

**ZONING BOARD OF APPEALS
SATURDAY, DECEMBER 10, 2016
3:00 P.M.**

Present: Chairman Robert Treuhold, Charles Mott, Alexander Ames, Bruce Peiffer, and Village Attorney Richard DePetris

Absent: T. David Mullen, Brendan Ryan,

1) Mr. Treuhold brought the meeting to order. The first order of business was to approve the minutes of the **October 29, 2016** meeting. Mr. Treuhold asked for a motion to approve the minutes of the October meeting.

MR. AMES MADE A MOTION TO APPROVE OCTOBER 29, 2016 MINUTES. MR. PEIFFER SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

2) Mr. Treuhold explained that the next meeting would be held on **Saturday, January 28, 2017** at **11 AM**.

3) Next was the holdover application of **William B. Weinberg** at **238 Dune Road**. The board had a written decision for approval.

DECISION: MR. AMES MADE A MOTION TO APPROVE THE WRITTEN DECISION FOR WILLIAM B. WEINBERG. MR. MOTT SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED. (see attached decision)

4) The first item on the agenda was the application of **Gregory Hoogkamp** for side yard variances to 17.9 feet from the easterly line and to 11.7 feet from the westerly line, a total side yard variance to 29.6 feet, a rear/water setback variance to 31.9 feet and a height variance within required yards, in order to permit elevating the existing house by 5.2 feet (applicant also proposes a covered front porch). Premises are known as **63 Dune Road. TM #902-13-1-13**

Real Estate brokers, **Sandy and Michelle Carbone**, were present to represent **Mr. Hoogkamp**. They submitted new elevation certificates to the board for review. Mr. Carbone explained that the house was at elevation 8 feet. They were proposing to raise the house to elevation 9 feet with only 2 feet of free board. The deck would also be raised but no changes were proposed for the bulkhead. The Carbones submitted new plans to the board for review. The total house, after it

was raised, not including chimneys, would still have a height under 32 feet. The Carbones explained that the house had no pilings and they would be working with the existing foundation. They were not seeking any change in the location or footprint of the existing house, and they would not be proposing any changes to the house on the canal side, only on the road side.

DECISION: MR. AMES MADE A MOTION TO APPROVE THE HOOGKAMP APPLICATION. MR. MOTT SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

5) Next was the application of **Jason and Ailsa Fox** for a minimum side yard variance to 18.7 feet from northerly line, a total side yard variance to 43.8 feet and a height variance to 20.17 feet within a required yard in order to permit proposed two story addition to existing house, and for setback variance to 23.8 feet from northerly line for proposed chimney and to 22.6 feet from northerly line for proposed air conditioning units. Premises are known as **85 Jessup Avenue. TM #902-7-2-18**

Attorney **Kittric Motz** was present for the applicants along with the property owner, **Jason Fox**. Mrs. Motz explained the purpose of the second story addition was to add a new master bedroom and bath. She explained that the great-room extension did not require a variance because it was more than 25 feet from the northerly property line. The neighbors to the north had written a letter saying they had no object to the proposed improvements. Remnants of the patio would be removed and a new sanitary system was proposed to be installed. Mrs. Motz explained that the height of the chimney would be no more than 5 feet over the roofline, and the high point of the roofline would not be in the required yard, only the top of the dormers would protrude into the required setback. The board felt that because the addition was a 'new build' and it was a large piece of property, there should be some other place to locate the air conditioning units besides where they could be a potential issue with for a neighbor. They were also concerned about the existing shed which was on the property line, and was very close to the extension. The board was wondering why the shed could not be moved to a conforming location, or removed altogether. Mrs. Motz explained that the shed did have a Certificate of Occupancy. She explained that the shed was about 4 or 5 feet, on a diagonal, from the corner of the covered porch. Her client Mr. Fox, explained that the shed was on a foundation and he did not want to move the shed. After some discussion, Mr. Fox did decide to relocate the shed.

DECISION: Motion as worded by Village Attorney DePetris: MOTION TO GRANT THE REQUESTED VARIANCES SUBJECT TO A CONDITION THAT THE EXISTING SHED EITHER BE REMOVED OR RELOCATED TO A CONFORMING LOCATION. MR. AMES MADE THE MOTION. MR. MOTT SECONDED THE MOTION. THE MOTION WAS UNANIMOUSLY CARRIED.

The meeting was adjourned.

Respectfully submitted by:  File date: 1/25/17