

Village of Walden
Zoning Board of Appeals Meeting
August 23, 2023

Chairwoman:	Brenda Adams	Present
Members:	Christine Scieurca	Absent
	Mary Ellen Matise	Present
	William Sestrom	Present
	Scott Barilli	Present
Alternate Members:	Lisa Mazzeli	Present
Building Inspector:	Robert Wallner	Present
Village Attorney:	Robert Dickover	Present
Secretary:	Marisa Kraus	Present

Chairwoman Adams - Called the Zoning Board meeting to order at 6:30pm with the Pledge of Allegiance.

1. APPROVAL OF MINUTES:

June 28, 2023

Member Barilli made a motion to approve the June 28, 2023 minutes. Seconded by Member Mazzeli. All ayes. Motion carried.

July 26, 2023

Member Barilli made a motion to approve the July 26, 2023 minutes. Seconded by Member Mazzeli. All ayes. Motion carried.

2. BOARD BUSINESS

A. PUBLIC HEARINGS:

A.1 8 Woodruff St

Ms. Bucher: We want to build an addition off of the back of the house that will be a mudroom and bathroom. Currently, the house has utility in the basement and it is one bathroom. We want to extend the existing line of the house further so we're not getting any closer, just extending the existing line. We talked to the architect about possibly reorienting it because it's further from the property line. She said that it might be possible, but her concern is doing that would bring the structure too close to the garage. There's a separate garage and she would worry about that. Also it would change the pitch of the roof and make it less stable for heavy snowfall. She thought that the best way to go is to ask for a variance to extend the existing line.

Chairwoman Adams: How does the plumbing fit into that?

Ms. Bucher: The plumbing is off the kitchen, the bathroom will be on the same side of the kitchen.

Chairwoman Adams: The garage remains?

Ms. Bucher: Yes.

Member Barilli: The house, itself is 2 feet away from the property line as it is. You're just going to be extending it down. So, it's really not changing too much from what you already have.

Ms. Bucher: Our neighbors on that side are aware. Don't have any problems with it.

Chairwoman Adams: I don't see Mr. Hunter or Mr. Wilson here.

Member Matise: We don't have the architect drawing.

Village of Walden
Zoning Board of Appeals Meeting
August 23, 2023

Ms. Bucher: We submitted the architect drawing. The architect is Linda Zwartz and we submitted her drawings along with the zoning request.

Chairwoman Adams: *going through packet* Actually, it's part of that.

Member Matise: In this, you're talking about kitchen, bathroom, where is the kitchen?

Ms. Bucher: The kitchen is already there on the back house.

Member Matise: Where is the plumbing? None of that is showing.

Ms. Bucher: I'm sorry. We submitted the architect's drawings. The full drawings of the packet.

Member Matise: That's not an architect's drawing. It's not answering any specifics.

Chairwoman Adams: That's what is submitted.

Member Matise: It's not showing what she described. My concern, it doesn't say when the house was built. 1958, when we had instituted zoning in Village of Walden. We know that a lot of these houses predated zoning. A lot of the R5 neighborhoods, the lots were pretty narrow, the houses took up a lot of the lot. Where your house sits now, there's two and three quarters of difference, not even 3 foot to the line. Really doesn't effect much because then they have their driveway next to that. So, when you go and add on and you're just running the same line and it's less than 3 foot setback. He already has a fence there. You're going to be less than that *referring to measuring tape* 30 inches or something. That's going to be hard to get anything between that fence. You're responsible for trimming that grass. I just find that extending it and still continuing that 3 foot, which would never pass now. I just don't think we should be perpetuating that. I just think it sets a precedent for future people to come in that want to do something similar. There's no architectural drawing. Where's the plumbing? Is it along this side wall? It's not shown here.

Ms. Bucher: The existing plumbing in the kitchen is on that sidewall.

Member Matise: Plumbing goes down into the basement. Full basement. Where is your sewer line?

Ms. Bucher: That also comes out in the basement on the front of the house.

Member Barilli: Does it run down the side?

Member Matise: As long as they have a basement.

Member Barilli: To update the plumbing, you don't want to make too many turns. Especially with the drainage. It won't get out of the house.

Member Matise: It's not impossible to do. I just find that continuing that 2 and 3/4 setback at this stage of the game doesn't make sense. Unless there's a pressing reason why you can't give up 5 feet or extend that another 2 feet *inaudible*.

Chairwoman Adams: 5 feet by 10, you're taking 50 square feet away. Mudroom, a bathroom, a laundry room.

Member Matise: You can add on across 17. Get 5 more across there. 5 by 17.

Chairwoman Adams: They wanted 10 by 22.

Village of Walden
Zoning Board of Appeals Meeting
August 23, 2023

Member Matisse: Cut back the 22. Give her 5 more feet and have 17 by 10.

Member Sestrom: The 2.76 that she's asking for is already there.

Member Matisse: But where she is now there is no fence. There's access to her side of the house if she needs it. And if the Fire Department needs it. The other thing the houses are close together. You have to think about fire.

Building Inspector Wallner: It wouldn't be possible to extend the depth of the addition because of the pitch of the roof to avoid the second level window. It's already a pretty low pitch. So to go from 10 to 12 feet, it would make it probably structurally unsound. We have the full set of drawings in the Building Department. I don't really see the relevance of having the drawings per se, except that extending the depth of the addition it isn't really feasible. I had a conversation with the architect and she said that changing the plumbing was just going to add a lot of expense to the addition because of the way the plumbing runs along that side of the house. But that's for you guys to decide whether that's relevant or not.

Chairwoman Adams: That's important, thank you.

Ms. Bucher: We also talked to the architect about moving it sideways, closer to the other side. And the two problems she saw with that, right now we have a door that leads out to a porch. If you move it far enough away from the property line, would lose that door. That gets into cutting into the wall of the dining room to get it to work to the addition. It also puts the addition closer to the garage. Which she was concerned about is a fire hazard.

Member Matisse: I see that as less of a fire hazard because people have garages and people live right over them.

Ms. Bucher: I'm not sure that's right on the property line, because there's more than three feet between the fence and where the house is.

Member Matisse: He put up his fence and put it within his line. Right, Rob?

Building Inspector Wallner: You can put it right on the line and there isn't anything saying that somebody isn't going to put a fence on the line in the future.

Member Matisse: Exactly. I just went and measured. My house predates zoning and I have 5 feet between the house and the fence. 5 feet is tight.

Ms. Bucher: Well, we're not going to use that space. We would certainly maintain it.

Chairwoman Adams: Can always place stones and things like that down.

Member Sestrom: I would say, to me the plumbing is irrelevant. I say also the 2.76 exist now to the fence line, can't see any damage in going further back. I tend to say to let her do it. Also think the character is unchanged. There is no one here to evict her. I don't see a problem. Mary Ellen, I know that you probably do. Let's see what everyone else says.

Chairwoman Adams: The neighborhood is very densely populated. Across the street from me on Valley Ave, the houses have an alley between them. We had a fire down there. Those alleys did not stop them. One house did damage to another. The problem is that it didn't change the way the Fireman was there to take care of it. Also, when we called the Firemen on Grant St, they work from the front. They have the long ladders. They work from the front of the street. It really wasn't a problem as we were concerned about the drive thru. Looking back how it was explained to me, everything from the front, I would think

Village of Walden
Zoning Board of Appeals Meeting
August 23, 2023

that if Mr. Wilson were concerned, he would be here stating something. As far as the plumbing goes, I asked that question first because of the fact that it will be easier. I know from my house we make sure the plumbing is in the same spot. I don't see a problem.

Member Barilli: I think we better just keep it aesthetically pleasing and have it go straight back. Actually am concerned with the space between houses but you can have 5 feet, 10 feet, 20 feet, fire will spread. It doesn't matter. It carries. There's just so much space and you can't really make much more space. I put an addition on my house. My house is over, like 25x25, I put on another 14 foot in the back and I wouldn't want to have it cut in half and then extend it back further because it just wouldn't good. I'm fine with having it that close to the line. It's the best they can do. Also, talking about extending it back further you're going to have a different type of pitch to that structure and worried about drainage with water.

Member Matise: There might be issues with that now.

Chairwoman Adams: That's something they would have to face if something happens.

Member Barilli: I'm sure is that it was looked at when they made up the drawings.

Building Inspector Wallner: Yes. Ms. Zwartz drew them up.

Member Matise: I don't know what Dean's issue is with not putting the drawings in. Makes it very hard for making an intelligent decision.

Chairwoman Adams: I actually don't think that we need we need that much depth. The Building Department needs the depth so they can do the permits, also to do their inspections.

Member Matise: At least one indication. The map in here is not an indication is not an indication.

Member Sestrom: Mary Ellen, the drawing they submitted, was not the greatest, but with the satellite I was able to figure out and with the drive by.

Member Matise: The application just says to construct an addition. It doesn't tell you what's going in the addition, it doesn't tell you a bathroom, laundry room. That's relevant information that isn't included in there that would have been on the drawing. On satellite to confirm the layout of the lot, but not their intended use of the addition.

Chairwoman Adams: I don't see that as important.

Member Matise: Did you know she wanted to put a laundry room, a bathroom, a mudroom?

Chairwoman Adams: She just told us.

Member Barilli: We're talking about setback.

Member Matise: I understand that. If you don't want to grant setbacks and they have to move it. Talking about the plumbing and using that as rationale for the size of addition that she wants then it's relevant. I just think that we're not getting as much information given to us to make a decision. And this is a simple request.

Member Sestrom: I'm happy with the information that was submitted.

Member Sestrom made a motion to close the public hearing. Seconded by Member Barilli. All ayes. Motion carried.

Village of Walden
Zoning Board of Appeals Meeting
August 23, 2023

B. FORMAL APPLICATIONS:

B.1 8 Woodruff St, Area Variance

Member Sestrom made a motion to declare lead agency and list as type 2 action. Seconded by Member Barilli. All ayes. Motion carried.

The Board reviewed aloud the 5 factors associated with an Area Variance:

a. Will an undesirable change be produced in the character of the neighborhood or a detriment to nearby properties be created by the granting of the area variance?

Chairwoman Adams spoke for all by answering no.

b. Can the benefit sought by the applicant be achieved by some method, feasible for the applicant to pursue, other than an area variance?

Chairwoman Adams spoke for all by answering no.

c. Is the requested area variance substantial?

Chairwoman Adams spoke for all by answering no.

d. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

Chairwoman Adams spoke for all by answering no.

e. Was the alleged difficulty self-created?

Chairwoman Adams spoke for all by answering yes. Whenever someone wants something it's self-created it's something you want to better your lifestyle. Honestly hearing you want to take your laundry out of the cellar up to your first floor makes perfect sense to me. It is self-created, but I understand why.

Member Barilli: Yes, but I believe it adds value to the house and to the neighborhood itself.

Member Sestrom: Every applicant before us has been self-created.

Member Matise: Agree that it's self-created.

Member Mazzeli: It's self-created.

Member Sestrom made a motion to approve the Attorney to create a resolution to approve the variance as requested. Seconded by Member Barilli. 4 ayes. 1 oppose (Member Matise). Motion carried.

C. DISCUSSION ITEMS:

Member Matise: I don't understand why we're still not getting all the information.

Chairwoman Adams: I know you feel that you're getting the wrong information.

Member Matise: It doesn't make any difference because you're basing the decision on where the plumbing is.

Chairwoman Adams: Tell me something, if she was putting in a bedroom, would that have changed your vote?

Member Matise: That's doesn't make any difference. I'm for using the plumbing for rationale for the variance.

Chairwoman Adams: We asked that question. She used the pitch of the roof.

Village of Walden
Zoning Board of Appeals Meeting
August 23, 2023

Member Matisse: But we didn't know it before.

Chairwoman Adams: Okay, duly noted. You prefer better information. We'll ask Dean and Rob next time to supply full set of plans.

Member Matisse: I think Dean used to bring plans.

Member Barilli: Maybe one set, if that's possible.

D. **INFORMATION ITEMS:** None

E. **CORRESPONDENCE:** None

3. **COMMUNICATIONS:** None

4. **EXECUTIVE SESSION:** None

MEETING ADJOURNED: Member Barilli made a motion to adjourn. Seconded by Member Sestrom. All ayes. Motion carried.

RESPECTFULLY SUBMITTED
Marisa Kraus, Zoning Board Secretary