

## Zoning Board of Appeals Minutes

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**Meeting Date:** March 21, 2023

**Present:** Nicholas Vorolieff, Chairman  
Ann Hardeman, Member  
Fred DiVitto, Member  
Tom Zarecki, Member

**APPROVED BY**  
  
**VILLAGE OF PAWLING**  
**ZONING BOARD OF APPEALS**

**Also Present:** Michael Rendich (138 East Main Street)  
Lauri Taylor (Village of Pawling Mayor)

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On **Tuesday, March 21<sup>st</sup>, 2023 at 7:00 PM**, the **Zoning Board of Appeals** met in the meeting room at the Village Hall on 9 Memorial Avenue, Pawling NY. The Meeting was called to order by Nicholas Vorolieff, Chairman and began with Roll Call as indicated above and The Pledge of Allegiance.

Chairman Vorolieff took a moment to announce the resignation of Michael Keupp as Chairman of the Village of Pawling Zoning Board Appeals and stated I worked with Mr. Keupp for fifteen plus years that I've been on the ZBA. I thoroughly enjoyed working with him. He's had great perspective about context for all the projects that came across the Board's table because he's been a long time resident of Pawling. I've enjoyed the camaraderie, his experience, his insight and he will be missed on the Zoning Board.

*Member Zarecki made a motion to approve minutes from Wednesday, February 22, 2023 ZBA meeting. The motion was seconded by Member Hardeman. The motion passed with all present members in favor.*

**Michael Rendich**  
**138 East Main Street**  
**Grid#: 7056-09-236734/R2 Zoning District**

**Discussion: The applicant is seeking an extension to an area variance previously granted on March 30, 2022 (see attached 3/30/22 ZBA Minutes).**

Mr. Rendich said we're building a garage with a room above which will be connected to the house. In order to kind of fit the way we needed to make it fit on the property, we're over the line in the back corner of the garage approximately 15 feet. We went through the whole application process back in March 2022 (public hearing/notices mailed to neighbors) nobody voiced any concerns. The only other way to make it fit with what we wanted to construct was to put it way forward on the property which would look absurd. It's the same plan, there's just been some challenges in obtaining the building permit.

Mr. Vorolieff said from what I remember I think you're over by 4 feet in one area which is why you needed the variance. It's kind of a triangular cut within less than half the length of the garage. It's just for one portion in the rear.

Mr. Rendich referred to the submitted plans that show the exact amount of 4 feet 10 inches.

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Member DiVitto said I see you have submitted a third plan revision. In what aspect is that plan revision?

Mr. Rendich said it's all just additional information that the Building Inspector required. The new Building Inspector had 18 new comments on top of the 21 we were originally working to close out. The good news; however, is that the Building Inspector was very amenable to sitting down and talking through it all. We met last Monday and went through everything point by point including the handful that were still open from before and I feel really confident now that we're all on the same page and that we're going to be able to get this done.

Mr. Vorolieff asked Mr. Rendich if the design changes are internal and the footprint and everything else is exactly the same as what we were looking at last year when the original variance was granted.

Mr. Rendich said, yes, and it's really no changes, it's what we always intended to just continued to add additional details at the Building Inspector's request.

Ms. Hardeman said our purview is only on the exterior, not the internal changes.

Mr. Vorolieff said, yes, we had granted the variance because it went over the 15 foot setback. We're simply granting Mr. Rendich an extension to a variance that was granted to him a year ago before it expires. Otherwise he would have to reapply and go through the whole process again.

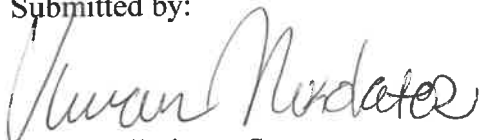
Village Council Dave Daniels commented this is a Type II Action which means SEQRA review is not required and suggested that the Board should make a motion declaring it as such before the motion to grant the extension to the area variance.

*Member Zarecki made a motion to declare this a Type II Action and grant the extension to the area variance. The motion was seconded by Member DiVitto. The motion passed with all present members in favor.*

### **Adjournment**

*Member DiVitto made a motion to adjourn the meeting. The motion was seconded by Member Zarecki and passed with all present members in favor.*

Submitted by:



Vivian Nikolatos, Secretary

**All submission applications, documents and consultant reports can be found on file at the Village Hall.**

# Village of Pawling Zoning Board of Appeals Minutes

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**Meeting Date:** March 30, 2022

**Present:** Michael Keupp, Chairman  
Freddy DiVitto, Member  
Ann Hardeman, Member  
Nicholas Vorolieff, Member

**Absent:** Tom Zarecki, Member

**Also Present:** Michael Rendich  
Lauri Taylor, Mayor

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**APPROVED BY**  
**VILLAGE OF PAWLING**  
**ZONING BOARD OF APPEALS**

On, **Wednesday, March 30, 2022 at 7:00 PM**, the **Zoning Board of Appeals** met in the meeting room at the Village Hall on 9 Memorial Avenue, Pawling NY. The Meeting was called to order by Mike Keupp, Chairman and began with Roll Call as indicated above and The Pledge of Allegiance.

## Approval of Minutes

*Chairman Keupp made a motion to approve the minutes of the December 15<sup>th</sup>, 2021 ZBA meeting. Member Vorolieff seconded the motion. All present Members were in favor.*

*Chairman Keupp made a motion to approve the minutes of the February 3<sup>rd</sup>, 2022 ZBA meeting. Member DiVitto seconded the motion. All present Members were in favor.*

*Chairman Keupp made a motion to approve the minutes of the February 23<sup>rd</sup>, 2022 ZBA meeting. Member Hardman seconded the motion. All present Members were in favor.*

**Applicant:** Michael Rendich/Lori Leffort

**Project Location:** 138 East Main Street (R2 Zoning District)

**Zoning Ordinance Appealed:** (Schedule C: Area and Bulk Schedule – Minimum 15' Side Yard Setback)

**Proposed Action:** Seeking an Area Variance to allow the rear (Northeast) corner of a 22' x 32', 2-story garage addition to encroach no more than 5-ft over the 15-ft Side Yard Setback along the North property line. The wedge-shaped portion of the building that encroaches on the setback totals no more than 36 square feet. The resulting minimum setback will be about 10' – 3".

Michael Rendich referred to the submitted application and explained the he considered a few options to try to avoid going over the line but was not able to come up with anything that was practical. It was either too expensive or absurd looking and stated that it seemed like this was the best option.

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The Board reviewed and discussed the five zoning criteria.

***Chairman Keupp made a Motion to Open the Public Hearing for comments. Member Vorolieff seconded the Motion. All present Members were in Favor.***

There was no public comment.

***Chairman Keupp made a Motion to Close the Public Hearing. Member Vorolieff seconded the Motion. All present Members were in Favor.***

Chairman Keupp referred to the Board for comments.

Member Vorolieff commented that he believes this is the best design that one could come up with for a two car garage addition on a lot this size stating that Mr. Rendich made this work so that it is aesthetically appropriate for that area. He explained that he inspected the sight and concedes that either placing the garage way forward of the home or way in the back of the home would result in less desirable aesthetics. Mr. Vorolieff further explained that the encroachment is a triangular piece, at most it's less than 5 feet over the line and more than half of the length of the proposed garage addition is within the parameters of the required setback.

Chairman Keupp commented that other garage additions approved by the ZBA in the past resulted in not just improvement for the property owner's house and lot, but improvement in the neighborhood as well. This being due to the fact that cars being contained in the garage as well as providing storage for household equipment like lawn mowers, etc. reducing clutter on the property.

***With no comments from the Board, Member Vorolieff made a Motion to approve the Area Variance as requested by Mr. Rendich. Member DiVitto seconded the Motion. All present Members were in Favor.***

## Adjournment

***Member Vorolieff made a motion to adjourn. The motion was seconded by Member Hardeman. All present members were in Favor.***

Submitted by:

Vivian Nikolatos, Secretary