

ZONING BOARD OF APPEALS AUGUST 2, 2006

The regular monthly meeting of the Zoning Board of Appeals was held Wednesday, August 2, 2006 at 7:00 p.m. at the Town of Ulster Town Hall, Lake Katrine, NY 12449.

Present:

Nelson White

Karen Markisenis

Don Wise

John Crispell –Chairman

Motion to open meeting made by Mrs. Markisenis. and seconded by Mr. White. All were in favor.

Motion to open Public Hearings made by Mr. White and seconded by Mrs. Markisenis with all in favor.

ULSTER COUNTY HABITAT FOR HUMANITY

Mr. John LaValle. appeared on behalf of the application for an area variance to build on an undersized lot. Mr. La Valle explains that the lot is 4,550 square feet and the house that is proposed will meet all setback requirements. Greg Robinson a neighbor states that he would like information on the proposed house. He would like to know about the Building Code on the house and where the house is going to be placed on the lot. Mr. Robinson would like the hearing postponed until the information is submitted. Mr. Fassbender an adjoining neighbor questions what is the 1200 square ft house going to look like on a street with brick ranches. Mr. Fassbender questions if this house is going to devalue his property. Mr. Fassbender states that there are \$250,000. homes on both sides of the property and placing a \$50,000. home will decrease his property value. When asked by the Board if this is his only concern Mr. Fassbender states that it is a major concern. He also feels the lot is not wide enough and a house will look as if it was plopped there like a mobile home. Mr. Joseph O'Brien a resident states that he was an original member of the Zoning Board and it was not the intention of the Board to deny property owners of building homes on their lots. Mr. O'Brien states that there are many townships that have beautiful homes on small lots. This does not deter from the neighborhood. Mr. O'Brien states that maybe if the neighbors could see what the house would look like they would not be opposed. Mr. LaValle states that when Habitat applies for the Building Permit the issue of Building Codes and setbacks will be addressed. It is not part of the variance process to address Building Codes and states that the house will be 28 feet wide and will not require a variance for the setbacks. Mr. Robinson speaks again of needing to see plans and needing to know what type of home is being built, he would like to know if it is stick built, brick, prefab on a slab ect. If he cannot see plans he cannot approve of the variance. Board members explain that the request is for an area variance and the type of home is not is question. Mr. Lavallo states that the lot is 92.5 feet in depth and would not need the variance if the lot was 100 ft. in depth. Bill Whitaker a volunteer for habitat states that the houses they build are not \$50,000 house the last house was appraised at \$229,000 when completed. The houses are built with volunteer labor so the cost of the home is lowered. Habitat makes sure that the homes blend into the

neighborhood they are not double wide trailers. Bonnie Landi Director of the Ulster Youth Group states she has been working with Habitat for 3 years building 3 houses with them. Ms. Landi states that the houses that are constructed by Habitat are well built and landscaped. The owners are screened as Habitat is the mortgage holder. Elvira Robinson states that there is a blue trailer outside her bedroom window that she looks at everyday. The property is not wide enough for this type of house. She states that she does not want to look right at her neighbor everyday. Mrs. Robinson also questioned how much the house would be accessed at and how much would it devalue her house. Mrs. Robinson feels it is too close for comfort and Habitat will not be able to put a house on the property without her having to look right at it. Mr. Donald Wise member of the Zoning Board recluses himself from the proceedings and makes a statement on the request. Mr. Wise states that he lives in the area and feels that the lot is just too narrow. He states that even if the house meets the setback requirements the lot is just not wide enough for a house. Mrs. Markisenis questions the size of other lots in the area. Mr. Robinson states his lot is 100 feet wide and his neighbors is 180 feet. Mr. Robinson continues stating he has no problem with Habitat but he wanted to buy the property himself and split the lot between him and his neighbor. He again questions the type of house and what it would be appraised at. Mr. LaValle states that the house will be a one story ranch meeting all Building Codes and setback requirements. Mr. LaValle also states that there are other homes in the area on the same size lots. Mr. LaValle explains that Habitat holds the mortgage and is responsible for paying the taxes on the homes after they are constructed. The cost of the homes are low as all labor is donated. There are also provisions that make it hard for the homeowner to sell or flip the house after it is built. Ms. Hines an interested party requested an explanation of what Habitat is and who will maintain the house after it is built. Mr. LaValle gives a brief explanation of Habitat and states that habitat helps maintain the homes after they are built. Mr. LaValle states that the last 2 houses that were built were appraised at \$200,000 and \$205,000 even though the cost was between \$68,000 and \$76,000. Mr. Wise states that communities where the last 2 houses were built (Kingston & Ellenville) are communities where houses are built on top of one another. Ulster is not that type of community. Mr. Wise states again that the lot is not wide enough. A motion to close the hearing was made by Mr. White and seconded by Mrs. Markisenis. Motion to approve the variance to build a single family home on an undersized lot made by Mrs. Markisenis and seconded by Mr. Crispell.

Mrs. Markisenis, yes

Mr. White, no

Mr. Crispell, yes

Mr. Wise, recluses

TIMELY SIGNS FOR HAMPTON INN

Ozzie Beichert appeared on behalf of the application for an area variance. Mr. Beichert states that Hampton Inn is requesting a 33 square foot variance for the sign that will face Ulster Avenue. Hampton Inn representatives met with the Planning Board has approved the request of this variance stating that this should be the only variance granted for this site. The Ulster County Planning Board's recommendation is to deny the variance if a directional sign is going to be on the property. A freestanding sign is on the site plan. A motion to approve the sign was made by Mr. White and seconded by Mr. Wise with all in favor.

GLENERIE LLC.

Mr. Breitman appeared on behalf of the application to place a mobile home on a parcel that is not zoned for mobile homes. Mr. Wise states that the request cannot be heard as there is not a full Board in attendance. Mr. Wise states that there has not been a full Board in months and the applicant should contact the Town Supervisor to correct the situation. The applicant and neighbors are told to contact the Zoning Secretary on when the Board will meet on this matter. This matter will be tabled until further notice

CARROZZA CONSTRUCTION

Ted Carrozza appeared on behalf of the application for a variance for an existing house that was built in the side setback. Mr. Carrozza states there are letters from the neighbors stated they do not have a problem with the variance. Mrs. Markisenis questions how this occurred. Mr. Carrozza explaining that the house was to have a garage on the side but when the foundations was placed it became apparent that it would be hard to access the garage. The decision was then made to place the garage in the front of the dwelling and that meant that the house needed to be turned. The builders did not realize that there was an encroachment until a final survey was filed. A motion to approve the variance for a dwelling in the side setback was made by Mr. Wise providing that the dwelling will go no further into the setback. Motion was seconded by Mr. White with all in favor.

Motion to open Preliminary Hearings made by Mr. White and seconded by Mrs. Markisenis. All were in favor.

JAMES AND BARBARA SMITH

Mr. Smith appeared on behalf of the application for a use variance to place a storage building on a parcel with no dwelling. This building will be used for personal storage. Mr. Smith states that the parcel is too small to do anything with; it is approximately 8,000 sq ft in area. A motion to hold over to Public Hearing made by Mr. Wise and seconded by Mr. White. All were in favor.

Motion to adjourn made by Mr. White and seconded by Mrs. Markisenis all were in favor.

Meeting adjourned at 8:25

Respectfully Submitted,

Mary Secreto