

TOWN OF WARWICK  
ZONING BOARD OF APPEALS  
MARCH 26, 2018

Members Present:

Jan Jansen, Chairman

Mark Malocsay, Co-Chairman

Kevin Shuback

Chris Daubert

Attorney Robert Fink

Members Absent:

Diane Bramich

**PUBLIC HEARING OF Warwick Pet Lodge** - for property located at 54 Jessup Road, Warwick, New York and designated on the Town tax map as Section 29 Block 1 Lot 14.22 and located in an RU District for a variance of the Bulk Area requirements of the Code allowing one side setback of 182 (+/-) feet and the second side setback of 289.7 (+/-) feet where 300 feet are required for the purpose of construction of a 6,000 square foot dog kennel with a proposed 1,000 square foot apartment.

**Postponed to the April 23, 2018 ZBA Meeting.**

**PUBLIC HEARING OF AKOS SCHENCK** - for property located at 2 Nob Hill Road, Greenwood Lake, New York and designated on the Town tax map as Section 78 Block 3 Lot 46 and located in an SM District for a variance of the Bulk Area Requirements of the Code reducing front yard setback from 100 feet to 25 (+/-) feet for the purpose of construction of an 8 foot X 5 foot addition to an existing single family dwelling.

CHAIRMAN JANSEN: Please identify yourself for the record. Briefly tell the board what it is you would like to do.

MR. SCHENCK: My name is Akos Schenck. I would like to put a small mudroom near the entrance of the home for shoes, jackets, etc. and a new deck.

CHAIRMAN JANSEN: So the question was, will the deck go further than the present deck? Or will it stay within the same footprint?

MR. SCHENCK: About 1 foot bigger.

CHAIRMAN JANSEN: One foot? Do you have to have one foot?

MR. SCHENCK: Yes, I would like to. It's very narrow right now.

CHAIRMAN JANSEN: The only concern expressed is that there is a lot of deck there now and any expansion is a big deal.

MR. SCHENCK: Even one foot?

CHAIRMAN JANSEN: So this is the mudroom. You would like to bring the deck out 1 foot?

MR. SCHENCK: Yes, it will be 5 feet by 8 feet and covered as part of the house. The rest is the deck.

ATTORNEY FINK: Well that's not new; that already exists. And it already comes out 4 feet?

MR. SCHENCK: Yes. The deck is in bad shape and in need of replacing. This would be the opportunity to do that and make the changes I am requesting.

ATTORNEY FINK: You don't show it coming beyond the current footprint. It would be different if none of this decking existed. The fact of the matter is it does and your wish is to expand/update a bit.

CHAIRMAN JANSEN: Why do you need to move the stairs further out?

MR. SCHENCK: I think I could probably leave the stairs there.

CHAIRMAN JANSEN: If you leave the stairs there and it's only a foot over here, it makes life a lot easier for all concerned.

MR. SCHENCK: Ok.

CHAIRMAN JANSEN: Any questions or comments?

MR. MALOCSAY: Only comment I have is that the mudroom be exactly what it's advertised to be. That's all.

CHAIRMAN JANSEN: The Public Hearing is now open. Would anyone from the Public like to address this application? No, let's close the Public Hearing.

ATTORNEY FINK: Will the proposed variance cause an undesirable change to the character of the neighborhood or be a detriment to nearby properties?

CHAIRMAN JANSEN: No.

MR. MALOCSAY: No.

ATTORNEY FINK: Can the benefit sought by the applicant be achieved by any other feasible method?

MR. SHUBACK: No.

MR. MALOCSAY: No.

ATTORNEY FINK: Is it a substantial variance?

MR. SHUBACK: No.

MR. DAUBERT: No.

ATTORNEY FINK: Will this have an adverse effect or impact on physical or environmental conditions?

MR. MALOCSAY: No.

MR. SHUBACK: No.

ATTORNEY FINK: Is the alleged difficulty self-created?

MR. SHUBACK: Yes.

CHAIRMAN JANSEN: Yes.

MR. MALOCSAY: Yes.

ATTORNEY FINK: This is a Type 2 Action so there is no environmental concern. I need a motion to pass as advertised.

MR. SHUBACK: So moved.

MR. MALOCSAY: Seconded.

CHAIRMAN JANSEN: All in favor? (4 ayes) Motion carried.

**OTHER CONSIDERATIONS:**

CHAIRMAN JANSEN:  
February 26, 2018 meeting.

Motion to approve the ZBA Minutes from the

MR. MALOCSAY:

So moved.

MR. SHUBACK:

Seconded.

CHAIRMAN JANSEN:

All in favor? (4 ayes) Motion carried.  
Meeting adjourned.

[ZBA Recording Secretary – Mary Hebel]