

TOWN OF WARWICK
ZONING BOARD OF APPEALS
FEBRUARY 23, 2015

Members Present:

Jan Jansen, Chairman

Mark Malocsay, Co-Chairman

Attorney Robert Fink

Kevin Shuback

Norman Paulsen

Members Absent:

Diane Bramich

CHAIRMAN JANSEN:
minutes from the meeting of October 27, 2014 approved?

MR. SHUBACK:
minutes.

MR. MALOCSAY:

CHAIRMAN JANSEN:

All in favor (5 Ayes) Motion carried.

Is there a motion to have the

I motion to approve the

I second the motion.

Any discussion; all in favor?

PUBLIC HEARING OF EDITH K. TANNAR – for property located at 18 Jones Road, Warwick, New York and designated on the Town tax map as Section 41 Block 1 Lot 87.44 and located in an RU District for a variance of the Bulk Area Requirements of the Code reducing side setback from 75 feet to 10.5 (+/-) feet and lot area from 2.180 acres where 8 acres are required for the purpose of attachment of an existing garage to an existing single family dwelling and converting the dwelling to a 2 family dwelling.

CHAIRMAN JANSEN:
and tell us what it is you would like to do.

Please identify yourselves

MR. TANNER:
am her son.

My name is Bill Tanner and I

MRS. TANNER:

My name is Edith Tanner.

After the passing of my husband, I found I could no longer afford to stay in my home. So I rented it out and moved into a small apartment over my garage. I would like to attach the existing garage to the home and convert the home to a 2 family dwelling in order that I may continue to live there.

CHAIRMAN JANSEN:
enough for a 2 family dwelling. Is there any discussion? Is there anyone here from the Public that would like to address this application? No, Public discussion will remain open until the next ZBA meeting. We would like to further address this application.

ATTORNEY FINK:
application further and get back to the Board.

I would like to review this

CHAIRMAN JANSEN:
until the next meeting.

This application is continued

PUBLIC HEARING OF PHIL & PATTI HAMLING - for property located at 3756 Cty Rt 1, Warwick, New York and designated on the Town tax map as Section 27 Block 1 Lot 85.81 and located in an RU District for a variance of Sections 164.46J(7), (11) & 40N(b) reducing front setback from 75 feet to 50 feet for use of a structure for a home occupation (art studio) and a guest house.

CHAIRMAN JANSEN: Please identify yourself and tell us briefly what you would like to do.

MS. EMMERICH: Karen Emmerich, with Lehman and Getz.

MR. HAMLING: My name is Phil Hamling and I would to make a workshop for my home hobby of pottery. I would like to amend the address to 376.

There was a brief discussion concerning the workshop and how he took exception as to how the Building Inspector conducted himself at his shop.

CHAIRMAN JANSEN: Anyone here from the Public that would like to address this application? No; Public Hearing is closed.

ATTORNEY FINK: Is this going to create an undesirable change in the character of the neighborhood or be a detriment to nearby properties?

MR. MALOCSAY: No.

CHAIRMAN JANSEN: No.

ATTORNEY FINK: Can it be achieved by any other feasible method?

MR. PAULSEN: No.

ATTORNEY FINK: Is this a numerically substantial variance?

MR. MALOCSAY: No.

CHAIRMAN JANSEN: No.

ATTORNEY FINK: Is this going to have an adverse effect or impact on the physical or environmental conditions of the neighborhood?

MR. MALOCSAY: No.

CHAIRMAN JANSEN: No.

ATTORNEY FINK: Is this self created?

MR. MALOCSAY: Yes.

MR. PAULSEN: Yes.

ATTORNEY FINK: Would some care to type this as Unlisted with no adverse environmental impact?

MR. PAULSEN: So moved.

MR. SHUBACK: I second it.

CHAIRMAN JANSEN: Any discussion? All in favor?

All in favor (5 Ayes) Motion carried.

ATTORNEY FINK: Would someone care to motion that the variance be granted as advertised?

MR. MALOCSAY: So moved.

MR. SHUBACK: I second it.

CHAIRMAN JANSEN: Any discussion? All in favor?

All in favor (5 Ayes) Motion carried.

PUBLIC HEARING OF TOM ZOUFALY #3 - for property located at 88 Sleepy Hollow Road, Warwick, New York and designated on the Town tax map as Section 31 Block 2 Lot 93.2 and located in an RU District for a variance of Section 164.41.A.(1)(a) permitting an accessory building of 1,800 square feet where 1,200 square feet are required and the Bulk Area Requirements of the Code permitting an accessory building to be located within the front yard setback.

MR. LEWIS: My name Paul Lewis. I would like to construct a building on my property.

CHAIRMAN JANSEN: So, basically, we are looking at a building of 1800 sq feet versus 1200 sq feet?

MR. LEWIS: Yes.

There was a discussion of the buildings already located on his property and their locations to the property lines.

CHAIRMAN JANSEN: Anyone here from the Public that would like to address this application?

MS. PETERSON: My name is Kathleen Peterson and I am his neighbor. I am opposed to this application as he already has buildings on his property and this would create an eyesore and possibly cause my property to decrease in value.

CHAIRMAN JANSEN: Anyone else? We will leave the discussion open until the next meeting. This application will be continued at the next meeting.

PUBLIC HEARING OF JESSE TENNANT for property located at 6 Fern Place, Warwick, New York and designated on the Town tax map as Section 31 Block 2 Lot 66.15 and located in an RU District for a variance of Section 164.41A(1)(a) permitting an accessory structure 40 feet X 42 feet which exceeds 1,200 square feet and a median dimension of 48 feet allowed by the Code.

CHAIRMAN JANSEN: Please identify yourself and tell us what it is that you would like to do.

MR. TENNANT: My name is Jesse Tennant.

CHAIRMAN JANSEN: How many acres do you have?

MR. TENNANT: I have 15.7 acres. I would like to construct a building to hold all my construction equipment.

CHAIRMAN JANSEN: How did you come up with this size?

MR. TENNANT: I lined up all my equipment and took measurements. I took into account moving and parking of the equipment inside the building and that is the size that would work best.

MR. SHUBACK:

CHAIRMAN JANSEN:

ATTORNEY FINK:

CHAIRMAN JANSEN:

MR. PAULSEN:

ATTORNEY FINK:

CHAIRMAN JANSEN: Anyone here from the Public that would like to address this application? No; Public discussion is closed.

ATTORNEY FINK: Is this going to create an undesirable change in the character of the neighborhood or be detriment to nearby properties?

MR. PAULSEN: No.

ATTORNEY FINK: other feasible method?	Can it be achieved by any
CHAIRMAN JANSEN:	No.
MR. SHUBACK:	No.
ATTORNEY FINK: substantial variance?	Is this a numerically
MR. MALOCSAY:	No.
MR. PAULSEN:	No.
CHAIRMAN JANSEN:	No.
ATTORNEY FINK: adverse effect or impact on the physical or environmental conditions of the neighborhood?	Is this going to have an
MR. MALOCSAY:	No.
CHAIRMAN JANSEN:	No.
ATTORNEY FINK:	Is this self created?
MR. MALOCSAY:	Yes.
ATTORNEY FINK: this as Unlisted with no adverse environmental impact?	Would someone care to type
MR. MALOCSAY:	So moved.
MR. SHUBACK:	I second.
CHAIRMAN JANSEN:	Any discussion; all in favor?
All in favor (5 ayes) Motion carried.	
ATTORNEY FINK: motion that the variance be granted as advertised?	Would someone care to

MR. MALOCSAY:

So moved.

MR. PAULSEN:

I second.

CHAIRMAN JANSEN:

Any discussion; all in favor?

All in favor (5 ayes) Motion carried.

There was a brief discussion of item number three amongst the Board members.

Meeting adjourned. Submitted by Pamela J. Carroll ZBA Recording Secretary.