

VILLAGE OF WATKINS GLEN  
ZONING BOARD OF APPEALS  
MINUTES

October 3, 2011

A meeting of the Watkins Glen Zoning Board of Appeals took place on Monday, October 3, 2011, at the Municipal Building Board Room. Present were members: Kathy Fragola, David Wyre, Roger Hugo and Mark Stephany. Member Walter Hollien was absent. Also present were Attorney David Ealy, applicant representative Lawrence Hoetzlein and Recording Secretary Naomi Kingsley.

Chairperson Stephany called the meeting to order at 6:12 pm and ask that the minutes reflect that this meeting is a continuation of the September 14<sup>th</sup> meeting which was tabled due to the fact that there were only 3 members present and a majority of the full board was needed for approval without a unanimous vote.

Attorney Ealy explained to the board their responsibility in a Use Variance and read from law regarding the creation of an unnecessary hardship and that all 4 requirements must be met with substantial evidence and documentation on file and it must be the minimum variance necessary.

Mr. Hotezlein presented the members with the attached packet of information. He stated that Mr. Wojcik will be living in one of the units. The completion date for structural repairs and selective demolition is late spring, early summer of 2012.

Mark Stephany again stated that he owns the property immediately to the north and he feels that he can be objective in his decision making.

Kathy Fragola asked about the height of the house and wondered if there was a height restriction for fire protection purposes in the R-1 district.

Mr. Hotezlein stated that it will be an owner occupied office space and it is an incidental use and his last statement was a supposition on his part.

Mark Stephany was concerned about traffic and parking issues. Mr. Hotezlein responded that there are two sites for parking, one on the west side between the road and the driveway and then along the boundary on Lakeview Ave. All parking will be on the property, no on street parking is proposed. Mr. Wojcik is in the landscaping business so the lots can be nicely screened. It will be all residential parking, no equipment or trucks.

The height of the structure was brought up again. Mr. Hotezlein estimated that it is 42' to the peak. A sprinkler system is being installed. Kathy asked if the project needs to go through the site plan review process. No it doesn't apply in this case.

Back to the subject of parking, the house at 215 Lakeview Ave. will have the greatest view of the parking lot. With 10 bedrooms it is conceivable that there will be 10 or more cars. According to the Multi-Unit regulations the allowance is 2 spaces per dwelling up to the first 4 and then ½

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spaces for each additional bedroom. Mr. Hotezlein stated that 12 spaces will be provided and there will be visual buffering for the property across the street.

Kathy stated that she is afraid that the board may be setting precedence and it will start a domino effect since there are a few other large houses in the area.

In reviewing the findings & decisions under Item #1 the board accepts the presented statement. The board is unanimous in their findings for Items 1-3. On Item #4 the vote is as follows – Fragola – no, Hugo – no, Stephany – no, Wyre – yes.

A couple conditions were set – 1) provide 12 off street parking spaces, landscaped to provided visual buffering for the neighbors and 2) the parking plan be submitted to the ZBA for review and approval.

Roger Hugo made motion to approve the application. Kathy Fragola seconded the motion. The vote was as follows: Fragola – aye, Hugo – aye, Stephany – aye and Wyre – nay. Motion passed.

There being no further business Kathy Fragola made a motion to adjourn. David Wyre seconded the motion. The meeting was adjourned at 7:46 pm.

Respectfully submitted,  
Naomi C. Kingsley  
Recording Secretary