

TOWN OF NEW WINDSOR

ZONING BOARD

April 8, 2013

MEMBERS PRESENT: MICHAEL KANE, CHAIRMAN
 FRANCIS BEDETTI
 RICHARD HAMEL
 HENRY SCHEIBLE

ALSO PRESENT: GEOFFREY CHANIN, ESQ.
 ZONING BOARD ATTORNEY

 NICOLE PELESHUCK
 ZONING BOARD SECRETARY

ABSENT: PATRICK TORPEY

MEETING AGENDA:

1. Michael Veneziali
2. Classic Home Builders

REGULAR MEETING:

MR. KANE: I'd like to call the Town of New Windsor Zoning Board OF Appeals for April 8, 2013 regular session to order.

PRELIMINARY MEETING:

MICHAEL & ELAINE VENEZIALI (13-01)

MR. KANE: First preliminary meeting is Michael and Elaine Veneziali. Proposed new rear deck 8 x 8 will exceed the maximum developmental coverage. The permitted developmental coverage is 2,500 square feet, the proposed is 2,907 square feet. A variance of 407 square feet is required. The rear yard setback is 40 feet, they have 31 feet. A variance of nine feet is required for the rear yard. Located at 233 Wall Place in an R-4 zone. So you understand, in New Windsor we hold two meetings, other towns you do, they basically do one meeting and this way we get a good idea of what you want to do and ask you to present us enough information so we can make a good decision. Then by law everything has to be done in a public hearing so it's a two step process. In other towns they hold one meeting, you come in not prepared and you lose. That's why the two step process works. Please tell us in your own words exactly what you want to do. Speak loud enough for this young lady over here to hear you.

MR. VENEZIALI: I just want to extend my porch cause I have a sliding door that goes out to it, there's a smaller one there now just want to extend that to the size that I have there today.

MR. KANE: You want an eight by eight and you have a four by four there now?

MR. VENEZIALI: Correct.

MR. SCHEIBLE: I assume that this is in between the garage and the house is this?

MR. VENEZIALI: No, no, it's in the back.

MR. SCHEIBLE: Just trying to look at these pictures.

MR. VENEZIALI: Well, you've got the garage is here and the porch will be in the back of that.

MR. SCHEIBLE: The pictures are hard to figure it out.

MR. VENEZIALI: There should be another picture here, it's right here, see this here, this is in the back of the garage, behind this garage, alright, this is what we're extending a little bit. I don't know if there's

another picture. Here it is, this is a better picture, this shows you from the back, alright.

MR. SCHEIBLE: How much footage do you have beyond that on your lot right now, approximately towards the back?

MR. VENEZIALI: I want to say--

MRS. PELESHUCK: Twenty-four feet.

MR. KANE: Which is actually your side property, correct?

MRS. PELESHUCK: Side property's 24, the rear is 31.

MR. KANE: They need 40.

MRS. PELESHUCK: They're a corner lot.

MR. KANE: That's why, it's a corner lot.

MRS. PELESHUCK: And they put the garage so developmental coverage with that.

MR. CHANIN: It's impossible for the stenographer to understand what's going on if you have private conversations. So I would ask Mr. Veneziali to answer one question at a time please and speak so that the stenographer can hear.

MR. VENEZIALI: Okay.

MR. CHANIN: Thank you.

MR. KANE: Had to get it on the record. So your question, go ahead.

MR. BEDETTI: I was just trying to orient myself to see where the deck is visible from James Street or from all places. So he was just telling me where, I guess where the wall is. The wall's on the other side of the house?wa

MR. VENEZIALI: Exactly.

MR. BEDETTI: This is actually facing James Street?

MR. VENEZIALI: Well, yes.

MR. BEDETTI: On the James side?

MR. VENEZIALI: Yes.

MR. KANE: The existing deck is kind of ridiculous.

MR. CHANIN: The current deck, sir, is attached to your house?

MR. VENEZIALI: Yes.

MR. CHANIN: And the improved deck after the work is done will still be attached?

MR. VENEZIALI: Yes.

MR. CHANIN: Is there an exit from the house onto the deck?

MR. VENEZIALI: Yes.

MR. CHANIN: Is that controlled by sliding doors?

MR. VENEZIALI: Yes, it is.

MR. CHANIN: Is the deck off the ground?

MR. VENEZIALI: Oh, yeah.

MR. CHANIN: How high?

MR. VENEZIALI: It's a bi-level so top level.

MR. CHANIN: How high off the ground is the deck?

MR. VENEZIALI: Twelve feet.

MR. CHANIN: If the deck weren't there and somebody were to step out of the sliding doors, would they fall 12 feet to the ground?

MR. VENEZIALI: Yes.

MR. CHANIN: So the reason you're asking to extend the deck is that you have a sliding glass door with two doors and the existing deck covers one of those right now?

MR. VENEZIALI: Yes.

MR. KANE: Cutting down trees or substantial

vegetation, not that I can't see it in the pictures but I have to ask the question?

MR. VENEZIALI: No.

MR. KANE: Creating any water hazards or runoffs in the building of the deck?

MR. VENEZIALI: No.

MR. KANE: Any easements going through the area where the deck is?

MR. VENEZIALI: No.

MR. KANE: The eight by eight deck will be similar in size and nature to other decks that are in your neighborhood?

MR. VENEZIALI: Yes.

MR. KANE: Not overly big, it's actually an eight by eight is actually a fairly small size.

MR. SCHEIBLE: How long has it been presently existing?

MR. VENEZIALI: Since the house was built in '92.

MR. HAMEL: How long has the garage been there?

MR. VENEZIALI: I just built the garage.

MR. CHANIN: Does the deck connect to the garage in any way?

MR. VENEZIALI: No.

MR. KANE: And it will not?

MR. VENEZIALI: It will not.

MR. KANE: Are there going to be any stairs coming down that deck?

MR. VENEZIALI: Yes.

MR. KANE: To the ground?

MR. VENEZIALI: Yes.

MR. SCHEIBLE: Are the stairs going to be going to the back or to the side where the garage is?

MR. VENEZIALI: Towards the back of the garage.

MR. KANE: Eight by eight deck is as small as you can make that will handle the job for you?

MR. VENEZIALI: Yes.

MR. KANE: Further questions? If not, I'll accept a motion for a public hearing.

MR. BEDETTI: I'll make a motion we schedule a public hearing for Michael and Elaine Veneziali for a deck, a rear deck located at 233 Wall Street in an R-4 zone with variances as requested.

MR. HAMEL: I'll second it.

ROLL CALL

MR. SCHEIBLE	AYE
MR. BEDETTI	AYE
MR. HAMEL	AYE
MR. KANE	AYE

MRS. PELESHUCK: Your next steps, alright?

MR. VENEZIALI: Alright, thank you.

MR. CHANIN: If you have any questions, just call the office.

MR. VENEZIALI: I will, thank you very much.

PUBLIC HEARINGS:

CLASSIC HOME BUILDERS - ANTHONY FAYO (13-04)

MR. KANE: Tonight's only public hearing Classic Home Builders, Anthony Fayo. Variance is needed for an existing building lot that doesn't meet the minimum lot width, required side yard and total side yard setbacks located at 244 Bull Road in an R-1 zone. Come on up, Mr. Fayo, as you heard before, state your name, address, speak loud enough for this young lady to hear you.

MR. FAYO: Anthony Fayo, Bull Road, Washingtonville, New York.

MR. SCHEIBLE: Is that in New Windsor?

MR. FAYO: Yes, it is.

MR. SCHEIBLE: Okay.

MR. CHANIN: Are you the owner of the house?

MR. FAYO: Property.

MR. CHANIN: You own the property?

MR. FAYO: Yes.

MR. CHANIN: Who owns the house?

MR. FAYO: There's no house.

MR. CHANIN: So you're the owner of the property?

MR. FAYO: Yes.

MR. CHANIN: Do you intend to build on it?

MR. FAYO: Yes, I do.

MR. CHANIN: Is there somebody waiting for you to finish this process?

MR. FAYO: No, it's speculation.

MR. CHANIN: I recall just because my memory is so excellent from the last time you were here you had an

approval that lapsed?

MR. FAYO: That's correct.

MR. CHANIN: And the home is intended to be 45 feet by 42 foot, 45 long by 42 wide, is that correct?

MR. FAYO: Yes.

MR. CHANIN: Served by well and septic?

MR. FAYO: Correct.

MR. SCHEIBLE: Since I wasn't sitting here at the time, how long ago is that, Anthony?

MR. FAYO: The first one?

MR. SCHEIBLE: The first approval?

MR. FAYO: I think '06.

MR. CHANIN: Last time approved in '06 and you were asked the last time which was March 11 to provide the notes, copy of the engineering notes, do you remember that?

MR. FAYO: No.

MR. CHANIN: You don't remember that? Well, I remember that.

MRS. PELESHUCK: Did you ask me?

MR. FAYO: Engineering for the septic?

MR. CHANIN: Provide old minutes and notes, no, the board minutes, the minutes of the board from the last approval in 2006 were supposed to be provided to the board members.

MRS. PELESHUCK: I didn't e-mail that?

MR. CHANIN: I don't know if you e-mailed it to me, I'm questioning whether or not the members of the board want that information or they can go forward without it?

MR. KANE: I think we can go forward without it.

MR. SCHEIBLE: Yes.

MR. KANE: Any easements running through there?

MR. FAYO: No.

MR. KANE: The property where you plan to build cutting down substantial trees or vegetation in the building of this home?

MR. FAYO: No.

MR. KANE: Creating any water hazards or runoffs?

MR. FAYO: No.

MR. KANE: Let's just do this first and get it out of the way. I'm going to open up the public portion of the meeting and ask if there's anybody here for that? And seeing as there's nobody in the audience, we'll close the public portion and ask Nicole how many mailings we had?

MRS. PELESHUCK: On the 26th day of March, 2013, I mailed out seven addressed envelopes and received no written response back.

MR. KANE: That takes care of that. We'll bring it back to the board for further questions?

MR. BEDETTI: I don't see the septic, where is the septic?

MR. FAYO: The septic is going in the front of the property, front of the house toward the road side.

MR. BEDETTI: That's Bull Road?

MR. FAYO: Yes, between the road and the front of the house.

MR. BEDETTI: What about adjacent neighbors, is there, are there any homes located?

MR. FAYO: No, probably not, closest house is 1,000 feet away.

MR. BEDETTI: Okay.

MR. KANE: And your leach fields will be in the front

also?

MR. FAYO: Yes, total septic in the front, well's going out the back.

MR. BEDETTI: Now this hasn't really changed since the original, the last time you were here, this layout is basically the same as the last time you were here?

MR. FAYO: The layout's still the same, yes, nothing's changed as far as that.

MR. SCHEIBLE: No change over the years?

MR. FAYO: No.

MR. SCHEIBLE: Good.

MR. KANE: Further questions from the board? If not, I'll accept a motion.

MR. BEDETTI: I'll make a motion that we grant the variance to Classic Home Builders for 244 Bull Road in an R-1 zone for the variances as requested.

MR. HAMEL: I'll second it.

ROLL CALL

MR. SCHEIBLE AYE

MR. BEDETTI AYE

MR. HAMEL AYE

MR. KANE AYE

MRS. PELESHUCK: All done.

MR. FAYO: Thank you all. Have a good evening.

MR. KANE: Next meeting April 22. Motion to adjourn?

MR. BEDETTI: So moved.

MR. SCHEIBLE: Second it.

ROLL CALL

MR. SCHEIBLE AYE

MR. BEDETTI AYE

April 8, 2013

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MR. HAMEL

AYE

MR. KANE

AYE

Respectfully Submitted By:

Frances Roth
Stenographer