

**Town of Horicon
Zoning Board of Appeals**

**November 27, 2018
Minutes**

Present at Meeting:

Cheryl Erickson, Chairperson
Scott Olson, Vice-Chairperson
Pat Farrell
James Dewar
Rich Nawrot,
Ross Schoembs, Alternate # 1

Also Present: Bob Olson, Tim Beadnell, Meredith Todd, Michael Bird representing Thurston, Roger Friedman representing Esterline, Bill McGhie, Zoning Administrator Jim Steen, Town Supervisor Matt Simpson.

Chairperson Cheryl Erickson called the meeting to order at 7:00 p.m.

Pledge

Chairperson Cheryl Erickson stated that Rich Nawrot has been promoted to a full Board member by the Town Board to replace Gary Frenz who will now be Alternate # 2.

Review of Minutes: Pat Farrell made a motion to accept the October 23, 2018 minutes as written. Second by Scott Olson. **ALL AYES.**

NEW BUSINESS:

**File # 2018-15 AV
Tax Map # 20.10-1-38
Russell and Nancy Esterline
East Shore Drive**

Requesting an Area Variance from **Zoning Code 6.10** for a Roadway setback of 53' where 60' is required, a Shoreline setback of 0' where 50' is required and a side yard setback of 7.5' where 15' is required for a set of stairs leading from an existing deck to boulders below to access the shoreline.

Roger Friedman was present to represent the Esterline's proposed request for variances. The original 16' x 20' deck is existing and they want to add a staircase to the water from the deck. The deck is 8' above the shoreline. Roger passed out pictures of the deck and the proposed area for the staircase to the Board members. The original deck predated zoning and was replaced by Eric and Eric. The deck is not the issue the staircase is. The edge of the deck is 8' above the shoreline and they just want a set of stairs projecting from the deck to the shoreline eventually to a dock. Roger stated he suggested to the Esterline's perhaps having a set of stairs that would be removable. The dock does not exist yet and right now they want to put in the stairs.

Rich Nawrot asked what is next to that deck.

Chairperson Cheryl Erickson asked if there would be any structures near the sideline on Lot 5.

Roger Friedman stated there are two or three other decks near the sidelines of neighboring properties.

Zoning Administrator Jim Steen stated that the parcel has an 18 ½" wide shoreline and the deck pretty much takes up the space. There is 7.5' setback on each side and they are requesting a 3' wide staircase.

Scott Olson asked if the stairs will land on the future dock.

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Roger Friedman stated that is the way it should work.

Pat Farrell stated they have seen people put hinges on the staircases in order for them to rise up and down.

Scott Olson stated putting a floating dock that rises and falls with the lake becomes tricky when putting stairs on them.

Roger Friedman stated that Esterline's would like to extend their thanks to Zoning Administrator Jim Steen with all his help with this application.

Chairperson Cheryl Erickson asked if there were any more questions.

Being no further questions or comments Scott Olson made a motion to deem the application complete and set a Public Hearing for December 18, 2018. Second by Pat Farrell. **ALL AYES.**

NEW BUSINESS:

File # 2018-16 AV
Tax Map # 55.7-1-4
Thomas and Sarah Thurston
882 Palisades Road
Brant Lake, NY 12815

Requesting an Area Variance from **Zoning Code 6.10** for a shoreline setback for the addition to sit 10' from the shoreline where 100' is required.

Michael Bird the architect for Thomas Thurston was present to speak about the proposed project. They want to add on to their house. It is 1.39 acres and sits very close to the water. There is little to no room to expand to the Northeast due to the sideline and shoreline setbacks. Expansion to the Northwest is problematic due to the shared driveway. An addition to the Southwest is the only viable option. The lot is long and skinny therefore an addition to the rear is not possible due to the driveway and existing road constraints. They would like to add on 3 bedrooms, kitchen and dining area as well as a bar area. Looking at the site plan an existing screen porch is existing now and it will be enclosed and become part of a great room. They will be adding on an additional screen porch as well as a kitchen, dining room, pantry and mud room mechanical storage area. The existing kitchen will become a bedroom. There will also be three bedrooms upstairs with three full bathrooms. The existing height of the current structure is 28' 21/2" and existing increase in height will be 31', a minor increase of three feet. The overall width will be 37' 3" and a depth of 60' 8" so we tried to push it back into the hill as far as possible and not continue to push it closer to the shoreline.

Scott Olson asked the square footage of the addition.

Michael Bird responded for the first and second floors the addition would be 3718 square feet.

Scott Olson asked the square footage of the existing house.

Michael Bird responded for the first and second floor of the existing house is 2990 square feet. So in the end the house would be almost 6,000 square feet.

Chairperson Cheryl Erickson asked if there is a second floor on the existing house.

Michael Bird stated yes there is a second floor right now.

James Dewar asked if there will be a basement under the addition.

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Michael Bird stated it would make sense to have a basement. They do want it winterized

Zoning Administrator Jim Steen asked if the existing structure is being taken down.

Michael Bird responded no.

Chairperson Cheryl Erickson asked if the basement will be just under the addition.

Michael Bird stated that they intend to raise the house and dig out the underneath the structure then put it back down and it will not increase the height.

Chairperson Cheryl Erickson asked if the pictures presented to the Board represent the colors chosen for the home.

Michael Bird responded yes they are the colors chosen.

Chairperson Cheryl Erickson asked if the septic system and the well have been designed for the increase in bedrooms.

Michael Bird stated yes a new septic system is designed and will be located across the road.

Chairperson Cheryl Erickson asked if it is a NORWECO system and are you going to pump it uphill?

Michael Bird responded yes.

Chairperson Cheryl Erickson asked if the engineer put in a septic system that will accommodate the additional bedrooms.

Zoning Administrator Jim Steen stated that the septic system is compliant and issued a septic permit already. It is a NORWECO system and it's not required but they put it in and it will more than meet the requirements for the additional bedrooms. The house will be a seven bedroom home once the addition is completed. They meet the 100' setback from all wells.

Chairperson Cheryl Erickson stated that this is more than the minimum standard for the septic system, perhaps even double of what is needed.

Chairperson Cheryl Erickson asked about the location of the existing driveway. She stated that they will need to bring in some significant equipment for the addition and it would need to accommodate this equipment.

Michael Bird showed the Board members the existing driveway on the map and indicated that there would be enough room.

Scott Olson asked Michael Bird to identify the dark lines on the map.

Michael Bird responded they are retaining walls.

Chairperson Cheryl Erickson stated that the property is not actually as steep as it may seem from all the lines of elevation on the plat.

Michael Bird responded that is correct it is not that steep.

Zoning Administrator Jim Steen stated just for reference this is next to Cindy Mead's house.

Scott Olson asked which side is Cindy Mead's house on.

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Zoning Administrator Jim Steen stated Cindy Mead's house is to the North.

Chairperson Cheryl Erickson asked if there were any more questions.

Being no further questions Scott Olson made a motion to deem the application complete and set a Public Hearing for December 18, 2018. Second by James Dewar. **ALL AYES.**

NEW BUSINESS: **File # 2018-17 AV**
 Tax Map # 122-3-3
 Ridin-Hy Ranch
 95 Ridin-Hy Ranch Road

Requesting Area Variance from **Zoning Code 8.35** Shoreline setback for a structure to sit 79'.7" where 100' is required for a Tourist Accommodation.

Tim Beadnell was present to speak about his proposed project. The new building at Ridin-Hy is on schedule to be open for Christmas. When they rebuilt the Lodge after the fire because of the new codes and ADA requirements they had to take 8 rooms out of the main lodge in order to stay on the old Lodge footprint. The purpose of the new building is to replace 8 rooms lost in the new lodge construction. To build this new building we will need to remove an existing 5 bedroom house, so we will be losing an additional 5 rooms. The new building will be connected to the Main Lodge through a hallway. Tim Beadnell showed the Board members the map of where the new building will go. The connector building houses the sprinkler tank that was required to put in and the diesel fire pump that was required to be put in. It already has a zoning compliance for the connector building. The new structure would be 79'.7" from the lake. Normally, a 75' shoreline setback is required, however, for Tourist Accommodations the shoreline setback is 100'. The current building to be removed is on a separate lot so they will have to do a Boundary Line Adjustment to accommodate the new building.

Zoning Administrator Jim Steen stated that the project and the Boundary Line Adjustment is subject to Planning Board review and will have to be submitted to the Planning Board. The Boundary Line adjustment could be done in one meeting because a Public Hearing is not required for the Boundary Line Adjustment. A survey would be done and submitted to the Planning Board. The plan is to submit this to the Planning Board at the same time as this is submitted to the ZBA.

Chairperson Cheryl Erickson asked why he can't just angle the new building so it would be further from the shoreline.

Tim Beadnell stated that grade and fire access dictate that this is the best possible building site for the new building and pushing it further back causes further grade disturbance and he needs the turning radius at the road behind the building for fire access. The front of the building was determined by existing grade and accessibility.

Zoning Administrator Jim Steen stated that if at the next meeting this would be approved it would be contingent on the Planning Board approval of the Boundary Line Adjustment.

Being no further questions Scott Olson made a motion to deem the application complete and set a Public Hearing for December 18, 2018. Second by Rich Nawrot. **ALL AYES.**

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NEW BUSINESS: **File # 2018-18 AV**
 Tax Map # 88.17-2-12
 Meredith Todd
 27 Delaney Drive
 Brant Lake, NY 12815

Requesting an Area Variance from Zoning Code 6.10 Roadway setback for a 25' x 25' garage to sit 43' from the centerline of the road where 60' is required.

Meredith Todd was present to speak about her proposed variance request. She stated that she purchased this property this past summer and the original maps that were submitted are different than the new map. She would like a garage separate from the house on the side where the driveway is located. Because of the property angle if you stay 50' from the road you get closer to the river. She wants the garage farther away from the river and the grade gets steeper down closer to the river and the grade would be impacted.

Scott Olson asked if the grade is a problem could it be moved back 17' away from the road and when you get to the back of the garage how much more property would be available.

Pat Farrell stated that he looked at the property and where Ms. Todd is proposing to put the garage is the only flat piece of land to put the garage on. If she moved it back there is only about 5' available and it would not be enough room to put the footings.

Zoning Administrator Jim Steen stated that the property is heavily wooded.

Meredith Todd stated that she wants to have the driveway coming into the garage and wants some trees left for screening as well. The lot size is small so it's tough to put in the garage.

Chairperson Cheryl Erickson asked if the area is staked off.

Meredith Todd stated that yes it is staked off.

Chairperson Cheryl Erickson stated the Board members will each go to look at the site.

Scott Olson stated that an engineer is not needed to map out the property, however, he would like to see a scale drawing of the property.

Chairperson Cheryl Erickson asked Zoning Administrator Jim Steen if he would be able to create a reasonable drawing to scale as requested.

Zoning Administrator Jim Steen stated that he would take care of the drawing.

Meredith Todd added there are other homes in the area that have small lots and are close to the road.

Chairperson Cheryl Erickson requested the deed be submitted with the drawing as well.

Zoning Administrator Jim Steen stated that the deed is in the Zoning Office and will be submitted with the drawing at the next meeting.

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Being no further questions Scott Olson made a motion to deem the application complete and set a Public Hearing for December 18, 2018 and asked that the drawing and deed will be submitted by the Zoning Office at the Public Hearing. Second by Pat Farrell. **ALL AYES.**

Reminder:

Correspondence: Holiday Party Invitation, 2019 Calendar of Meetings and Vouchers (due back to Dawn or myself by December 17, 2018).

Public Comments:

Board Comments:

Being no further reminders or comments Scott Olson made a motion to adjourn the meeting. Second by Pat Farrell. **ALL AYES.**

Adjourn: 7:42 PM

Next meeting date: *December 18, 2018*

Respectfully Submitted,
Terri Katsch, Secretary