

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 16, 2012. The meeting was held at the Duggan School, 3460 State Route 55, Kauneonga Lake, at 7:30 PM. On the agenda at this time was the following:

In attendance: Stephen Morey, Chairman, Jim Crowley, Vice Chairman, Richard Conroy, Robert Yakin, Daniel Brey, Cirino Bruno, Alternate, Denise Frangipagne, Councilwoman, Jacqueline Ricianni, Attorney, BJ Gettel, Code Enforcement Officer, and Jannetta MacArthur, Recording Secretary

Jesse Komatz – excused

Seating Cirino Bruno as alternate

6 Members in attendance

Also in attendance: Daniel Sturm, Supervisor, Daniel Gettel, and Planning Board Chairman

Pledge to the flag

Motion to approve minutes from the March 19th meeting with two corrections as stated by Richard Conroy, second by Jim Crowley

All in favor – 6

Opposed –0

Agreed and carried

1) Application for an Area Variance for height, located at 1623 State Route 17B, known as Bethel Tax Map # 33-5-2.1, proposed by White Lake Mansion, LLC. (Passero)

Jess Sudol: - Passero Associates. We are the consulting engineers and the architect for the project. We are here requesting a variance for the White Lake Mansion project. In this perspective at the intersection of 17B and 55 looking southeast toward the hill, (showing on map) anyway, this project has been going on 3 or 4 years at least. There were several area variances for a similar project on the same site granted back in May 2010. At that time there were six different buildings, and there were height variances granted for most of those buildings. The variances were actually granted specifically to the buildings on that particular plan. This plan here is a slight modification. One thing that we did when we first got

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together was there were a couple of ways we could make this project a little more economical and work a little bit better with the topography and the shape of the parcel. Working with our architect and our site development staff, we determined the best way was to build it a 3 building approach. This building here in front is the mansion building as we call it. It is designed to be a replica of the building that is there today. If you look closely, you can actually see we pay homage to it. The back two buildings are kind of hotel style buildings. I don't want to say the word hotel, but they are similar to it. The entire project is similar to the way it was presented in 2010. It is designed to be a resort and a spa. Each one of these buildings has 36 rooms in it. This building here, (showing on map) I will be referring to as building A has underground parking. This building here on the bottom floor actually has the spa. We have positioned them so they kind of step up the hill. Anyone familiar with the existing building knows the grade goes up significantly. So we did everything we can with our design to try to recognize the topography, make it work with the site so that we are not putting up 40 ft retaining walls, with 20 ft worth of fill. The Mansion building out front is actually the same as what was presented before. It will have a reception area when you check in; it will be in the main building. They are going to have offices, and conference rooms. There will be a small retail component. There is going to be a restaurant open to the public. There will be a small bar, again, open to the public. If you want to have your wedding there, they can certainly accommodate that. In 2010 there was an area site variance for the Mansion building for 67 ft, 8 inches. We are not changing the design of the building. It is going to be designed and built to be basically a replica of what is there today. So based on our meeting with the town staff that we had a month ago, we have determined that the variance that was granted in 2010 still applies to this building, so we don't need to ask for it again. There was also a variance granted for a building in this location similar to what we are doing today for 58ft. in height. This building right now is designed to be 58ft. Actually our architects made some adjustments to make sure we stay under that threshold. We didn't want the zoning board to grant the variance for 58ft, and then 3 years later, say 64 ft, and then go back and forth; we really want to show to the board, that we are really serious about building this project this year. We are all very focused on it. We have a building design we are confident with. The next thing we had to determine was what to do with this building. We looked at the old plan, and there really wasn't a building that would fit the mold for us to say well that variance was granted in 2010. This building is the same as this one, the only difference is on the bottom floor, this will be the spa and this will be a garage. I brought an elevation with me. We call this approach to the design. Kind of like a walk out, some of you have a walk out basement in your house, when you look at it, when you are driving up to the building; it looks like it is three stories. If you look at it from the entrance to the parking garage, or from the pool, looking at building B here, it is actually 4 stories. We tried to show by grade that it is 3 stories, then it kind of drops down to the walk out. The reason why that is significant, because that is how the height of the building is determined based on the Town of Bethel zoning code. It reads that the height is from the average degree around the building off of to the highest point of the roof. Actually it excludes the cupolas. That is not counted in the actual calculation. So we have this building B we need to deal with, it is going to be the same as building A. So we felt it was only appropriate that we ask for a variance of 58 ft for building B, so it is the same as building A. We do want to get under construction very quickly. We know we have a very long road ahead of us. We have a lot of work to do on the planning level. We have to go through the seqra process for site development. We are starting steps now. We have a Planning Board meeting tomorrow night as well. We are basically asking that the Zoning Board schedule a public hearing for us to come back, and would also

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like to take any kind of comments that you may have tonight on the current design. We would be able to address those so that in a month from now we will have the public hearing, and you can say ok, we heard your concerns, and then move on from there with possibly an approval. Again, that was a brief reintroduction to the project. I would be happy to answer any questions.

Jacqueline Ricciani: Jess, can you for clarification, so what you are seeking tonight from this board is changing the variance to 58ft for the building that you designated as building B?

Jess Sudol: That is correct

Steve Morey: The previous variances that we granted were for 6 buildings, and I don't recall if the height variances were for all or some of those buildings. Are any of these buildings on the same site as any of those 6?

Jess Sudol: Yes. The main building, and building A are. Which is why the town staff determined the variances that were previously granted would still apply to these buildings.

Steve Morey: I may have misspoken. I know they are on the same site, because they are on the same piece of property. I meant the area that was designated previously. Therefore, those do not need variances because they have already been granted.

Jacqueline Ricciani: The buildings are essentially the same as the ones that you had already considered and approved

Steve Morey: Okay. Is everyone comfortable with that?

Jess Sudol: Did everyone get a copy of the document we put together, the letter that went through the different proofs? The reason why I ask is whenever we ask for an area variance, in New York State, there are 5 questions that we ask. They have to do with, will the building interfere with the character, is it going to have an environmental impact, is it going to negatively affect any of our neighbors. We did go through that. I will make sure that I make that available to all board members prior to our next meeting. Some of the things that we talked about, these buildings are positioned further back on the site. They are not in the line of site of anybody living up on 17B. Also there is the topography in the back that goes up, there is a water tower. Now that hill, combined with the mature vegetation on the hill, if you are anywhere south or east of the site, you would not see these roof lines, they are buried in the back of the hill. Again, one thing that we talked about is that all we are asking is for is this building have the

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same height variance as this building, because they will be the same building. We want to build the same building twice. It makes sense economically, and it gives us the number of rooms that we need to make the project feasible. Again, each one of these is going to have 12 rooms per floor, and 3 floors. Then they have the basement. That would be the spa and parking.

Richard Conroy: All the parking is going to be indoors?

Jess Sudol: Not all of the parking. There is parking on the surface that you see here on the site plan. We chose to put about 40 parking spaces indoors. That worked for us because we are building the same building. With the parking in the building, you would have more green space. Then we would develop this central court area, which serves as a link between our mansion building and the pool, and the two larger buildings in the back. So by putting it under this building, we don't have to put a parking lot right here, to mess up the whole ambiance that we are going for. For clarification, back in 2010 there was an area variance granted for parking. Their variance was granted for 206, we are still proposing 206 parking spots. That variance still applies

Steve Morey: Our next step would be to grant a public hearing

Motion to grant public hearing on May 21st by Jim Crowley second by Richard Conroy

All in favor – 6

Opposed – 0

Agreed and carried

BJ Gettel: This is subject to state 239, and county 239. Would like to coordinate for both agencies. This project will come before the Planning Board tonight.

Steve Morey: Just to clarify, this is for 72 units?

Jess Pudol: Yes, 72 units. Actually it is a reduction down from 81 that was previously presented.

Steve Morey: I guess we are all set until next month.

Jess Pudol: Thank you, see you next month.

Steve Morey: I am distributing this flyer on conservation subdivision, and smart growth design, which

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is a training that qualifies toward training hours. It is 3-hour training session. It is April 30th, at the CVI building.

Denise Frangipagne: This is a really good one. Someone is coming from Pace, and Orange County Planning. It will be held on Monday, April 30th, 5 – 8pm, 4:30 registration, at the CVI building. Thanks to everyone who came to the Farm meeting

Steve Morey: Anything from our supervisor?

Dan Sturm: No, I haven't seen you for quite sometime. I am very happy to be here it.

Steve Morey: You are always welcome to be here.

Dan Sturm: Thank you.

Steve Morey: Dan, from the Planning Board?

Daniel Gettel: No

Motion to adjourn by Jim Crowley, second by Richard Conroy

All in favor – 6

Opposed –0

Agreed and carried

7:55 pm

Respectively submitted,

Jannetta MacArthur