

**TOWN OF SOMERSET
ZONING BOARD OF APPEALS
APRIL 2, 2024
6:00pm**

Present

Scott Ecker, Chairman
Amos Andrews
Larry Dent
Joe Provencher
Kent Wakefield
David Haylett, Attorney
Builder – Richard Truesdell
Public Attendance - 4

AREA VARIANCE HEARING

Owner/Applicant Payam Ghalili
Property Location 9139 Somerset Drive

Original Application To consider variances of the Town Code to 1) construct a single-family dwelling on a parcel that has 50' lot width where the code requires a minimum of 100'; 2) to construct said single-family dwelling 7.5' from the east line and west line of said parcel where the code requires a minimum of 15'; and 3) to construct said single-family dwelling on a 10,500 square foot lot where the code requires a minimum of 20,000 square feet for a single-family dwelling.

The hearing opened at 6:00pm

R. Truesdell submitted a revised plot plan, floor plan, and a computer-generated image of a two-story house.

He explained the modification to the proposed project (presented on 3/12/24) as follows:

- The existing cottage is 15' off the west property line; the proposed new cottage would be 10' off the west property line
- The existing cottage is 7.45' off the east property line; the proposed new cottage would be 10' off the east property line
- The existing cottage is 21' x 18'; the proposed new cottage would be 27'. 6" x 64'
- The dwelling would now be two-story and 1900 square feet
- Height of the house will be 38'

Atty. Haylett explained that the maximum height allowed for a house is 30'.

S. Ecker opened the hearing up to questions or concerns from the board members and the public. Two letters of opposition to the project were distributed to the zoning board members, one from David & Nancy Parrish of 9137 Somerset Drive and the other from Robert and Ruth King of 9133 Somerset Drive. Neighbor, R. King shared his concern that the contractor's trucks will do damage to the road that the homeowners are responsible to maintain.

With no further discussion, the hearing was closed at 6:20pm.

APPROVAL OF THE MINUTES

On a motion by L. Dent, seconded by A. Andrews to approve the Minutes from March 12, 2024, the following resolution was

ADOPTED Ayes 5 Andrews, Dent, Ecker, Provencher, Wakefield
 Nays 0

Resolution: The Minutes from March 12, 2024 were accepted as submitted.

COMMUNICATIONS

There were no communications

OLD BUSINESS

There was no old business

NEW BUSINESS

Re: 9139 Somerset Drive

Atty. Haylett explained that the Variances could be voted on all at once or they could break them down to each request. The zoning board members agreed that each be voted on separately.

Variance (1) construct a single-family dwelling on a parcel that has 50' lot width where the code requires a minimum of 100'

On a motion by J. Provencher, seconded by A. Andrews that this is a Type II under SEQRA and no further review is necessary, the following resolution was

ADOPTED Ayes 5 Andrews, Dent, Ecker, Provencher, Wakefield
 Nays 0

Resolution: This is a Type II under SEQRA and no further review is necessary.

On a motion by L. Dent, seconded by J. Provencher to approve the lot width, the following resolution was

ADOPTED Ayes 3 Andrews, Dent, Provencher
 Nays 2 Ecker, Wakefield

Resolution: Variance was granted to construct a single-family dwelling on a parcel that has 50' lot width.

Variance (2) to construct said single-family dwelling 7.5' from the east line of said parcel where the code requires a minimum of 15'

On a motion by J. Provencher, seconded by A. Andrews that this is a Type II under SEQRA and no further review is necessary, the following resolution was

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ADOPTED Ayes 5 Andrews, Dent, Ecker, Provencher, Wakefield
 Nays 0

Resolution: This is a Type II under SEQRA and no further review is necessary.

On a motion by J. Provencher, seconded by K. Wakefield to deny the construction of a dwelling 7.5' from the east line of the parcel, the following resolution was

DENIED Ayes 5 Andrews, Dent, Ecker, Provencher, Wakefield
 Nays 0

Resolution: Variance was denied for construction of a single-family dwelling 7.5' from the east line of said parcel where the code requires a minimum of 15'.

Variance (3) to construct said single-family dwelling 7.5' from the west line of said parcel where the code requires a minimum of 15'

On a motion by S. Ecker, seconded by A. Andrews that this is a Type II under SEQRA and no further review is necessary, the following resolution was

ADOPTED Ayes 5 Andrews, Dent, Ecker, Provencher, Wakefield
 Nays 0

Resolution: This is a Type II under SEQRA and no further review is necessary.

On a motion by J. Provencher, seconded by L. Dent to deny the construction of a dwelling 7.5' from the west line of the parcel, the following resolution was

DENIED Ayes 5 Andrews, Dent, Ecker, Provencher, Wakefield
 Nays 0

Resolution: Variance was denied for construction of a single-family dwelling 7.5' from the west line of said parcel where the code requires a minimum of 15'.

Variance (4) to construct said single-family dwelling on a 10,500 square foot lot where the code requires a minimum of 20,000 square feet for a single-family dwelling

On a motion by L. Dent, seconded by K. Wakefield that this is a Type II under SEQRA and no further review is necessary, the following resolution was

ADOPTED Ayes 5 Andrews, Dent, Ecker, Provencher, Wakefield
 Nays 0

Resolution: This is a Type II under SEQRA and no further review is necessary.

On a motion by L. Dent, seconded by J. Provencher to approve the construction of a single-family dwelling on a 10,500 square foot lot, the following resolution was

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ADOPTED Ayes 5 Andrews, Dent, Ecker, Provencher, Wakefield
 Nays 0

Resolution: Variance was granted to construct a single-family dwelling on a 10,500 square foot lot where the code requires a minimum of 20,000 square feet for a single-family dwelling.

ADJOURNMENT

There being no further business, K. Wakefield made a motion to adjourn the meeting at 6:28pm, seconded by S. Ecker. Carried unanimously.

Respectfully submitted

Sandra Lewis
Zoning Board Secretary