

# Town of Bethel Zoning Board of Appeals

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

A Regular meeting of the Zoning Board of Appeals was held on November 16, 2020 at 7:30 PM at the Dr. Duggan Community Center, 3460 State Route 55, White Lake, New York. On the agenda at this time is the following:

In attendance: Richard Conroy, Vice Chairman, Jesse Komatz, Jim Ahearn, Wendy Brown, Cirino Bruno, Jacqueline Ricciani, Attorney, and Jannetta MacArthur Recording Secretary.

Excused: Steve Morey, Steven Kaufman, Alternate, Dan Brey, Lillian Hendrickson, Bette Jean Gettel, Code Enforcement Officer

*Pledge to the flag.*

Richard Conroy: Let the minutes show we have a quorum.

***Motion to approve to table the approval of minutes from the December 2019, February 2020, and March 2020 by Cirino Bruno, second by Jim Ahearn***

***All in favor - 5***

***Opposed-0***

***Agreed and carried***

***1. Lawrence Seitelman – Tax Map 35.9-10 Area Variance 1061 Lake Shore Drive Kauneonga Lake***

Richard Conroy: The only thing we have on the agenda tonight is an application for an Area Variance for Lawrence Seitelman to build a Garage on his property in White Lake Homes.

Lawrence Seitelman: No, we are across we are on Lake Shore Drive.

Richard Conroy: Okay, do you want to tell us what you want to do?

Lawrence Seitelman: It is a garage on the street side. It will be a three-car garage, that's about it. There is a sketch there. It is supposed to be 25 behind, there is a bungalow right next to it on the lot next to me, that is 35.9-9 and you can see we will be a little bit further back from the road and that bungalow which is about 35 ft right now to the edge of the road. That is the approximate distance at least.

Richard Conroy: It looks like it meets the setbacks if it wasn't where it is supposed to be, I mean if this was behind the house you meet all of the setbacks, except you have it in the front yard.



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Lawrence Seitelman: Right.

Richard Conroy: Any questions?

Mrs. Seitelman: He really can't go anywhere else; he will be in the lake.

Lawrence Seitelman: The sewer is on the other side of the house, and the lake is on the other side of the house. We are where we are, where we have to be I guess.

Mrs. Seitelman: That's where most of the people put their garages on that street.

Lawrence Seitelman: There is another new garage about four houses down, and they went closer, so we are back.....

Richard Conroy: When did they build?

Mrs. Seitelman: That's a new house that had a garage on it. So, we are further back than that.

Wendy Brown: Is there someone living in this bungalow? Is there going to be 10 ft between?

Lawrence Seitelman: It is seasonal. Yes, there will be at least 10 feet.

Jacqueline Ricciani: Are you putting in another driveway to access?

Lawrence Seitelman: No, the driveway where it sits, the gravel driveway is existing, we actually park up where the garage is going to be, we put cars there now, it is flat, it is gravel to that. It's going to be a little sideways rather than towards the road.

Jacqueline Ricciani: The bays will be to the side?

Lawrence Seitelman: There will be a concrete foundation, which is above ground, the concrete will come above the ground so that there is no runoff into the garage.

Jacqueline Ricciani: Do you know what kind of materials you are going to use?

Lawrence Seitelman: Wood frame, 2 x 6 frame.

Jacqueline Ricciani: When people drive by what will it look like to them?



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Lawrence Seitelman: The appearance will be nice. We have a cedar sided house. It will be siding to look like cedar siding.

Jacqueline Ricciani: Are you going to do matching cedar siding?

Mrs. Seitelman: It will look like siding; we are not putting cedar on it.

Jacqueline Ricciani: So, it will be nice.

Mrs. Seitelman: Oh, sure yes.

Richard Conroy: There is no homeowner's association....

Mrs. Seitelman: No, it's private property.

Richard Conroy: Questions?

*None.*

Richard Conroy: I know of at least three other garages that are over there that is in the same spot as he wants his. One was built in 2009, another one from 1950, that is rezoning. And one more.....

Jacqueline Ricciani These are all in the front?

Richard Conroy: There is another one from 1981. Two are garages with apartments.

Jacqueline Ricciani: Remember that when you get to the criteria.

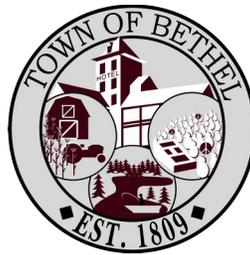
Richard Conroy: We don't have to do that tonight, do we?

Jacqueline Ricciani: For the record Jannetta, this is a type 2 action under SEQRA, so there is no environmental review, you don't have to do the EAF.

Richard Conroy: All we have to do is schedule a public hearing?

Jacqueline Ricciani: Correct.

Jacqueline Ricciani: You might.... I don't know if this is within 500 ft of a State or County Road, or



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municipal boundary, State land, anything like that, it will need a 239. It might be exempt.

Richard Conroy: No, it's not.

Jacqueline Ricciani: Then you don't need a 239.

***Motion to have a public hearing on December 21<sup>st</sup> by Cirino Bruno, second by Jesse Komatz.***

***All in favor – 5***

***Opposed-0***

***Agreed and carried***

Jacqueline Ricciani: You have to have someone here to represent you. Your authorized representative who is prepared and who is familiar with the application. If they are not available you can have the public hearing in January.

Lawrence Seitelman: We will have our builder, Mr. Mickelsohn here.

Richard Conroy: BJ will give you a list, you have to do return receipt certified mailings to notify surrounding property owners.

Jacqueline Ricciani: You will mail them out at least 10 days before the public hearing. You need to bring the receipts to show when you mailed them. If you don't have those, you can't have the public hearing. We need the receipts showing that they were mailed to the neighbors.

Lawrence Seitelman: What happens after the public hearing assuming all is well, that is not the building permit.

Richard Conroy: BJ does that. You need to submit plans. The reason why you are coming here is because it is a non-permitted use. You are not allowed to put the garage there. If it approved, then you have to go through with the other paperwork.

Lawrence Seitelman: This will hold for a while if we can't build because of weather for instance?

Richard Conroy: I think building permits are good for a year.

Lawrence Seitelman: Are we all set? Thank you.

Richard Conroy: You're all set

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Jacqueline Ricciani: You are not required to apply for the building permit the day after you get approved. That is on your time frame.

Mrs. Seitelman: Thank you for your help everybody.

Richard Conroy: Anything else?

*Nothing at this time.*

***Motion to adjourn by Cirino Bruno, second by Jim Ahearn..***

***All in favor – 5***

***Opposed-0***

***Agreed and carried***

***7:40 pm***

Respectively submitted,

Jannetta MacArthur  
Recording Secretary