

COPY

STATE OF NEW YORK : COUNTY OF ULSTER

TOWN OF MARLBOROUGH ZONING BOARD

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In the Matter of

ROBERT VOGEL
#9 Christina Way
Milton, New York 12547

Rear yard setback area variance of 14'6"

TAX PARCEL: Section 102.4; Block 2; Lot 28.518
(RAG-1 Zone)

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PUBLIC HEARING

Date: May 12, 2016
Time: 7:14 p.m.
Place: Town of Marlborough
Town Hall
#21 Milton Turnpike
Milton, New York 12547

BOARD MEMBERS: WILLIAM GIAMETTA, CHAIRMAN
JEFF MEKEEL
DAVE ZAMBITO
LENNY CONN
GEORGE SALINOVICH

PENNY E. CASHMAN, ZONING BOARD SECRETARY

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LISA MARIE ROSSO
Certified Shorthand Reporter

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CHAIRMAN GIAMETTA: We're going to be working with the second matter on the agenda tonight. One of the concerns is the cover page of the minutes. The amount requested differs from what's in the body of the minutes, and we want to get that corrected to reflect 14 feet, 6 inches, rather than what's shown as 7'3". So I believe we have to get another page for that. Ms. Rosso, can that be arranged?

STENOGRAPHER: Yes.

CHAIRMAN GIAMETTA: So, clarification for the record. With regard to the minutes of the earlier discussion that was strictly for Mr. Cassalina's case. The new case before us, Mr. Vogel, has minutes with regard to his case also, and I'd like to ask for a motion to approve those minutes with the corrected front page.

MR. MEKEEL: Right.

CHAIRMAN GIAMETTA: Can we get a motion for that?

MR. MEKEEL: I will make a motion to first make it 14 feet, 6 inches,

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and then we'll approve the minutes.

CHAIRMAN GIAMETTA: Okay.

Second on that?

MR. SALINOVICH: Second.

CHAIRMAN GIAMETTA: And a
vote?

MR. CONN: I have to abstain,
I wasn't here.

MR. ZAMBITO: Aye.

MR. SALINOVICH: Aye.

MR. MEKEEL: And aye.

CHAIRMAN GIAMETTA: Aye on
the vote, approval of the minutes for Mr.
Vogel's case who is before us now. Both
sets of minutes have been approved for the
prior month's meeting with the corrections.
Okay. Mr. Vogel, if you would please
present your case once again.

MR. VOGEL: So I made a quick
plan up. It shows the lot line with the
deck with the house and a quick little side
view.

CHAIRMAN GIAMETTA: Revised
plan as requested. It shows, I believe, an

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inground swimming pool back there.

MR. VOGEL: I put the swimming pool onto it, and I showed the deck, the lot line, and then we're looking for 14 feet, 6 inches.

(Discussion off the record)

CHAIRMAN GIAMETTA: Mr. Vogel, just present that once again, please.

MR. VOGEL: From the bump out on the house to the property line was 75 feet. From the edge of the deck, which we want to do 16 feet, 5 inches coming out, 60 feet, 5 inches, so we're asking for 14 feet, 6 inches. And I put a quick sketch on the top there just showing how far it was coming out. It's about two feet off the ground. I don't know if that helps or not. We showed the swimming pool on there, the lot line. That's just basic. I didn't put too much of the details on it.

CHAIRMAN GIAMETTA: It's a covered porch?

MR. VOGEL: Yes, so 2 feet off the ground and then a roof coming off of

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2 it, which is as high as the house. We said
3 we wanted buffer zones, and that was from
4 the workshop that we talked about. That's
5 why the application didn't match up with our
6 last workshop, which I could redo the
7 application if you want me to.

8 MR. MEKEEL: No, we made the
9 change in the minutes.

10 MR. VOGEL: Okay, thank you.

11 CHAIRMAN GIAMETTA: For the
12 record, Mr. Vogel has given the board a
13 revised layout plan as per our request, and
14 it's currently before us, and thank you for
15 bringing that in.

16 MR. VOGEL: You're welcome.

17 CHAIRMAN GIAMETTA: Board
18 members, do we have any questions or
19 concerns about this presentation or comments
20 you would like to put on the record?

21 MR. MEKEEL: No.

22 MR. ZAMBITO: No.

23 CHAIRMAN GIAMETTA: Mr. Conn
24 might have questions, concerns?

25 MR. CONN: No. Pretty

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straightforward.

CHAIRMAN GIAMETTA: Okay.

The public hearing legal notice has to be read. Someone else could read it. Mr. Zambito is going to read it.

MR. ZAMBITO: Town of Marlborough Zoning Board of Appeals Legal Notice. Please take notice that a public hearing will be held by the Town of Marlborough, Zoning Board of Appeals at the Town Hall, 21 Milton Turnpike, Milton, New York on May 12, 2016 at 7:00 p.m. or soon thereafter as he may be heard.

Owner/applicant, Robert Vogel, has made a rear yard setback area variance request of 14 feet, 6 inches as referenced in the Town Code 155, Attachment 2, Schedule 1, concerning the proposed construction of a covered deck at the property identified as 9 Christina Way, Milton, New York 12547. Tax Parcel: Section 102.4, Block 2, Lot 28.518 (RAG-1 Zone). Any interested parties either for or against this application will have the opportunity to be

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heard at this time. William Giametta,
Chairman. Town of Marlborough Zoning Board
of Appeals.

CHAIRMAN GIAMETTA: Thank you
very much. And Mr. Vogel, have you notified
the neighbors with regard to this?

MR. VOGEL: I did. Nine,
only eight came back.

CHAIRMAN GIAMETTA: Return
cards, and we need a count on those. How
many were mailed out, Mr. Zambito?

MR. ZAMBITO: Nine.

CHAIRMAN GIAMETTA: Did you
mail out nine?

MR. VOGEL: Yeah, I mailed
out nine and got eight back.

MR. MEKEEL: Jeff, correct.

CHAIRMAN GIAMETTA: Nine have
been -- letters have been mailed out, and
eight responses returned. Okay. And with
regard to this, since the board has no
questions or concerns that I'm aware of, I'm
going to ask the public if there is any
comment for or against this project?

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(No response)

CHAIRMAN GIAMETTA: Having heard none, I will ask for a motion to close the public portion of the meeting.

MR. MEKEEL: I will make a motion to close the public hearing.

MR. ZAMBITO: I will second.

CHAIRMAN GIAMETTA: And a vote?

MR. SALINOVICH: Aye.

MR. MEKEEL: Aye.

MR. ZAMBITO: Aye.

MR. CONN: Aye.

CHAIRMAN GIAMETTA: And aye. Thank you. And having reviewed the matter presented to us by the applicant and no public input for or against it, the board now has the right to make a motion with regard to this matter.

MR. ZAMBITO: I will make a motion to grant Robert Vogel a rear yard setback area variance request of 14 feet, 6 inches located at 9 Christina Way, Milton, New York 12547.

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MR. MEKEEL: I will second
that.

CHAIRMAN GIAMETTA: Second
has come through. And a vote?

MR. SALINOVICH: Aye.

MR. MEKEEL: Aye.

MR. ZAMBITO: Aye.

MR. CONN: Aye.

CHAIRMAN GIAMETTA: And aye.
You are approved, Mr. Vogel.

MR. VOGEL: Thank you very
much.

CHAIRMAN GIAMETTA: You're
quite welcome.

MR. VOGEL: Have a good
night.

CHAIRMAN GIAMETTA: Ms.
Cashman, do you mind taking these
information pieces back from the file?

MS. CASHMAN: Sure.

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(Time noted: 7:28 p.m.)