



Town of Bethel
Zoning Board of Appeals

PO Box 300, 3454 Route 55
 White Lake, NY 12786

The Town of Bethel Zoning Board of Appeals held its monthly meeting on April 17, 2017. The meeting was held at the Duggan School, 3460 State Route 55, Kauneonga Lake, at 7:30 pm. On the agenda at this time is the following:

In attendance, Steve Morey, Chairman, Richard Conroy, Jim Crowley, Cirino Bruno, Dan Brey, Jesse Komatz, Jim Ahearn, Alternate, Bette Jean Gettel, Code Enforcement Officer, Dawn Ryder, Liaison, and Jacqueline Ricciani, Attorney.

Also in attendance Daniel Gettel, Planning Board Chairman.

Pledge to the flag.

Excused: Victor Kask, and Jannetta MacArthur, Recording Secretary

Seating Jim Ahearn, Alternate

Motion to approve minutes from the December 16, 2017 meeting by Richard Conroy, second by Jesse Komatz.

All in favor – 7

Opposed-0

Agreed and carried

1) Public hearing for an Area Variance from the setbacks to build a single family dwelling is located on corner of West Shore Road and Cooper Drive, known as Bethel Tax Map #: 29-2-8, proposed by Lee Karasik.

Also in attendance representing the applicant is David Fanslau.

Steve Morey: Would someone like to explain?

David Fanslau: Sure. Lee has engaged Peter Cirillo, and Cirillo Architects to design a house for him that would be completely assessable for him. The setbacks that are currently within the lines would need to be there was a house on the lot that was torn down about a year ago. Maybe less than a year ago. So the lot area is preexisting with the previous house that was there. Which is the width of the lot. We are looking for items 3, 4, 5 & 6. We are looking for 28.5 ft, the side yard and street setback from 12.5 ft to 4 ft. The side yards totals from 25 ft to 21.4 ft. The maximum coverage from 25 percent to 28.5 percent. What he did, we are showing a two car garage, which may be considered differently by the Zoning Board. We don't want to take away from the character of the neighborhood, we designed the



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house, and the square footage of the house would coincide with the housing that is there currently.

Steve Morey: Anything else to add?

David Fransblau: We did also submit a short environmental assessment form for review.

Steve Morey: There was a letter received with the application. Is there any additional information as part of that letter?

Bette Jean Gettel: It is just what they outlined. I have it here.

Steve Morey: I am going to review this letter, unless you want me to read it out aloud, if anyone has any questions for the applicant. Would you prefer I read the letter? Okay I will read it.

It is dated March 29th, and it is addressed to the Building, Department, Code Enforcement Officer, regarding 2 Cooper Drive.

Please accept the attached request for a public hearing for area variances, which I am requesting that the Bethel Zoning Board of Appeals place on their agenda for Monday, April 17, 2017.

1. The following area variances are requested to be granted after the public hearing by the ZBA. Minimum lot area from 21,780 square ft to 9,147.6 square ft, reference preexisting lot with raised single-family residence.
2. Minimum lot width from 100 ft. to 57.98, which is an existing condition.
3. Minimum front yard set back from 25 ft to 22.98 feet
4. Minimum side yard /street side setback from 12.5 ft to 11.44 ft
5. Minimum both side yards total from 25 to 21.44 ft
6. Maximum building coverage from 25% to 28.5%

I am submitting nine copies of the site plan, which has been signed and sealed by my architect Peter Cirillo, from Cirillo Architects with this letter and a request for a hearing. Also I am submitting a completed New York State DEC SEQRA short form Part 1 if needed. This single-family residence, which I plan to have constructed this spring, will be fully compliant with the Federal Americans with Disabilities Act, and fully accessible. I am respectfully asking that the members of the Bethel ZBA



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schedule this matter for a hearing and action at their next meeting on Monday, April 17, 2017.

Regards, Lee Karasik

With the attachments.

Motion to receive and file document by Jim Crowley, second by Cirino Bruno

All in favor – 7

Opposed-0

Agreed and carried

Richard Conroy: You are looking for a couple feet here and a couple feet there. Is there anyway you can make the house fit within...

Lee Karasik: It wouldn't be accessible according to ADA guidelines. That is what I am really looking for.

David Fanslau: What the architect is doing, is the interior hallways, it has three bedrooms, 2.5 bathrooms, and to make the house fit with the radius turnaround, if he were to become dependent on a wheelchair.... there would be no space in the hallway to do that. So that requires the house to be a little bit wider.

Richard Conroy: This encompasses the hallways?

David Fanslau: Yes

Steve Morey: You made a reference to the two-car garage being 577 square feet. I haven't looked at it closely, so I don't know what the dimensions are, but is there a possibility of shortening the length of that garage to meet the setback? That is only part one of the question, because the reference to the front yard setback is the reference to a survey map of 2016. I personally, and I am hoping that the rest of the board, I would like to see a copy of that survey map, to affirm that that is actually the property line, so to verify that is correct.

David Fanslau: I know that George Fulton, he did the survey himself, with his team and submitted the survey to the architect in December 2016. Mr. Cirillo took that...

Steve Morey: You understand what I am saying, if we have that in place it would confirm where that lot line is. The other part of the question was is there any possibility of changing the garage to at least that front yard setback?



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Lee Karsik: It is a pretty small garage as it is.

Jesse Komatz: If you slid this whole thing over, instead of entering the garage from the end, why can't you enter it from the street side and you can move everything down this way, and you can probably make the garage a little bit bigger.

Bette Jean Gettel: Because of the handicap ramp that is required on the side of the garage.

Jesse Komatz: You couldn't accommodate that making the garage a little bit bigger?

Lee Karasik: By the time you switch it back and forth you are 30 ft long.

Steve Morey: Back to my original question, you show a 25 ft rear yard setback, this dotted line here I believe is just a reference to where the vehicle would be parked, not where the end of the garage is?

David Fanslau: I can tell you that the architect took all of that into consideration... to try to squeeze this into what was allowable by the code. Certainly we can look at that... there is a lot of land that is owned over here, which would be subject to a 12 ft right of way.

Steve Morey: I didn't see that.

Jim Crowley: If you did that you are only going to get another 12ft.

David Fanslau: We understand there are a number of setbacks; we are not looking for tens of feet.

Jim Crowley: Who's right of way would this be? You can't make the radius of the driveway to get into the garage. Moving it back, if you want to keep the garage is not an option, from this blueprint.

Steve Morey: Has there been any attempt to acquiring any additional neighboring properties?

David Fanslau: No.

Jesse Komatz: Is there a house, on Schiffler's?

Bette Jean Gettel: It is all vacant land, swampland.

Richard Conroy: I have a question about this map. Your property is across the street? According to the tax map.....



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It shows on the county record.....

David Fanslau: That's not Lee's property.

Richard Conroy: I didn't say it was Lee's property.

David Fanslau: Again, there is a 12ft right of way that goes across Lee's property.

Jesse Komatz: Schiffler is the only one that could help.

David Fanslau: By purchasing that property, it would not help the front yard setback. With respect to the board, the architect and the surveyor looked at this extensively. I think they pretty much tried to squeeze it onto the lot as best they could in conformance with your code. With leaving room architecturally for the interior design that would be consistent with the ADA.

Steve Morey: There was a residence that was there, what was that lot coverage, do you have that information?

David Fanslau: I don't, but I know BJ has that. That was 1300 square feet.

Richard Conroy: This is a little over 2000? The other was 1321 square feet.

Steve Morey: Does anyone have any questions?

Jacqueline Ricciani: I have one. On the map, for the lot width, it has existing as 57.98, and then proposed as 58.14. Why is the proposed wider than what is existing?

David Fanslau: Can you repeat the question?

Jacqueline Ricciani: It has existing as 57.98, and then proposed as 58.14. Wouldn't they be the same number?

Showing Jacy on map

Jacqueline Ricciani: So that is a 42.02-foot variance. Just for the width. It is an existing lot.

Jim Crowley: Is this part of White Lake Homes?

Steve Morey: Across the street.



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Jacqueline Ricciani: Is it part of the original subdivision? I'm just trying to figure out why it is such a small lot if it was something that was created. There were some lots that were created back in the 1920's.

Steve Karasik: This was in 1938.

Jacqueline Ricciani: Was it filed? Was it a filed subdivision map, or is that when it was created.

Richard Conroy: That is when the house was built.

Jacqueline Ricciani: That predates zoning I would say.

Bette Jean Gettel: It does not require a 239.

Jacqueline Ricciani: It also does not require a SEQRA review. This is type two. You're welcome to do so, but setback variances are type two's.

Steve Morey: Our next order of business would be to entertain a motion for a public hearing. However I would require a copy of that survey map.

David Fanslau: We can get a copy to BJ probably tomorrow or by midweek.

Steve Morey: And some sort of documentation describing to us why no other property was available to be acquired or to make any kind of modification to more conforms to the zoning. I don't know if it would help the board to actually see a detailed print so it justifies why the house is the width that it is.

Bette Jean Gettel: I have it here.

Steve Morey: What I'm saying is why the house can't be made smaller. If your architect would give us documentation stating that. You realize all of these will come up in a public hearing. So that we are prepared.

Steve Karasik: The house is not very big as it is. The architect made it in such a way so my son can get around inside the house. He has certain electric conveyances, he has a walker, the reason for the garage in the back, so there is a mud room back there, and there are a lot of nuances built into the house. This house will end up being a show house. If anyone wants to come in, and if anyone wants to build a house like that, they can see what is being done right here in Bethel, its not being done anywhere else that we know of.



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Lee Karasik: it will be the first house done like this in the town.

David Fanslau: We can have the surveyor and architect addresses this.

Motion to grant public hearing on May 15, 2017 by Jim Crowley, second by Jesse Komatz

All in favor – 7

Opposed-0

Agreed and carried

Steve Karasik: Just one question, the information you need would be delivered to?

Bette Jean Gettel: The Building Department.

David Fanslau: The survey is one copy sufficient?

Bette Jean Gettel: Bring two please.

Steve Morey: Is there anything from the board?

Nothing.

Steve Morey: Dan (Gettel) anything?

Nothing

Steve Morey: Dawn, your turn.

Dawn Ryder: It's nice seeing all of you. We passed a few changes for zoning in the past Town Board meeting. The main one is the Daycare. We are excited about that.

Richard Conroy: I bet that guy is pretty excited too.

Dawn Ryder: Yes.

Motion to adjourn by Jim Crowley, second by Cirino Bruno

All in favor – 7

Opposed-0

Agreed and carried

Respectively submitted,



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Gannetta MacArthur

Recording Secretary



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April 19, 2017

Town of Bethel Zoning Board of Appeals
PO Box 300, 3454 Route 55
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Attn: Members of Bethel Zoning Board of Adjustment

Re: Karasik Residence
2 Cooper Drive
Kauneonga Lake, NY 12749

Dear Members of the Bethel Zoning Board of Adjustment:

Please be advised that the above referenced residence is being designed according to ADA Guidelines. Due to the required clearances at bathrooms and doorways, utilizing wider hallways and taking into account the 5' turning radius required, the building is larger than it would be for a non-accessible house. This compiled with a long narrow site, has necessitated a request for variances to the Town of Bethel set-back and lot coverage requirements.

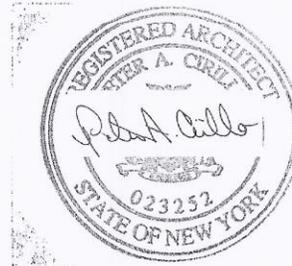
If you should have any questions or comments, please do not hesitate to contact me at my office.

Sincerely,

Peter A. Cirillo, Architect

PAC/meo

Cc: Lee Karasik, The Center For Discovery
David Fanslau, The Center For Discovery





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David Fanslau, The Center For Discovery

