

TOWN OF WARWICK
ZONING BOARD OF APPEALS

FEBRUARY 24, 2014

Members Present:

Jan Jansen, Chairman

Mark Malocsay, Co-Chairman

Attorney Robert Fink

Kevin Shuback

Norman Paulsen

Diane Bramich

CHAIRMAN JANSEN:
minutes from the meeting of January 27th approved?

Is there a motion to have the

MR. MALOCSAY:
minutes.

I make a motion to accept the

MR. SHUBACK:

I second.

CHAIRMAN JANSEN:

Any discussion; all in favor?

All in favor (Five Ayes) Motion carried.

PUBLIC HEARING OF TANYA M. HERNANDEZ BY FRANK NAHOVM, ATTORNEY IN FACT – for property located at 19 Deer Trail North, Greenwood Lake, New York and designated on the Town tax map as Section 72 Block 1 Lot 16.1 and located in an SM District for a variance of Section 164.41A permitting a 2 car garage 15 (+/-)feet from the front line where 30 feet are required and 4.6 feet from 1 side line; where 5 feet are required. **Continued from the 1/27/14 ZBA meeting.**

CHAIRMAN JANSEN: This hearing is continued from the January 27th meeting.

ATTORNEY SWIFT: Since we were here last, we received letters from Laura Barca, Town Engineer, Wayne Stevens, Building Department, and Edwin L. Sims, Orange County Department of Health. We forwarded copies to Ms. Sardo to give to this Board.

CHAIRMAN JANSEN: We did receive them.

ATTORNEY SWIFT: What we plan to do now is set a time and date with the Building Inspector in order for him to witness a dye test. My client will also install a UV light into the system per Ms. Barca's request. Assuming that the tests come back positive and the system is functioning, we will ask the Board's approval at the next meeting.

CHAIRMAN JANSEN: When you are ready, let us know and we will put you on the agenda for the next meeting.

ATTORNEY SWIFT: Could we continue this?

CHAIRMAN JANSEN: We are continuing this.

ATTORNEY FINK: Is there anyone here to address this application? No, because when you are ready, contact Ms. Sardo and if there is anyone interested, they could call the Zoning Board office to inquire when this application will be heard.

ATTORNEY SWIFT: Ok. If we call you a couple of days in advance, we could be scheduled?

CHAIRMAN JANSEN: As the meeting is on a Monday, Ms. Sardo would need to know by the Wednesday, a week before the meeting.

ATTORNEY SWIFT: We should know a week before. So if the meeting is held on the fourth Monday, we should let you know on the third Monday.

CHAIRMAN JANSEN: Yes. This application is continued.

PUBLIC HEARING OF HELEN & TERRENCE ERNHOUT - for property located at the corner of Fancher and Covered Bridge, Warwick, New York and designated on the Town tax map as Section 49 Block 1 Lots 17.12 & 17.21 and located in an SL District for a variance of Section 164.40N permitting a lot line change between 2 existing lots, reducing the size of Lot #1 from 2.51 acres to 2.38 acres and increasing the size of Lot #2 from 1.66 acres to 1.79 acres where 3 acres per lot are required.

CHAIRMAN JANSEN: Please identify yourself and tell us what you would like to do. I believe there is a recommendation from the Planning Board regarding this application?

MR. FRIEDLER: My name is Brian Friedler, Lehman & Getz Engineering; it is a property in the SL Zone and has two existing dwellings on it. The owner wants to make two equally divided lots.

MS. BRAMICH: Is there a dwelling on each lot?

MR. FRIEDLER: Yes.

CHAIRMAN JANSEN: Any questions?

MR. MALOCSAY: No, I don't know why this has to come before us.

ATTORNEY FINK: It does because it is a sub-division and even though it is only lot line changes, if you are going to sub-divide you have to comply with zoning.

CHAIRMAN JANSEN: Public hearing is open. Anyone here 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?

CHAIRMAN JANSEN: No.

MS. BRAMICH: No.

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

CHAIRMAN JANSEN:	No.
MS. BRAMICH:	No.
ATTORNEY FINK:	Is this a substantial variance?
MS. BRAMICH:	Yes.
MR. MALOCSAY:	No.
ATTORNEY FINK: just a shifting of lines. Will this have an adverse effect or impact on the physical or environmental conditions of the neighborhood?	Nothing is being changed;
MR. MALOCSAY:	No.
MS. BRAMICH:	No.
ATTORNEY FINK:	Is this self-created?
MR. SHUBACK:	Yes.
MR. MALOCSAY:	Yes.
ATTORNEY FINK: to type this as Unlisted with no adverse environmental impact?	Would someone care to move
MS. BRAMICH:	So moved.
MR. MALOCSAY:	Seconded.
CHAIRMAN JANSEN:	Any discussion; all in favor?
All in favor (Five Ayes) Motion carried.	
ATTORNEY FINK: motion that the variance be granted as advertised?	Would someone care to
MS. BRAMICH:	So moved.
MR. MALOCSAY:	Seconded.

CHAIRMAN JANSEN:

Any discussion; all in favor?

All in favor (Five Ayes) Motion carried.

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