

Mr. Menon stated that they haven't decided yet. He will do more research but it does make sense about the run-off.

Mr. Corkey said that the Homeowners Association has talked about restricting paving of driveways but this is down the road from today.

Mr. Konefal stated that packed gravel has the same effect.

Chairman Carnell asked if this is something that the board looks at now.

The response was no.

The criterion for front and side yard setback was discussed.

Feasible alternative: all voted no; based on the size of the existing lots in the area

Undesirable change: all voted no

Substantial request: all voted no; based on the lot sizes in that area

Adverse effect: all voted no

Self-created: all voted yes

A negative declaration motion was made by Bob Hoose seconded by Richard Benson.

5 in favor

0 opposed

A motion to grant the front and side yard setback as requested with the condition that the homeowner receive Department Of Health approval for the septic system was made by Sharon Kazansky seconded by Richard Benson.

5 in favor

0 opposed

The criterion for lot area variance was discussed.

Feasible alternative: 4 in favor; based on the size of the existing lots – Pamela Zaitchick opposed

Undesirable change: all voted no

Substantial request: 4 in favor; based on the lot size – Pamela Zaitchick opposed

Adverse effect: 4 in favor – Pamela Zaitchick opposed

Self-created: all voted yes

A negative declaration motion was made by Sharon Kazansky seconded by Bob Hoose.

4 in favor – Pamela Zaitchick opposed

A motion to grant the lot area variance was made Bob Hoose seconded by Richard Benson.

4 in favor – Pamela Zaitchick opposed

A motion to take the agenda out of order was made by Sharon Kazansky seconded by Bob Hoose.

5 in favor

0 opposed

KAITLEN RUBIN – Jay Rubin

Chairman Carnell read the legal notice. Proof of mailing was submitted.

Applicant is requesting a variance for the purpose of reducing the required property line setback from 25' to 16.5' for an existing garage.

Mr. Rubin stated that the parcel was purchased by his daughter at tax sale. He was here because the town messed up 13 years ago. A building permit was issued for the garage.

Bill Rieber advised Mr. Rubin that he was here because the owner never called for a final inspection and certificate of occupancy.

The board had no questions.

There was no public comment.

The criterion for an area variance was discussed.

Feasible alternative: all voted no; not at this point in time

Undesirable change: all voted no

Substantial request: all voted no; less than 9'

Adverse effect: all voted no

Self-created: all voted no; it was an inherited problem

A negative declaration motion was made by Bob Hoose seconded by Richard Benson.

5 in favor

0 opposed

A motion to grant the property line setback was made by Sharon Kazansky seconded by Bob Hoose.

5 in favor

0 opposed

TOURO COLLEGE (Birchwood Learning Center) – Glenn Smith

Chairman Carnell read the legal notice. Proof of mailing was submitted.

The applicant is requesting an area variance for the purpose of reducing the required side yard setback from 50' to 30' for a new cabin.

Glenn provided a plan of the proposed changes in addition to a sketch of the old plan that was previously granted a variance. There will be 8 boys' cabins. The DOH requires separation from the existing well. A pool has been added to the site. The original size of the cabins was 20' x 38'; they have been enlarged to 25' x 40'. The developer would like to open up one end of the property and in doing so cabins 5,6,7 & 8 have been moved into the setback area.

The plan has been submitted to the Fire Department for review of the access; the response indicated the proposed plan was approved by them with respect to emergency access. The planning board required that the driveway be widened to 20'.

Chairman Carnell thought the plan was light on parking and the number of spaces.

Paula advised that the number of parking spaces is determined by the number of staff.

Sharon Kazansky stated that the new layout was much nicer. It allows a view of the wetlands instead of the other bunk buildings.

The board had no questions or comments.

There was no public comment.

The criterion for an area variance was discussed.

Feasible alternative: all voted no based on the DOH requirements for well separation

Undesirable change: all voted no; it was an improvement over the previous layout

Substantial request: all voted no

Adverse effect: all voted no

Self-created: all voted yes

A motion to allow the variance request for cabins 5,6,7 & 8 was made by Bob Hoose seconded by Sharon Kazansky.

5 in favor

0 opposed

MONTICELLO RESORTS, LLC – Joel Kohn & Mike Webber

A motion to open the public hearing from the previous meeting was made by Bob Hoose seconded by Sharon Kazansky.

Chairman Carnell asked if anything had changed since the last meeting with respect to the requested variances or plans.

Mr. Kohn & Mr. Webber confirmed that nothing was different.

Chairman Carnell asked Logan Ottino if there were any reason why the board should not move forward with the variance requests. Logan stated that she was satisfied with the progress that had been made resolving the issues with expired permits, etc. Glenn Smith has been working on the shul building plans to get them into compliance. Logan confirmed that the structures all had building permits issued.

The board wanted the record to reflect that this project is different from other bungalow colonies because the site has access all around the buildings and internal road that allow emergency vehicle access.

There was no public comment.

Chairman Carnell stated that board would act on variances 1-25 as presented and attached to these minutes.

Feasible alternative: all voted no; not at this time

Undesirable change: all voted no; most of the variances were minor in nature

Substantial request: all voted no; most variances were less than 10'

Adverse effect: all voted no

Self-created: all voted yes

A motion to grant variances 1-25 as presented and requested was made by Bob Hoose seconded by Sharon Kazansky.

5 in favor

0 opposed

Variance #26 – Logan indicated that the pool filter equipment building was just a shed; the required setback is only 10' from the property line. No variance is required

Variance #27 – the pool is in compliance with the code; there is no setback for a fence since it can actually be erected on the property line. No variance is required.

Variance #28 – is for the height of a fence from 8', allowed by code to 12'

The criterion for an area variance was discussed.

Feasible alternative: all voted no; this was for privacy due to religious beliefs

Undesirable change: all voted no; the surrounding property is vacant

Substantial request: all voted no due to the reason given

Adverse effect: all voted no

Self-created: all voted yes

A motion to grant a variance for an increase of the pool fence height from 8' to 12' was made by Sharon Kazansky seconded by Richard Benson.

5 in favor

0 opposed

A motion to adjourn was made by Bob Hoose.

Respectfully submitted,

Nora Hughson
Nora Hughson
Zoning Board Secretary

Attachment A: Kaufman's Bungalows Requested Area Variance Table

Area Variance #	Structure(s)	Requirement	Actual Building Separation (feet)	Actual Deck Separation (feet)	Zoning Code Section	Notes
1	Units 102 to 103	25 feet separation	24.4	ok	250-34 D.6	
2	Units 104 to 105	25 feet separation	23.2	ok	250-34 D.6	
3	Units 106 to 107	25 feet separation	ok	22.9	250-34 D.6	
4	Units 108 to 109	25 feet separation	21.7	18.7	250-34 D.6	Building and Deck
5	Units 109 to 110	25 feet separation	22.9	22.9	250-34 D.6	Building and Deck
6	Units 110 to 111	25 feet separation	24.6	ok	250-34 D.6	
7	Units 113 to 114	25 feet separation	ok	22.1	250-34 D.6	
8	Units 115 to 116	25 feet separation	24.1	16.4	250-34 D.6	Building and Deck
9	Units 118 to 119	25 feet separation	23.9	23.9	250-34 D.6	Building and Deck
10	Units 122 to 123	25 feet separation	ok	22.5	250-34 D.6	
11	Units 124 to 125	25 feet separation	24.5	ok	250-34 D.6	
12	Units 125 to 126	25 feet separation	23.5	ok	250-34 D.6	
13	Units 126 to 127	25 feet separation	24.6	ok	250-34 D.6	
14	Units 127 to 128	25 feet separation	24.7	ok	250-34 D.6	
15	Units 128 to 129	25 feet separation	ok	24.5	250-34 D.6	
16	Units 131 to 132	25 feet separation	ok	24.7	250-34 D.6	
17	Units 132 to 133	25 feet separation	ok	21.9	250-34 D.6	
18	Units 134 to 135	25 feet separation	24.7	ok	250-34 D.6	
19	Units 136 to 137	25 feet separation	24.7	24.8	250-34 D.6	Building and Deck
20	Units 138 to 139	25 feet separation	ok	24.3	250-34 D.6	
21	Units 140 to 141	25 feet separation	24.8	ok	250-34 D.6	
22	Units 142 to 143	25 feet separation	24.5	ok	250-34 D.6	
23	Units 144 to 145	25 feet separation	ok	24.5	250-34 D.6	
24	Units 146 to 147	25 feet separation	24.7	24.7	250-34 D.6	Building and Deck
25	Unit 111	25 feet separation	-	20.8	250-34 D.6	Proposed Deck
Area Variance #	Structure	Requirement	Actual (feet)		Zoning Code Section	Notes
26	Pool Filter Equipment	50 feet setback	20.6		250 Attachment 5, 250-33 B	
27	Pool Fence Location	50 feet setback	43.9		250 Attachment 5, 250-33 B	
28	Pool Fence Height	8 feet max. height	12		250 Attachment 5, 250-33 B	

Note: All decks were constructed as 12' decks instead of 10' as per the approved site plan.