGann, 59 East Road, seeking an area variance for the maximum height of an accessory building, a garage, to build a second story addition on the existing garage. This is a Type II Action under SEQRA. Do we have discussion on this application?

No response.

Chairperson Cardone: And it was stated that this would not be used as living quarters and a business would not be conducted at the site. Do we have a motion for approval on this application?

Ms. Smith: I'll make a motion to approve based on the fact that it will not be used for living quarters and a business will not be conducted on the property.

Chairperson Cardone: Do we have a second?

Mr. Masten: I'll second it.

Ms. Gennarelli: Roll call.

Michael Maher: Yes

James Manley: Yes

John Masten: Yes

Roseanne Smith: Yes

Grace Cardone: Yes

Chairperson Cardone: The motion to approve is carried.

PRESENT ARE:

GRACE CARDONE
MICHAEL MAHER
JAMES MANLEY
JOHN MASTEN
ROSEANNE SMITH

ABSENT: JOHN MC KELVEY

ALSO PRESENT:

DAVID A. DONOVAN, ESQ.
BETTY GENNARELLI, ZBA SECRETARY
GERALD CANFIELD, CODE COMPLIANCE

(Time Noted – 8:29 PM)

