

ROUND LAKE ZONING BOARD OF APPEALS MEETING HELD APRIL 23, 2015.

PRESENT: Brent Elford, Chair
Mark Marion
Sharyn Marchione

Sharon Pieno
Michael Allen

Also Present: Josh Cottrell
Attorney Thomas Peterson
Mary Jo Lanahan
Scott Rigney
Phyllis Wildberger
Michael Roets
Jane Vallelunga
Jeff Wildberger

Katie Cottrell
Code Enforcement Peter Sheridan
Danielle Rigney
Pat Saunders
Thomas Bergin
Richard Theissen
John Vallelunga

Chair Brent Elford called the meeting to order at 7:00 P.M.

The pledge of allegiance was recited.

APPROVAL OF MINUTES

MOTION by Chairman Elford to accept the minutes of September 24, 2014 with corrections,
SECONDED by Ms. Pieno.

Mr. Elford – aye	Ms. Pieno – aye
Mrs. Marchione – aye	Mr. Marion – abstain
Mr. Allen - abstain	

MOTION APPROVED

APPEAL # 2015-01: Josh & Katie Cottrell for 26 Albany Avenue, Round Lake, NY 12151.

Mr. Sheridan stated that Josh & Katie Cottrell applied for a building permit that was denied. This is the only process to get an appeal to the Zoning Board of Appeals.

Mr. Allen asked CEO Sheridan if the changes they are proposing address all the building codes that are in violation.

Mr. Sheridan responded that none of the building codes are addressed in this appeal.

Chairman Elford commented that we will be going through the possible changes to the house such as the rear overhang, front porch area and the front of the house. The narrative and the photos have help to understand their proposed changes. Mr. Elford stated the he feels that the closer the house gets back to the original house the better it will be.

The Cottrell's are proposing a smaller front porch with the relocation of the entrance to the house on the side of the porch. This will allow for a usable and safer porch with room for a chair. There would be room for steps on the front of the porch.

The removal of the cantilevered balcony in the bedroom over the garage will be reduced in size and will have a Juliette balcony and double doors.

There will be no changes in the roof line. This would be difficult and costly. They have look at some options, they don't feel it is possible. The front of this bedroom will be even with the front of the garage.

Ms. Pieno stated that she does see changes in the plans but there are still problems with the rear of the house, the closeness of the other house.

Katie Cottrell stated that it was difficult but are making the changes that are possible

Ms. Pieno commented that there have been questions about a storm water plan. Do they have a plan?

Mrs. Cottrell replied that they do have a storm water plan. It is not included in this packet.

Katie Cottrell showed the Zoning Board how the rear corner of the house would be removed and changes made to the second floor bathroom. These changes would allow for space between the rear of their house and the Wildbergers house.

Jeff Wildberger commented that they are saying that they will be cutting this wall, then another wall, all without drawings. This can't be done without drawings or plans.

Mr. Allen stated that this is only discussion of possible changes.

Mrs. Cottrell commented that they tried to stick with the character of the houses in the area. With some of these changes, the house will fit more in the neighborhood. At this time the photos in the application were shared with the general public.

Ms. Pieno commented that the other things that are not being addressed are fire codes. Have they priced out the changes that need to be made and installed?

Mrs. Cottrell replied that they have. The Cottrell's have recently bought out Dave Blair's share of the house. The now has a new investor in the project. Someone offered them \$45,000 for the house, they can't just walk away. They are doing the best that they can with the house..

The property was purchased at auction by Saratoga County 11/1/12, a photo was emailed to the village office on 11/26/2012. The old house was removed with a demolition permit on 12/13/12, with a foundation poured on 12/19/12. All this work was approved by Bob Gizzi. There was inspection after inspection; they thought they were getting approved.

Mr. Allen stated that basically this is a new application. The Zoning Board can take into consideration that an illegal permit was granted.

Jane Vallelunga asked who did the inspections on the house & foundation.

Katie Cottrell stated that Bob Gizzi did the inspections.

Ms. Vallelunga stated the he never signed off on any of the inspections.

Mayor Sacks stated the Mr. Gizzi signed off on the reports.

Jane Vallelunga asked if in fact something happened due the damaged trees roots, how they address that problem. Dave Blair had agreed to cut down the trees.

Katie Cottrell stated that Dave Blair is no longer involved, he is gone. Mrs. Cottrell replied that there are laws that protect the neighbor's property. They are here now, trying to work with the Zoning Board and the Village on the problems with the house. It's costing them money to just let the house sit there.

CEO Sheridan stated that there was never a survey for the placement of the new house. This never went to the Planning Board for site plan review or to the Zoning Board of Appeals.

There has already been some discussion concerning the cutting off the rear corner of the house and the changes it would make to the bedroom and bathroom.

Another change that was discussed is the moving of the fireplace vent to the rear corner of the house.

It was also suggested that the garage should be pushed back, the garage doors replaced with windows and a porch along the entire front of the house. It was also discussed that gravel be placed along the west side of the building.

There was concern expressed about the new foundation that would act as a dam for any storm water. The old house did not have a full foundation. There was more discussion about the storm water plan for this property.

A lengthy discussion continued concerning the suggested changes that could/should be made to the house and property.

Chairman Elford commented that he thinks there are a number of ideas and ways to go with the house. The Board and the Cottrell's have discussed several possibilities.

Chairman Elford stated that the appeal can be left open. The Zoning Board of Appeals has 62 days to act. If necessary the applicant can request an extension. There are a number of ideas for this appeal. The Cottrell's can discuss these ideas and options for the house that have been suggested.

Katie Cottrell asked if they could put some of these ideas out there and then look at the house. She would like to talk to her neighbors, get their opinions. Mrs. Cottrell stated that she would like to talk to the Wildbergers and the Vallulenga about what they would like to see done to the house.

Richard Theissen commented that on the west wall where there is now a garage; was originally a small covered porch with a gravel drive in the front. What about the height of the house; does it require a variance? The height of the house is obscene; this could set a prescient for other houses in the Village.

They need to cut their losses on the house. Cutting the corner of the rear of the house looks ridiculous. The density of the house is obscene; it's still an elephant in the room that we have to look at.

Ms. Pineo thanked the applicant for the dialog. The owners now have a direction to go in with possible changes to the house. They will now take some of the suggestion that have been made and return to the Zoning Board in May.

This appeal will be held over until the May 28, 2015 meeting.

MOTION by Mr. Elford to adjourn the meeting at 8:35 P.M.

MEETING ADJOURNED

Lois J. Whitbeck, Village Clerk

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Tom Bergin
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The meeting was called to order at 7:00 p.m. by Chair, Brent Elford.

The Pledge of Allegiance was recited.

APPROVAL OF MINUTES

MOTION by Chairman Elford to approve the minutes of the September 24, 2014 as amended,
SECONDED by Ms. Pieno.

4 APPROVED - 1 ABSTAIN

APPEAL # 2015-01; Josh & Katie Cottrell for 26 Albany Avenue, Round Lake, NY 12151

Respectfully submitted,

Lois J. Whitbeck
Village Clerk