

LIVINGSTON ZONING BOARD

September 10, 2024

The regular meeting of the Livingston Zoning Board was held 10 Sep 2024 and opened at 7:00pm with the Pledge of Allegiance.

In Attendance

Charles Schneider (Zoning Board Vice Chair)
Charles Dickens
Sarah Price
Jason Munz (Alternate)
Jeremy Steuhl (Zoning Board Secretary)
Andrew Howard (Zoning Board Attorney)

Absent

Thomas Alvarez (Zoning Board Chair)
David Kimball

Correspondence

- Two letters received related to ZB-14 - Area Variance (Grace Warman)
 - One from Attorney Daniel Meagher and one from abutting neighbor Thomas Vince
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Participants

- Grace Warman
 - Liz Pulver
 - Dick Livingston
 - Liz Livingston
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Minutes

Meeting started with the Pledge of Allegiance at 7:00pm. Roll call at 7:01pm.

Reading of the 13 Aug 2024 meeting minutes by Jeremy Steuhl. Motion to accept minutes was made by Sarah Price, 2nd by Jason Munz. All in favor. Motion approved.

Discussed correspondence.

Public Hearing

ZB-14 - Area Variance (Grace Warman)

- Motion to open the public hearing for application ZB-14 was made by Sarah Price, 2nd by Jason Munz. All in favor. Motion approved.
- Public hearing opened at 7:05pm.
- Grace Warman presented her area variance application for front yard setback changed from 40' to 22' per §3.3 of the town zoning code at 49 Shore Drive Elizaville, NY 12523 201.8-2-46.
- Letters were received.
- Grace provided receipts of her notifications to abutting neighbors.
- Public comment was received.
 - Lucille Mart of 43 Shore drive, from the public is objecting the variance. Said there's too many issues and mistakes made with this application. She measured the requested variance. She states that she believes the applicant measured to the macadam, not the property line and that it is only 9', not 22' to the property line. She said that the side of the garage is only 30" from her property. Stated that the property is on shoreline, where on the EAF the applicant did not indicate that. Believes that this would negatively impact the environment and that run off would go into the lake. Believes it is a safety hazard because the property is on the decline of that hill and vehicles tend to pick up speed down that hill and could be very hard to stop. She said it blocks her site when she comes out of her driveway. The character of the building doesn't fit, with the massive garage. In the picture on file, it shows a truck parked which is right on the edge of the road and has observed that at times, that the truck has been right on the edge of the road. Feels the application should be denied and the garage should be taken down. She said Mr. Warman is in the construction business is whole life and thinks it's very doubtful that he did not know he needed a building permit to build the garage.
- Jason Munz asked if Grace Warman added anything to the macadam or made their driveway any bigger. Answer was no.
- Jason Munz asked how tall the garage door is. It's a 8' garage door.
- Phil Massaro wants to know how it was measured. Stated that a survey should be done by a licensed professional, in order to get the right information.

- Jason Munz commented about other houses/garages in the Twin lakes area, there's a fairly new 2 story 3 bay garage one block over that is quite close to the road, likely less than 20', along with observing many other houses that look like they're less than 20'.
 - Someone from the public stated something similar to Phil Massaro, where if a proper survey is done, we'll have the facts and then a decision can be made, not make decision on emotion.
 - Existing survey map was displayed on screen. It does not indicate the new garage. The survey was done in April 2024, yet the garage was built in 2023.
 - Charles Dickens talked about walking around in Twin lakes every day, where there is a white car in front on the property, on the road all of the time, facing the wrong way. Observed there's a truck and car in the garage, and always a white car on the road as well.
 - Charles Schneider calls for a motion to have the site resurveyed and come back.
 - Motion to adjourn the public hearing and get a new survey with the new garage on premises by Charles Dickens, 2nd by Sarah Price.
 - All in favor. Motion approved.
 - Public hearing adjourned at 7:21pm.
 - Applicant will plan return in October and provide 10 copies of the new map.
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New Business

ZB-17 - Area Variance (Elizabeth Pulver)

- Liz Pulver presented an area variance application for front yard setback changed from 50' to 18' 3" per §3.3 of the town zoning code and placement of pool in front of permitted principal use per §4.34 of the town zoning code at 156 Oak Hill Road Hudson, NY 12523 128.-1-16.
- Liz is representing Dick and Liz Livingston. She setup some display boards for the project to share with the board.
- Liz is a landscape architect and is working with the applicant to design the project.
- Liz asked if anyone has been to visit the site. No one from the board has been to the site for purposes of this application. Everyone knows where Oak Hill road is, but haven't been by the site.
- Liz pointed out on the map where they would like to put the pool. Also pointed out some pictures of the approach to the property.
- Requesting a 18' 3" setback to the front property line. The reason is of the compact nature of the site. The 18th century farm house is fairly small, with a small garden that they would like to keep. There is a nice opening in the trees that is near to the home, which makes it an ideal location for the pool to be located. Keeps it out of the view shed and screened from the road as you go by. Keeping it hidden as much as possible.

- The property line goes along with the road, so it curves based on the road, where the road is not parallel with the road. They consider the area more of a side yard, versus front yard.
- The pool is in line with the home, but not actually in front of the home.
- Jason Munz asked where the front yard is. Liz pointed out on the map.
- The yard is more of a gentle slope and this location is ideal.
- They understand that the neighbors are in support of the project so far.
- Charles Schneider asked if it was totally screened from Oak Hill road. Answer was yes.
- Sarah Price asked if the trees are there? Yes
- Sarah Price asked how much of an actual variance you. The answer was 31' 9".
- Confirmed that this property is in the CON-7 district and it's a 50' setback, not 40'.
- Liz had some photos of the proposed location and shared with the board and paper copies of the site plan were handed out.
- Charles Schneider asked if the board had any additional questions.
- Dick Livingston stated that they want to keep it as private as possible for them and the town. Charles Schneider acknowledged that it looks like it is the logical place to put the pool, it just happens to be in that 50' zone.
- Dick Livingston said if anyone wants to come back and look at it, they are more than welcome.
- Motion to deem application complete and set public hearing for 08 Oct 2024 was made by Sarah Price, 2nd by Charles Schneider.
- All in favor. Motion approved.
- Applicant will notify abutting neighbors and return in October.

There being no further business, a motion to adjourn was made by Jason Munz, 2nd by Charles Schneider. All present voted AYE. Motion passed.

Next scheduled meeting will be held 08 Oct 2024.

Meeting closed at 7:42pm.

Respectfully submitted,

Jeremy Steuhl
Secretary Livingston Zoning Board