

In The Matter Of:
Town of Mamakating
Zoning Board of Appeals

J. & D. Scott
2-23-17
February 23, 2017

Jeric Corporation
Court Reporting Services
P.O. Box 385
Narrowsburg, NY 12764
(845) 252-3515

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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
ZONING BOARD OF APPEALS

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James and Deborah Scott,
Tax Map Section 54; Block 5, Lot 9
N Zone

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Town Hall
Town of Mamakating
February 23, 2017
7:28 P.M.

ZONING BOARD MEMBERS :

- MATTHEW MORDAS, Chairman
- BEVERLY MARTIN, Board Member
- CATHERINE DAWKINS, Board Member
- GEORGIA RAMPE, Board Member
- KENT FINDLEY, Board Member
- GRAHAM VEST, Alternate Board Member
- STEVEN MOGEL, ESQ., Attorney

Also Present: Mr. James Scott

JERIC CORPORATION
Court Reporting Services
P.O. Box 385
Narrowsburg, New York 12764

Reported By: Rosemary A. Meyer

1 - RE: J. & D. SCOTT -

2 CHAIRMAN MORDAS: Next on the agenda, James and
3 Deborah Scott.

4 Hi.

5 MR. SCOTT: Hi. Good evening.

6 I've got to apologize for my voice. I have
7 respiratory problems and steroids and all that crap.

8 I'm representing -- I'm the owner, Jim Scott, and my
9 wife Deborah. We're applying for a variance to build a
10 garage in between our house and the road as our house is on
11 the Yankee Lake. The house was built in the early 1900s.
12 All the trees are mature. The rhododendrons are eight to
13 ten feet high. The driveways have been there since 1903.
14 We didn't want to relocate anything or tear down trees. We
15 tried to approach it as a two car garage side by side, but
16 it was such a big block and it took down six or seven trees
17 in the only one spot we could put it on our property, so we
18 redesigned it so that it's two cars end to end. To get to
19 fit we actually had to twist it a little bit, 15 degrees,
20 to get it to work. But it works.

21 To avoid it being long and linear, each roof of each
22 garage has been turned 90 degrees so that it breaks down
23 into three components so it looks almost like a little
24 village as opposed to a big garage.

25 The reason the variance is because two reasons. One

1 - RE: J. & D. SCOTT -

2 is it's between the house and the road. And the second
3 request for a variance would be the five foot setback on
4 just 12 linear feet of the garage. The garage, with two
5 cars. End to end, it's like 45 feet. Then we put a stair
6 to go to the second floor for storage. So it gets to be
7 like 50 some feet, but only 12 feet gets within five feet
8 of the property line.

9 My adjacent neighbor has written a letter to the Board
10 of Appeals saying he has no trouble with the five foot
11 setback.

12 That's it. I'll answer any questions you may have.

13 I also -- I did bring -- I don't know if this helps,
14 but to show that we've addressed the massing scale in
15 proportion, we had a little sketch done. I only brought
16 three, if you can share. This is what it would look like.

17 (Mr. Scott distributed a document.)

18 MR. SCOTT: You could see the roofs, how they turn 90
19 degrees. And the fact that the building is actually curved
20 will decrease the massing. It won't feel long and stocky.

21 BOARD MEMBER RAMPE: I see this is two story.

22 MR. SCOTT: I'm artist and I paint in oil and my wife
23 wants me out of the house 'cause it stinks, so the second
24 floor is going to be like a hobby room. One side --

25 CHAIRMAN MORDAS: Studio?

1 - RE: J. & D. SCOTT -

2 MR. SCOTT: One side's a hobby room, one side will be
3 storage.

4 BOARD MEMBER RAMPE: How many square feet is it?

5 MR. SCOTT: It's 768 square feet on the ground.

6 BOARD MEMBER DAWKINS: 768?

7 MR. SCOTT: I think --

8 BOARD MEMBER DAWKINS: The drawing says 780. Do we
9 believe your ...

10 MR. SCOTT: Oh. Whatever. I thought it was 768. Let
11 me see.

12 (Mr. Scott examining document.)

13 CHAIRMAN MORDAS: All right. So seven --

14 MR. SCOTT: Oh, I'm sorry. 780 square feet on the
15 ground.

16 CHAIRMAN MORDAS: And upstairs, the hobby room?

17 MR. SCOTT: Is 596 square feet.

18 BOARD MEMBER RAMPE: So all together, it's a 1300
19 square foot building?

20 MR. SCOTT: 1372.

21 The house we live in was built in 1903. We just
22 remodeled the interior. It's a lot of small rooms so we
23 need a little more extra room and extra space. And she's
24 throwing me out.

25 BOARD MEMBER RAMPE: What's the size of the house? Do

1 - RE: J. & D. SCOTT -

2 you know?

3 MR. SCOTT: I would guess about 1800, 1700 square
4 feet.

5 BOARD MEMBER FINDLEY: The driveway appears at the
6 house going to the other property? Do you own this lot,
7 also?

8 BOARD MEMBER DAWKINS: It goes off this way.

9 BOARD MEMBER FINDLEY: The driveway appears --

10 MR. SCOTT: No. It just wraps around the house. The
11 owner has given me a lease to get, just to get access to
12 my ...

13 BOARD MEMBER FINDLEY: Okay.

14 BOARD MEMBER DAWKINS: So this not an active driveway,
15 it's just a right-of-way?

16 MR. SCOTT: No, it's just right-of-way. It's for lawn
17 mowers.

18 CHAIRMAN MORDAS: Approximately how close is your
19 neighbor, the neighbor that gave you the positive letter on
20 your --

21 MR. SCOTT: Over a hundred feet.

22 CHAIRMAN MORDAS: Over a hundred feet away?

23 MR. SCOTT: Yes, ma'am. Yes, sir.

24 BOARD MEMBER FINDLEY: Will this have any utilities?

25 MR. SCOTT: I'm sorry?

1 - RE: J. & D. SCOTT -

2 BOARD MEMBER FINDLEY: Will it have utilities,
3 like ...

4 MR. SCOTT: My wife wants a slop sink or utility sink
5 for gardening in the garage and where I can clean my paint
6 brushes. And then on the second floor, if I'm up there
7 painting as a hobby, I won't have to go 150 feet to the
8 house if I have to go to the bathroom. So we're putting in
9 a toilet and a sink but no shower and a tub, just the
10 toilet and the sink. And that's -- that's -- I guess
11 that's because I can't breath, it wouldn't be good to be
12 150 feet away from the bathroom.

13 BOARD MEMBER DAWKINS: So a sink on the ground floor
14 and a toilet and a sink on the second floor.

15 MR. SCOTT: Yes.

16 MR. MOGEL: For the record, this is a Type II under
17 SEQRA. No further environmental review is required.

18 MR. SCOTT: The location, we've gotten to -- we've
19 twisted it and custom designed this thing so we don't have
20 to take down any trees, any bushes, nothing. It's the only
21 open space on the site.

22 BOARD MEMBER RAMPE: Is it going to be heated?

23 MR. SCOTT: Oh, no. It's seasonal. It'll be
24 seasonal.

25 BOARD MEMBER RAMPE: Okay.

1 - RE: J. & D. SCOTT -

2 MR. SCOTT: So it'll be used from May to October.

3 BOARD MEMBER RAMPE: Okay.

4 MR. SCOTT: I was thinking about maybe putting a
5 little electric heater in there or something.

6 BOARD MEMBER DAWKINS: Don't do that.

7 MR. SCOTT: Don't do that?

8 BOARD MEMBER DAWKINS: They're dangerous.

9 CHAIRMAN MORDAS: Mr. Scott, are you willing to give
10 permission to my board members to walk your property to
11 inspect it?

12 MR. SCOTT: Certainly, certainly.

13 CHAIRMAN Mordas: Thank you.

14 BOARD MEMBER FINDLEY: How big is the lot?

15 MR. SCOTT: It's .77 of an acre.

16 BOARD MEMBER FINDLEY: .77. What are we allowed to
17 cover?

18 CHAIRMAN MORDAS: I think it's roughly 25 percent. It
19 might be different in different zones, though.

20 MR. SCOTT: We can't even be close to that.

21 BOARD MEMBER FINDLEY: This might have less because
22 it's a small lot.

23 CHAIRMAN MORDAS: It's 25 percent.

24 BOARD MEMBER FINDLEY: Twenty-five percent? So .77 is
25 roughly like 30,000

1 - RE: J. & D. SCOTT -

2 MR. SCOTT: .77 would be approximately 30,000.

3 Twenty-five percent of 30 would be 7500.

4 CHAIRMAN MORDAS: Your driveway, is it gravel or
5 asphalt driveway?

6 MR. SCOTT: Gravel.

7 CHAIRMAN MORDAS: Okay.

8 MR. SCOTT: Well, not all gravel, but 30 some feet.

9 BOARD MEMBER DAWKINS: So we're going to have a public
10 hearing: Next month okay?

11 CHAIRMAN MORDAS: Yes, I guess we'll have to move it
12 to the regular scheduled meeting, try to keep things
13 simple.

14 Any more questions from the Board?

15 (No verbal response.)

16 CHAIRMAN MORDAS: That's a definitive no.

17 Motion to set up a public hearing.

18 BOARD MEMBER RAMPE: I make a motion.

19 BOARD MEMBER MARTIN: I second it.

20 CHAIRMAN MORDAS: All in favor?

21 BOARD MEMBER MARTIN: Aye.

22 BOARD MEMBER RAMPE: Aye.

23 BOARD MEMBER DAWKINS: Aye.

24 BOARD MEMBER FINDLEY: Aye.

25 CHAIRMAN MORDAS: Aye.

1 - RE: J. & D. SCOTT -

2 (The motion was approved and carried.)

3 MR. SCOTT: Thank you very much.

4 CHAIRMAN MORDAS: Thank you, Mr. Scott. Have a good
5 evening.

6 MR. SCOTT: Do I have to sign something up here?

7 CHAIRMAN MORDAS: Yes, please. Thanks for reminding
8 me. Please put the easiest way to get in touch with you
9 and your address on there.

10 BOARD MEMBER DAWKINS: Who do they contact to get out
11 the public notice? Will that be the building department?

12 CHAIRMAN MORDAS: I'll find that out tomorrow. I'm
13 pretty sure I know, but it's not definite.

14 (Time noted: 7:37 p.m.)

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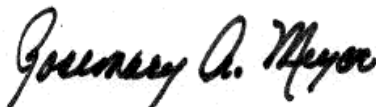
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REPORTER'S CERTIFICATION

I, ROSEMARY A. MEYER, a Shorthand Reporter and Notary Public in and for the State of New York, do hereby certify:

That the foregoing transcript is an accurate record of the proceedings in the matter of Application of James and Deborah Scott, to the best of my knowledge and belief, having been stenographically recorded by me and transcribed under my supervision.

I further certify that I am in no way related to any of the parties to this action and that I have no personal interest whatsoever in the outcome thereof.



ROSEMARY A. MEYER

Date Transcribed: March 30, 2017

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