

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

Meeting Minutes
3-1-18
March 1, 2018

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

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ZONING BOARD OF APPEALS

MINUTES

March 1, 2018

TOWN HALL

MAMAKATING, NEW YORK

ZONING BOARD MEMBERS :

MATTHEW MORDAS, Chairman

GEORGIA RAMPE, Board Member

KENT FINDLEY, Board Member

MATTHEW MORREALE, Board Member

KYRA PLATT, Building Department

JERIC CORPORATION
Court Reporting Services
P.O. Box 385
Narrowsburg, New York 12764
(845) 252-3515

Reported by: Rosemary A. Meyer

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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
ZONING BOARD OF APPEALS

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John Shorten
Area Variance
Tax Map Section 44; Block 1; Lot 30.1
Town Center Zone

----- X

Town Hall
Town of Mamakating
March 1, 2018
7:04 P.M.

ZONING BOARD MEMBERS :

- MATTHEW MORDAS, Chairman
- GEORGIA RAMPE, Board Member
- KENT FINDLEY, Board Member
- MATTHEW MORREALE, Board Member
- KYRA PLATT, Building Department

Also Present: John Shorten, Applicant

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Reported by: Rosemary A. Meyer

1 - RE: J. SHORTEN -

2 CHAIRMAN MORDAS: Good evening, ladies and gentlemen.
3 Welcome to the Town of Mamakating Zoning Board of Appeals
4 meeting for March 1st, 2018. This is a reschedule from our
5 original meeting which we delayed due to weather, February
6 22nd.

7 I start the meeting with a roll call. First off, I'm
8 your chairman, Matthew Mordas.

9 Georgia Rampe.

10 BOARD MEMBER RAMPE: Here.

11 CHAIRMAN MORDAS: Kent Findley.

12 BOARD MEMBER FINDLEY: Here.

13 CHAIRMAN MORDAS: Matthew Morreale.

14 BOARD MEMBER MORREALE: Present.

15 CHAIRMAN MORDAS: Cathy Dawkins is absent and our
16 attorney is somewhere, in transit, hopefully, Steve Mogel.

17 All right. First on the agenda is Mr. John Shorten.

18 Please step forward and give us a rundown of what
19 you're trying to do.

20 MR. SHORTEN: Pretty much, I live right down the
21 street here. I got a couple lots there behind the Dollar
22 General. And my tenant next door is disabled so I wanted
23 to put a 24-by-24 garage on a lot next door to the cabin.
24 We're trying to put up a 24-by-24 pole barn next door to
25 the cabin where my tenant's renting, pretty much, just for

1 - RE: J. SHORTEN -

2 storage and workshop, you know. So he used to be a big
3 builder. He used to do, you know, a lot of maintenance
4 work like that. Their cabin, right now, it's just like --
5 it's overwhelmed. The basement is going to be full, you
6 know, with stuff. There's no storage left. And there's
7 stuff along the yard and stuff. So we just kind of pretty
8 much wanted to clean the place up and give him a nice
9 workshop inside. You know, something that he could go in
10 there and do cabinets and just play, you know, pretty much.
11 You know, that's what it's all about.

12 My house sits way off the road. I'm way down in the
13 back there, you know, by the walking trail.

14 CHAIRMAN MORDAS: Okay.

15 MR. SHORTEN: So from 209 I don't think anybody would
16 ever view it. You wouldn't be able to see it at all. It
17 would be -- you know, like I said, I don't want put it next
18 to my house, I'd rather put it next to them. It's multi
19 houses that's down there. I have the big house all the way
20 in the back, right along the walking trail, and then
21 there's a cabin next door. And then I also have a five
22 acre lot up by, all the way up to -- I own all the way up
23 to 209.

24 CHAIRMAN MORDAS: All right. So are all the buildings
25 on one of the two lots?

1 - RE: J. SHORTEN -

2 MR. SHORTEN: No. It's actually three separate lots,
3 sir. Yeah, it's three separate lots. My house sits on, I
4 think it's 4.89 acres, the big house in the back. And it's
5 going to -- only because the cabin's on such a small lot,
6 it's only 40 by 100, so there's not enough room on there to
7 put that, you know, to put the garage. That's the whole
8 thing. It would be you'd actually walk, like, out the
9 back, out the Bilco door in the basement and you'd walk
10 right into the garage. It would be too close. So ...

11 BOARD MEMBER FINDLEY: Where is your lot?

12 MR. SHORTEN: I have -- see, this is the problem. The
13 cabin is the one that my tenant rents. It's only 40 by
14 100.

15 BOARD MEMBER FINDLEY: Yes?

16 MR. SHORTEN: But I live in the house back here and
17 then my property goes all the way around. So I wanted to
18 put the little garage right next door to his, you know,
19 right next door to them.

20 BOARD MEMBER FINDLEY: All right. So this is your
21 house?

22 MR. SHORTEN: I live all the way back here; yeah, back
23 here. And then I have the little rental right there.

24 BOARD MEMBER FINDLEY: You said there was three lots.

25 MR. SHORTEN: I also own this lot, all the way up to

1 - RE: J. SHORTEN -

2 209, all the way up to Dollar General. So I own this whole
3 side of the driveway.

4 BOARD MEMBER FINDLEY: Is there anything on this
5 property?

6 MR. SHORTEN: Nothing at all.

7 BOARD MEMBER FINDLEY: A driveway?

8 MR. SHORTEN: Yeah, a driveway come from the road and
9 it services all three.

10 BOARD MEMBER FINDLEY: Okay.

11 MR. SHORTEN: So, yeah. Yeah, the whole left side of
12 the driveway I own, from 209 all the way to the walking
13 trail. There's no other lots back there.

14 BOARD MEMBER RAMPE: How did that little tiny lot
15 become a lot?

16 MR. SHORTEN: That's what everybody says. Everybody
17 says the same thing. It was always like that. It was
18 weird because I guess ...

19 BOARD MEMBER FINDLEY: One more question.

20 CHAIRMAN MORDAS: So basically, he's looking to put an
21 accessory structure on a vacant, on a ...

22 BOARD MEMBER FINDLEY: Is that intended to be
23 anything?

24 MR. SHORTEN: No. That was a mistake. I'm sorry.

25 BOARD MEMBER FINDLEY: All right. That's fine.

1 - RE: J. SHORTEN -

2 CHAIRMAN MORDAS: Are there any other accessory
3 structures?

4 MR. SHORTEN: I do have, these's an existing garage
5 way in the back here. It's my son's. I think, don't quote
6 me on it --

7 What's Johnny's garage? Thirty by thirty?

8 MR. UNIDENTIFIED SPEAKER: 24-by-36.

9 MR. SHORTEN: 24-by-36. My son's is way back there in
10 woods, though, way back in the woods. See, that's the
11 problem. Like, for one, my son uses that as our shop. We
12 own a construction business so my son has that set up for a
13 shop. But he can't walk that far. That's the bad part
14 about that now, so ...

15 BOARD MEMBER RAMPE: Isn't there a little shed next to
16 the little bungalow?

17 MR. SHORTEN: Yes. That's a real small shed.

18 BOARD MEMBER RAMPE: Yes. Where is that on this
19 little map?

20 MR. SHORTEN: It's actually on the property of that
21 little 40 by 100 lot.

22 BOARD MEMBER RAMPE: Oh, okay.

23 MR. SHORTEN: It's right on that property.

24 BOARD MEMBER FINDLEY: Does that 40 by 100 lot have
25 septic?

1 - RE: J. SHORTEN -

2 MR. SHORTEN: Yeah.

3 BOARD MEMBER FINDLEY: It's own well?

4 MR. SHORTEN: Yes.

5 BOARD MEMBER FINDLEY: Where's your well?

6 MR. SHORTEN: My well is -- believe it or not, my
7 house, you go down, my is sitting right here. My well's in
8 front, between my house and the walking trail. It's in the
9 front. That's the problem. This whole thing -- his septic
10 is right here and my septic and all my leach fields are
11 right here, between my house and my son's building.

12 BOARD MEMBER MORREALE: Your son's garage is back
13 here, you say?

14 MR. SHORTEN: I'd say it's like right about here.

15 BOARD MEMBER MORREALE: Okay.

16 MR. SHORTEN: Yeah, right about here. And this is all
17 leach field up towards, like ...

18 BOARD MEMBER RAMPE: Do you have pictures that we can
19 actually see?

20 MR. SHORTEN: It was pouring rain. I'm sorry, they're
21 lousy.

22 BOARD MEMBER FINDLEY: No. I don't even know what
23 that is.

24 MR. SHORTEN: Yeah. Well, that was just -- I was
25 trying to get -- it was quick, when I was handing the

1 - RE: J. SHORTEN -

2 building permit in. Like, 209 is up here and this is the
3 driveway. The building will be 1,063 feet from 209 is
4 where I'm proposing to put this garage up.

5 BOARD MEMBER FINDLEY: And what am I looking at here?

6 MR. SHORTEN: That's just from 209 looking down
7 towards my house. There's a -- from 209 --

8 BOARD MEMBER FINDLEY: Six acres is all --

9 MR. SHORTEN: Yeah. You can't see any of my buildings
10 from the highway, from any other residence. Actually, if
11 you stand at Family Dollar you still can't see my house.

12 CHAIRMAN MORDAS: Let me do this with all you folks.
13 I'm a little messed up here.

14 All right. So this is going to be the proposed pole
15 barn.

16 MR. SHORTEN: Yes, sir; yep.

17 CHAIRMAN MORDAS: Where is your house?

18 MR. SHORTEN: Right here.

19 CHAIRMAN MORDAS: Okay. All right.

20 What other parcels do you own?

21 MR. SHORTEN: I just own this lot, that lot and that
22 lot.

23 CHAIRMAN MORDAS: Okay.

24 BOARD MEMBER FINDLEY: In excess of ten acres.

25 CHAIRMAN MORDAS: All right. And this is, for all

1 - RE: J. SHORTEN -

2 intents and purposes, a vacant lot.

3 MR. SHORTEN: Vacant, yeah. It's all woods, just for
4 privacy.

5 CHAIRMAN MORDAS: And you said there was a --

6 MR. SHORTEN: There is an accessory building back
7 there, sir. My son has a shop back there.

8 CHAIRMAN MORDAS: How big is that shop?

9 MR. UNIDENTIFIED SPEAKER: Twenty-four by thirty-six.

10 MR. SHORTEN: Twenty-four by thirty-six.

11 CHAIRMAN MORDAS: Thank you.

12 MR. SHORTEN: That's way in the back.

13 BOARD MEMBER FINDLEY: This is the cabin?

14 MR. SHORTEN: Yes, that's the cabin.

15 BOARD MEMBER FINDLEY: That's your house?

16 MR. SHORTEN: Yeah. My house sits behind the cabin.

17 BOARD MEMBER FINDLEY: This is a little shed.

18 MR. SHORTEN: This is a really small shed. Yeah,
19 like a 10 by 10 shed.

20 BOARD MEMBER FINDLEY: And this is where you want
21 to --

22 MR. SHORTEN: This is where I'd like to put it, right
23 on the driveway. The main thing is for him, when he gets
24 out of his, you know, so he could get, walk to there. I
25 would never use this, to be honest with you.

1 - RE: J. SHORTEN -

2 CHAIRMAN MORDAS: I'm sorry. Where's your driveway?

3 MR. SHORTEN: The driveway, right here. Goes all the
4 way back.

5 BOARD MEMBER FINDLEY: All right. No. It's right
6 here.

7 MR. SHORTEN: Oh, I'm sorry. Yeah, I'm looking at it
8 the wrong way.

9 CHAIRMAN MORDAS: See how easy it is.

10 So really, pretty much on that.

11 MR. SHORTEN: Yes, so he could access it. I just want
12 to get as close to that as possible, to be honest with you.

13 CHAIRMAN MORDAS: How many square feet, roughly, is
14 your structure?

15 MR. SHORTEN: My house?

16 CHAIRMAN MORDAS: Yes.

17 MR. SHORTEN: Oh, Jesus. I don't know. It's probably
18 3,000 square foot.

19 CHAIRMAN MORDAS: Okay.

20 MR. SHORTEN: 4,000 square feet. It's a big house.

21 BOARD MEMBER FINDLEY: We're talking footprint now,
22 not second floor; right? You want to know the square
23 footage that it's covering.

24 MR. SHORTEN: This is my primary residence and this is
25 my rental. This is 888 --

1 - RE: J. SHORTEN -

2 CHAIRMAN MORDAS: Just to make sure that we're not
3 competing with accessory structure square footage versus
4 primary structure.

5 BOARD MEMBER FINDLEY: Right. But that square
6 footage --

7 CHAIRMAN MORDAS: I think we're safe here.

8 BOARD MEMBER FINDLEY: That square footage is --
9 Is it a two story house?

10 MR. SHORTEN: Yeah, two story; yeah.

11 BOARD MEMBER FINDLEY: So you're looking at the square
12 footage that's it's covering on the property so it's
13 probably about half that. It's probably 2,000 square feet,
14 not --

15 MR. SHORTEN: Yeah. If you're going to do it that
16 way, yeah.

17 BOARD MEMBER FINDLEY: Do you know what I'm trying to
18 say?

19 BOARD MEMBER MORREALE: Like the perimeter of the
20 house.

21 MR. SHORTEN: Yeah, because it's like what you're
22 saying. Yeah, it's a double stacker; yeah.

23 CHAIRMAN MORDAS: I'm a little vague on the actual
24 regulations.

25 BOARD MEMBER FINDLEY: But it's not square footage --

1 - RE: J. SHORTEN -

2 CHAIRMAN MORDAS: But if it's a house that's 1500
3 square feet he wouldn't be allowed to have more than 1500
4 square foot of accessory structures, I believe. But I
5 would have to --

6 BOARD MEMBER RAMPE: It's a percentage. Isn't it a
7 percentage?

8 BOARD MEMBER MORREALE: Percentage of the lot covered.

9 CHAIRMAN MORDAS: All right.

10 BOARD MEMBER FINDLEY: But I guess what I'm trying to
11 say is you're really concerned about the square foot
12 that --

13 CHAIRMAN MORDAS: No, I'm not. This house is big
14 enough. So just what he said, it was a three to four
15 thousand square foot house, my worries were allayed. No,
16 he's got enough land.

17 MR. SHORTEN: Yeah, it shouldn't be a problem --

18 BOARD MEMBER FINDLEY: What is this pictures showing
19 me?

20 MR. SHORTEN: The same thing. That's from my house
21 looking up towards 209. I could get much better pictures.

22 BOARD MEMBER FINDLEY: I'm not worried about better.

23 (Inaudible due to multiple speakers.)

24 CHAIRMAN MORDAS: All right. One at a time for
25 Rosemary.

1 - RE: J. SHORTEN -

2 MR. SHORTEN: This is my property line. From here to
3 here is 1,800 feet.

4 BOARD MEMBER RAMPE: Okay.

5 MR. SHORTEN: 1,800 feet. It's in excess of that,
6 actually, because it turns off and when it turns off it
7 goes another 693.

8 BOARD MEMBER FINDLEY: This lot here, do you know who
9 owns this?

10 MR. SHORTEN: The lawn --

11 BOARD MEMBER FINDLEY: Is this the state land?

12 MR. SHORTEN: That's all Bash -- that's the walking
13 trail right there. And then this is the thousand acres of
14 state land that goes up to the Shawangunk Lodge. They have
15 the parking lot up there, because I also own a house in
16 Shawangunk Lodge that borders the state land, too, on the
17 other side.

18 CHAIRMAN MORDAS: We might have to abide by the
19 Municipal Law 239 if you're within 500 feet of state land.

20 MS. PLATT: Yes.

21 CHAIRMAN MORDAS: It's not an issue. It's like a
22 technicality we've got to --

23 MR. SHORTEN: Yeah. But I'm over 500 this way, too.

24 CHAIRMAN MORDAS: All right. So you're --

25 BOARD MEMBER FINDLEY: Are you sure this is 500 feet?

1 - RE: J. SHORTEN -

2 MR. SHORTEN: From the corner of that cabin, I'm all
3 the way back.

4 MS. PLATT: It's from the edge of your property line
5 that we go. So the edge of that property line, out 500
6 feet.

7 MR. SHORTEN: Oh, from the edge of my property line
8 down 500. I'd probably be in -- no, because I'd be in --
9 the Korean guy has a hundred acres behind me, 121 acres.

10 BOARD MEMBER FINDLEY: Well, that's what I'm --

11 MR. SHORTEN: I'd be into him.

12 BOARD MEMBER FINDLEY: Well, that's what I'm asking.

13 MR. SHORTEN: Yeah.

14 BOARD MEMBER FINDLEY: Is this State or is -- I
15 just --

16 MR. SHORTEN: I got state directly across the walking
17 trail from me.

18 MS. PLATT: What's the SBL? Do you see a number on
19 it?

20 BOARD MEMBER FINDLEY: It's 35. No, it says -- well,
21 that's the trail.

22 CHAIRMAN MORDAS: Yes. The County of Sullivan,
23 exempt, that's the towpath.

24 MR. SHORTEN: Yes, the towpath.

25 CHAIRMAN MORDAS: Yes, we've got to notify the County,

1 - RE: J. SHORTEN -

2 I think.

3 MS. PLATT: We already have a 239-m ready to be sent.

4 CHAIRMAN MORDAS: Okay.

5 MS. PLATT: So they do have to be notified.

6 CHAIRMAN MORDAS: All right. Thanks, Kyra.

7 BOARD MEMBER RAMPE: So the other thing I want to
8 clear up is this distance from the property line and the
9 cabin to the end of your property. This is the smaller
10 lot; right?

11 MR. SHORTEN: Yeah.

12 BOARD MEMBER RAMPE: The cabin.

13 MR. SHORTEN: Yep.

14 BOARD MEMBER RAMPE: And then to the end of your --
15 not this lot but to the end of this, what is this distance
16 here?

17 MR. SHORTEN: From there to there, I think it was 176
18 or 167 feet. There's a stone wall before you go onto my
19 other piece of property.

20 BOARD MEMBER RAMPE: Okay. And then starts the big
21 lot up and it ends at 209.

22 MR. SHORTEN: Yeah, that goes all the up to 209.

23 BOARD MEMBER FINDLEY: For the next meeting I would
24 love to see a picture standing on the towpath.

25 MR. SHORTEN: Oh, the thing?

1 - RE: J. SHORTEN -

2 BOARD MEMBER FINDLEY: Yes. And taken towards your
3 property.

4 MR. SHORTEN: On a sunny day, too.

5 BOARD MEMBER FINDLEY: Well, yes.

6 CHAIRMAN MORDAS: If there's any way you can redo
7 these photos, lighten them up a little bit.

8 MR. SHORTEN: Oh, I will, yeah. Yeah, yeah, yeah.

9 BOARD MEMBER FINDLEY: If we could get a color one.

10 MR. SHORTEN: Yeah, I will. I will.

11 BOARD MEMBER FINDLEY: You don't need to get one for
12 everyone, just a color one.

13 MR. SHORTEN: Yeah.

14 BOARD MEMBER FINDLEY: I'm not making it --

15 MR. SHORTEN: Yeah. No, I can redo all the pictures.
16 I could even drop them off at the Building Department
17 tomorrow.

18 BOARD MEMBER FINDLEY: Just so we can see.

19 CHAIRMAN MORDAS: That would be fantastic.

20 MR. SHORTEN: I'm in here every day.

21 BOARD MEMBER RAMPE: So at the end here is another
22 little driveway. Behind this cabin there's another little
23 driveway. Maybe it goes to the existing garage?

24 MR. SHORTEN: It goes to my son's garage, yes.

25 BOARD MEMBER RAMPE: Okay.

1 - RE: J. SHORTEN -

2 MR. SHORTEN: Yes.

3 BOARD MEMBER RAMPE: So isn't that going to conflict
4 with where you're putting the pole barn?

5 MR. SHORTEN: No, because we're not putting -- the
6 driveway, my son's driveway goes right along that stone
7 wall of the five acre lot --

8 BOARD MEMBER RAMPE: Okay.

9 MR. SHORTEN: -- and it goes up to his existing
10 garage.

11 BOARD MEMBER RAMPE: Oh, okay.

12 MR. SHORTEN: And it will not connect with that, with
13 that garage at all. like I said, this garage is going to
14 be strictly for my tenant only.

15 BOARD MEMBER RAMPE: Right. It just seems like it's
16 not that big of a distance here, but I guess looks can be
17 deceiving. No, I mean when you're down there, it just
18 seemed that from the cabin to this driveway wasn't 167
19 feet.

20 MR. SHORTEN: Oh, no, I'm sorry. I told you from the
21 cabin to the stone wall of my other lot.

22 BOARD MEMBER RAMPE: Well, isn't the stone wall and
23 the driveway right --

24 MR. SHORTEN: No. The driveway is actually, I think
25 it's 15 feet off the stone wall.

1 - RE: J. SHORTEN -

2 BOARD MEMBER RAMPE: Okay.

3 CHAIRMAN MORDAS: All right. So the shed's going to
4 be roughly how far from the cabin?

5 MR. SHORTEN: The shed's already been there forever.
6 Oh, this cabin?

7 MR. UNIDENTIFIED SPEAKER: Thirty-five feet.

8 MR. SHORTEN: Thirty-five feet away from the cabin to
9 the garage.

10 BOARD MEMBER FINDLEY: How close is that to the
11 property line and how close is the cabin to the property
12 line?

13 MR. SHORTEN: Well, the cabin is 24 feet wide and the
14 property is 40 feet wide. The lot that it sits on is 40
15 feet wide, so there's not much lawn around it. Do you know
16 what I mean?

17 BOARD MEMBER RAMPE: How did you even ever get, made a
18 lot? That's what I ...

19 BOARD MEMBER FINDLEY: Even that lot, usually they
20 don't split a lot up without a right-of-way.

21 CHAIRMAN MORDAS: That's amazing. I see these --

22 MR. SHORTEN: I bought it like that. That's the way
23 it was.

24 CHAIRMAN MORDAS: Even on my road, Shawangunk Lodge
25 Road, somebody's got lots just for the driveway.

1 - RE: J. SHORTEN -

2 MR. SHORTEN: My house on Shawangunk Lodge, I got a
3 weird lot right next door to me. It's, like, 30 feet wide,
4 but it goes all way into the state land.

5 BOARD MEMBER FINDLEY: Any more questions?

6 CHAIRMAN MORDAS: I don't. Matt, do you have any
7 question?

8 BOARD MEMBER MORREALE: No. Everything is addressed
9 as far as I'm ...

10 CHAIRMAN MORDAS: Georgia, you okay?

11 Oh, John, before we go any further, I'd like to ask
12 permission, if it's possible, we can walk the property --

13 MR. SHORTEN: Oh, you're more than welcome.

14 CHAIRMAN MORDAS: -- before the next public hearing?

15 MR. SHORTEN: There was actually two women down there
16 last week.

17 BOARD MEMBER RAMPE: It was me and Cathy.

18 MR. SHORTEN: Oh, it was?

19 BOARD MEMBER RAMPE: Yes. We just drove down in,
20 walked.

21 MR. SHORTEN: Yeah, my daughter -- not to be rude, my
22 daughter got -- because we had an issue. We had two young
23 kids try to rob my house about a month ago.

24 BOARD MEMBER RAMPE: Oh.

25 MR. SHORTEN: And we located -- I mean I work at

1 - RE: J. SHORTEN -

2 Kohl's. So now we have, you know, any time, like my
3 tenant's disabled so he's home like 24/7. But we like --
4 we run when people come down the driveway now because it
5 was -- one kid was in my house and my daughter was in the
6 there alone. It scared the life out of my daughter.

7 BOARD MEMBER RAMPE: Wow.

8 MR. SHORTEN: Thank God, my son's girlfriend came home
9 and they took off. But we got the cars and the plate
10 numbers and all that. It doesn't matter. But thank God
11 nobody got hurt. I'm sorry that that happened, but it's
12 like we panic now when people come down the driveway only
13 because we had that incident. And then we just had three
14 kids that they kind of got my decks mixed up with their
15 treestands.

16 CHAIRMAN MORDAS: John, what's your phone number?
17 I'll call you before we come down.

18 BOARD MEMBER RAMPE: They got their what?

19 MR. SHORTEN: They were bow hunting off my deck one
20 night when I came home.

21 BOARD MEMBER RAMPE: Oh.

22 MR. SHORTEN: I came home for dinner one night and
23 they were bow hunting, and I have animals. The bad thing
24 was my daughter heard someone walk around the basement and
25 then thank God Johnny's girlfriend came along and they just

1 - RE: J. SHORTEN -

2 took off. That was a good thing. Nobody got hurt, which
3 is good.

4 My phone number is 845 --

5 CHAIRMAN MORDAS: You can giving it to Kyra so it's
6 not a matter of public record.

7 Thanks, Kyra.

8 BOARD MEMBER FINDLEY: So are we going to ...

9 CHAIRMAN MORDAS: Yes. A motion to set up a public
10 hearing for Mr. Shorten.

11 BOARD MEMBER RAMPE: I'll make a motion.

12 BOARD MEMBER FINDLEY: I'll second it.

13 CHAIRMAN MORDAS: All in favor?

14 BOARD MEMBER RAMPE: Aye.

15 BOARD MEMBER FINDLEY: Aye.

16 BOARD MEMBER MORREALE: Aye.

17 CHAIRMAN MORDAS: Aye.

18 (The motion was agreed and carried.)

19 CHAIRMAN MORDAS: When's our next date, Kyra?

20 BOARD MEMBER FINDLEY: March 22nd.

21 CHAIRMAN MORDAS: March 22nd.

22 BOARD MEMBER FINDLEY: It's right on the agenda.

23 CHAIRMAN MORDAS: All right. He's got to stop in and
24 ask Kyra how to proceed.

25 MR. SHORTEN: Okay.

1 - RE: J. SHORTEN -

2 BOARD MEMBER RAMPE: All right. Do the mailings
3 and ...

4 MR. SHORTEN: When do you want me to drop off
5 pictures?

6 BOARD MEMBER MORREALE: How about you e-mail them?

7 CHAIRMAN MORDAS: Generally, we get our information
8 packets about a week before the next meeting. You've got a
9 little time, or a good day.

10 BOARD MEMBER MORREALE: How about if he e-mail them?
11 That way we have nice clear pictures we can blow up.

12 MR. SHORTEN: I can do that.

13 CHAIRMAN MORDAS: You can do that. E-mail them to
14 Building Department and she'll send them to us. That's a
15 good idea.

16 MR. SHORTEN: You guys, can she give me your e-mail or
17 all the e-mails or something?

18 MS. PLATT: I can give you mine and then I'll forward
19 them.

20 MR. SHORTEN: And you'll forward them all? All right.
21 That's even better. It might not be tomorrow. We're
22 supposed to get two feet of snow.

23 CHAIRMAN MORDAS: No.

24 BOARD MEMBER MORREALE: They'll be pretty pictures.

25 MR. SHORTEN: So other than that, March 22nd. She'll

1 - RE: J. SHORTEN -

2 give me stuff to mail out and all that good stuff?

3 CHAIRMAN MORDAS: Yes.

4 MR. SHORTEN: All right. All right.

5 CHAIRMAN MORDAS: She'll give you the list, what is
6 it? Five hundred foot radius.

7 MS. PLATT: Yes.

8 MR. SHORTEN: All right.

9 CHAIRMAN MORDAS: Thank you.

10 MR. SHORTEN: All right. Thank you very much. I
11 appreciate it.

12 (Time noted: 7:24 p.m.)

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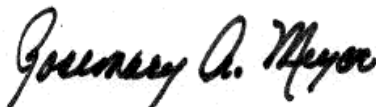
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REPORTER'S CERTIFICATION

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 John Shorten, 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 17, 2018

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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
ZONING BOARD OF APPEALS

----- X

Michael and Kelly Kavanaugh
Area Variance
Tax Map Section 61; Block 4; Lot 17
Neighborhood Residential Zone

----- X

Town Hall
Town of Mamakating
March 1, 2018
7:24 P.M.

ZONING BOARD MEMBERS :

- MATTHEW MORDAS, Chairman
- GEORGIA RAMPE, Board Member
- KENT FINDLEY, Board Member
- MATTHEW MORREALE, Board Member
- KYRA PLATT, Building Department

Also Present: Michael Kavanaugh, Applicant

JERIC CORPORATION
Court Reporting Services
P.O. Box 385
Narrowsburg, New York 12764
(845) 252-3515

Reported by: Rosemary A. Meyer

1 - RE: M. KAVANAUGH -

2 CHAIRMAN MORDAS: All right. Next on the agenda,
3 Mr. Michael and Kelly Kavanaugh.

4 MR. KAVANAUGH: You have the Michael part, but not the
5 Kelly.

6 I'm going to stand here.

7 So Mike Kavanaugh. I live up at Wolf Lake. We have a
8 quarter acre piece of property there that we want to build
9 a single-family home on.

10 The lot is irregular shaped. All the lots -- not all.
11 Most of the lots up in Wolf Lake nonconform. Wolf Lake, as
12 I think you know, has its own set of setbacks. The Town
13 has their setbacks. When you overlay the two on top of
14 each other it's becomes quite a small building envelope.
15 When I first applied to the Lake, the Building Committee,
16 to build a house I had put the house within the Town
17 setbacks. Now, Wolf Lake, to preserve the character of the
18 lake, would like the house to be back 50 feet from the high
19 water mark which is, the way it measured, is 40 feet from
20 the lakeside property line. This house went over that
21 setback by 12 and a half feet. In talking to the Building
22 Committee they had asked if I would be willing to move the
23 house back over the town setback by about six and a half
24 feet, splitting the difference, just the entry area, and
25 then coming to the Town for a variance. I agreed to do

1 - RE: M. KAVANAUGH -

2 that. So they granted me an approval and I applied for
3 the --

4 CHAIRMAN MORDAS: Conditional, you get the variance
5 from us.

6 MR. KAVANAUGH: Conditional, I get the variance from
7 you.

8 BOARD MEMBER RAMPE: There was a house on this lot?

9 MR. KAVANAUGH: Yes.

10 BOARD MEMBER RAMPE: And it was knocked down and now
11 you're ready to build.

12 MR. KAVANAUGH: It was knocked down, yes. I took it
13 down about three weeks ago.

14 BOARD MEMBER RAMPE: Oh, you did.

15 MR. KAVANAUGH: Yes.

16 BOARD MEMBER RAMPE: Okay.

17 MR. KAVANAUGH: Now, I've also talked to both -- Wolf
18 Lake owns the property on one side. We have a current
19 house on the other side of the street, then the two
20 neighbors on the other side. I've already got permission
21 and I have signed things that they approve this.

22 BOARD MEMBER RAMPE: My concern is that this, the
23 house to the road, it's going to be very small.

24 MR. KAVANAUGH: Is 18 and a half feet to the lot line
25 and then at least 10 feet to the road itself.

1 - RE: M. KAVANAUGH -

2 BOARD MEMBER RAMPE: It's 18 and a half to the lot
3 line.

4 Mr. Kavanaugh: Yes.

5 BOARD MEMBER FINDLEY: Yes. And that's off of --
6 there's a porch somewhere. I guess it's porch columns;
7 right?

8 MR. KAVANAUGH: That's the porch, yes.

9 BOARD MEMBER FINDLEY: There are some columns.

10 MR. KAVANAUGH: So this, it's actually not a porch.
11 there's no steps there. It's just a patio kind of thing,
12 but there's a roof.

13 BOARD MEMBER FINDLEY: It's covered; right?

14 MR. KAVANAUGH: Yes.

15 BOARD MEMBER FINDLEY: So this is some columns.

16 MR. KAVANAUGH: Yes.

17 BOARD MEMBER FINDLEY: So here's the town line, or the
18 lot line. And then the road is another --

19 MR. KAVANAUGH: Ten feet.

20 BOARD MEMBER FINDLEY: Do you have your ruler?

21 BOARD MEMBER MORREALE: I've got the ruler.

22 BOARD MEMBER FINDLEY: All right. What does it
23 measure?

24 BOARD MEMBER MORREALE: All right. From the lot
25 line ...

1 - RE: M. KAVANAUGH -

2 BOARD MEMBER FINDLEY: To about the road. The road is
3 kind of a little bit of a --

4 BOARD MEMBER MORREALE: Yes. I'm going to the center.
5 This is the road line right here.

6 MR. KAVANAUGH: Yes, That's the road line.

7 BOARD MEMBER MORREALE: Yes. So it looks like it's
8 over ten feet.

9 BOARD MEMBER FINDLEY: Well, go down there.

10 BOARD MEMBER MORREALE: Oh, okay. The most narrow?
11 Yes, still over ten feet.

12 BOARD MEMBER FINDLEY: Okay. The road is ten feet.
13 So you need 28 and a half feet or so.

14 BOARD MEMBER MORREALE: This is wrong.

15 BOARD MEMBER FINDLEY: Yes, that's not right.

16 MR. KAVANAUGH: The scale's not right?

17 BOARD MEMBER MORREALE: No.

18 BOARD MEMBER FINDLEY: No. It says one inch equals 40
19 feet.

20 MR. KAVANAUGH: Oh. I'd have a big lot, then.

21 BOARD MEMBER KAVANAUGH: Yes.

22 BOARD MEMBER FINDLEY: You just got a bigger lot.

23 CHAIRMAN MORDAS: All right. So this is -- which
24 section of the house is closest to the road?

25 BOARD MEMBER MORREALE: I think here, the columns.

1 - RE: M. KAVANAUGH -

2 BOARD MEMBER FINDLEY: It's the covered porch.

3 CHAIRMAN MORDAS: Oh, the columns to the covered
4 porch.

5 MR. KAVANAUGH: Yes.

6 CHAIRMAN MORDAS: All right. And how many feet to
7 the ...

8 MR. KAVANAUGH: Eighteen and a half to the lot line.

9 BOARD MEMBER MORREALE: Yes, just about.

10 CHAIRMAN MORDAS: There to the lot line.

11 BOARD MEMBER FINDLEY: What is required? What do we
12 require?

13 MR. KAVANAUGH: Twenty-five.

14 BOARD MEMBER FINDLEY: Twenty-five. So what about --

15 MR. KAVANAUGH: This is the nonconforming section of
16 the code.

17 BOARD MEMBER MORREALE: Right.

18 BOARD MEMBER FINDLEY: And what about this proposed
19 shed? How close is that?

20 MR. KAVANAUGH: Oh, the proposed shed itself?

21 BOARD MEMBER FINDLEY: Yes.

22 MR. KAVANAUGH: You know, I ...

23 BOARD MEMBER FINDLEY: Because that may need a
24 variance itself.

25 BOARD MEMBER MORREALE: Yes.

1 - RE: M. KAVANAUGH -

2 MR. KAVANAUGH: Yes, I --

3 MS. PLATT: Accessory structures are 15 feet, I
4 believe, for the Town of Mamakating from the property line
5 and to ...

6 BOARD MEMBER FINDLEY: But it appears it's actually
7 closer than the building --

8 BOARD MEMBER MORREALE: To the road.

9 BOARD MEMBER FINDLEY: -- to the road.

10 MR. KAVANAUGH: We can move that. Like, I'm fine with
11 moving that.

12 BOARD MEMBER FINDLEY: You can apply for a variance,
13 too. I'm not telling you you can't.

14 MR. KAVANAUGH: No, no, no.

15 BOARD MEMBER FINDLEY: If you do it all at once, it's
16 not like more expensive or less expensive.

17 BOARD MEMBER MORREALE: It's going to be --

18 CHAIRMAN MORDAS: It's close.

19 Matt, you got that ruler out?

20 BOARD MEMBER MORREALE: Yes. What do you need, Matt?

21 CHAIRMAN MORDAS: If you can scale up the shed from
22 the lot line, near the road.

23 MR. KAVANAUGH: I mean the shed itself is going to be
24 on skids so I can put it where it needs to be.

25 BOARD MEMBER MORREALE: According to what I'm seeing,

1 - RE: M. KAVANAUGH -

2 it's about 17 feet. Seventeen.

3 BOARD MEMBER FINDLEY: See, in that case, you would
4 actually need a variance because your accessory structure
5 is closer to the road than the front wall of the house.

6 BOARD MEMBER MORREALE: And I don't know if this being
7 a lakefront property ...

8 BOARD MEMBER FINDLEY: It's still --

9 CHAIRMAN MORDAS: You can make our life easier. Just
10 drag it back about a foot and a half or two feet.

11 BOARD MEMBER FINDLEY: Yes.

12 MR. KAVANAUGH: Well, that's what I would --

13 BOARD MEMBER FINDLEY: You can do that. Or if that's
14 you where you really want it, it's just --

15 MR. KAVANAUGH: No, we're not married to any
16 particular location for a shed.

17 BOARD MEMBER FINDLEY: Okay, that's fine.

18 MR. KAVANAUGH: No, I appreciate it.

19 CHAIRMAN MORDAS: That would keep things very
20 simplified and more straightforward.

21 BOARD MEMBER FINDLEY: More straightforward.

22 MR. KAVANAUGH: Right.

23 BOARD MEMBER MORREALE: So this comes back to the 18.

24 BOARD MEMBER FINDLEY: The 18. And that's why your
25 measurement, you were --

1 - RE: M. KAVANAUGH -

2 BOARD MEMBER MORREALE: Yes.

3 BOARD MEMBER FINDLEY: Because they only need six and
4 a half, then.

5 BOARD MEMBER MORREALE: Right, right.

6 BOARD MEMBER FINDLEY: Right.

7 MR. KAVANAUGH: Because that small area ...

8 BOARD MEMBER FINDLEY: Is that the only issue?

9 MR. KAVANAUGH: That's the only issue.

10 Oh, the other issue that I was denied for was the lot
11 depth of 150 feet. But that's for the NR, the Neighborhood
12 Residential, for a one acre lot. In this particular
13 section of the code it doesn't reference any lot depth. It
14 actually --

15 BOARD MEMBER FINDLEY: It's a nonconforming lot?

16 BOARD MEMBER MORREALE: Yes.

17 MR. KAVANAUGH: Yes.

18 BOARD MEMBER FINDLEY: All right. We'll just have to
19 look at that again.

20 MR. KAVANAUGH: I have the code here if you want to
21 see it.

22 BOARD MEMBER FINDLEY: Yes, no. I'd like to just read
23 the nonconforming section.

24 MR. KAVANAUGH: Because it has a calculation for depth
25 for setbacks because it assumes that you don't have that

1 - RE: M. KAVANAUGH -

2 size.

3 And I'm not sure if you want these. These are my
4 neighbors signatures from --

5 BOARD MEMBER FINDLEY: No.

6 BOARD MEMBER MORREALE: We're not going to use that.

7 MR. KAVANAUGH: Okay.

8 BOARD MEMBER FINDLEY: For the public hearing. You
9 still have to do mailings; right?

10 BOARD MEMBER RAMPE: Right.

11 BOARD MEMBER MORREALE: Yes.

12 BOARD MEMBER FINDLEY: Oh, your septic's in the front?
13 Is that correct? That's what I'm seeing here.

14 MR. KAVANAUGH: That's correct.

15 CHAIRMAN MORDAS: What's the narrowest part, the
16 narrowest measurement of this lot?

17 BOARD MEMBER FINDLEY: Looks like 662.36. Oh, width?

18 CHAIRMAN MORDAS: Yes, at the narrowest point.

19 BOARD MEMBER MORREALE: 90.39.

20 MR. KAVANAUGH: That's the lakefront side.

21 BOARD MEMBER FINDLEY: Yes.

22 MR. KAVANAUGH: Actually, it's plus the 17.36.

23 BOARD MEMBER FINDLEY: Yes.

24 MR. KAVANAUGH: So it's 107.36 and 135. I purchased
25 that from the Lake.

1 - RE: M. KAVANAUGH -

2 CHAIRMAN MORDAS: So are we going to need another
3 variance for the lot depth?

4 BOARD MEMBER FINDLEY: I don't think so. It's a
5 nonconforming lot.

6 CHAIRMAN MORDAS: All right.

7 BOARD MEMBER FINDLEY: I mean the lot existed before.
8 You're not subdividing it.

9 MR. KAVANAUGH: No. I don't think that would work.

10 BOARD MEMBER FINDLEY: No. So I mean it's what it is.
11 And there was a house on it before? Just ...

12 MR. KAVANAUGH: Yes, yeah. I just took it down now
13 because of the taxes, to save a little bit.

14 BOARD MEMBER FINDLEY: Got to take it down to put this
15 up, anyway.

16 MR. KAVANAUGH: Right.

17 BOARD MEMBER FINDLEY: Is your schedule as soon as you
18 get approval to go?

19 MR. KAVANAUGH: Right now I'm talking to builders.
20 Yes, I'd like to start before June and not wait.

21 BOARD MEMBER FINDLEY: Do you have any other
22 questions?

23 How many acres is this? This is what?

24 MR. KAVANAUGH: .25 or .24.

25 BOARD MEMBER FINDLEY: Do you do any ice fishing?

1 - RE: M. KAVANAUGH -

2 MR. KAVANAUGH: A little bit.

3 BOARD MEMBER FINDLEY: More questions, Matt?

4 CHAIRMAN MORDAS: I don't have any further questions.

5 BOARD MEMBER RAMPE: I'm good.

6 CHAIRMAN MORDAS: Matt, do you?

7 BOARD MEMBER MORREALE: No.

8 BOARD MEMBER FINDLEY: You get another bite at
9 questions.

10 CHAIRMAN MORDAS: All right. A motion to schedule a
11 public hearing.

12 BOARD MEMBER RAMPE: I'll make that motion.

13 BOARD MEMBER FINDLEY: I second it.

14 CHAIRMAN MORDAS: All in favor?

15 BOARD MEMBER RAMPE: Aye.

16 BOARD MEMBER FINDLEY: Aye.

17 BOARD MEMBER MORREALE: Aye.

18 CHAIRMAN MORDAS: Aye.

19 (The motion was agreed and carried.)

20 MR. KAVANAUGH: Thank you.

21 CHAIRMAN MORDAS: All right, Mr. Kavanaugh, please see
22 Kyra for the details.

23 MR. KAVANAUGH: Okay.

24 CHAIRMAN MORDAS: Mr. Kavanaugh, I forgot to ask this.
25 Do we have permission to walk the property?

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- RE: M. KAVANAUGH -

MR. KAVANAUGH: Of course.

CHAIRMAN MORDAS: Okay.

MR. KAVANAUGH: Feel free to.

CHAIRMAN MORDAS: Thank you.

(Time noted: 7:35 p.m.)

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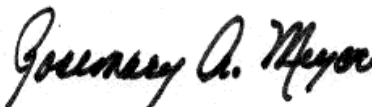
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REPORTER'S CERTIFICATION

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 Michael and Kelly Kavanaugh, 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 18, 2018

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COUNTY OF SULLIVAN : TOWN OF MAMAKATING
ZONING BOARD OF APPEALS

----- X

Anastasios Pantilieris
Use, Area, Interpretation,
Special Use Variance
Tax Map Section 12; Block 1; Lot 16
Neighborhood Residential Zone

----- X

Town Hall
Town of Mamakating
March 1, 2018
7:36 P.M.

ZONING BOARD MEMBERS :

- MATTHEW MORDAS, Chairman
- GEORGIA RAMPE, Board Member
- KENT FINDLEY, Board Member
- MATTHEW MORREALE, Board Member
- KYRA PLATT, Building Department

Also Present: Thomas Farrell, Esq.
on behalf of Applicant

JERIC CORPORATION
Court Reporting Services
P.O. Box 385
Narrowsburg, New York 12764
(845) 252-3515

Reported by: Rosemary A. Meyer

1 - RE: A. PANTILIERIS -

2 CHAIRMAN MORDAS: All right. Mr. Pantilieris.

3 MR. FARRELL: Good evening.

4 CHAIRMAN MORDAS: Good evening. How you doing
5 tonight, Mr. Farrell.

6 MR. FARRELL: Very good.

7 I'm Mr. Farrell, Tom Farrell. I'm representing
8 Mr. Pantilieris. He's here.

9 I have an application to establish that the house he's
10 been living in since 2003, is an existing house. We did
11 some homework on it and we found that, in fact, and your
12 building inspector found that in 1983 this town classified
13 this house as a two-family. Mr. Pantilieris comes along in
14 2003 and buys the house for \$215,000. He's very concerned
15 about whether it's a two-family house so he gets a copy of
16 the tax bill from the school, and that's dated September of
17 2002 and it indicates that it's what they call a 220, which
18 is a classification for two-family. And it says
19 multi-family, two-family house.

20 Not satisfied with that, and the bank wants more, he
21 gets a title company. The title company writes a letter
22 says to the building inspector, any violations to announce.
23 Gets back a letter in December of 2002, says there's no
24 violations on this house. He buys the house.

25 He rents it from 2003 until about 2013, for ten years,

1 - RE: A. PANTILIERIS -

2 and then all of a sudden, someone comes along, a building
3 inspector, and says it's really only a single-family house,
4 you only got an acre of land. So for 30 years it's been
5 shown as a two-family, been taxed as a two-family. He paid
6 for a two-family. He'd like to sell it as a two-family.
7 He sells it for a two-family, he gets more money. The
8 brokers have told me that it's someplace between 20,000 and
9 10,000, someplace in that area, going down. So he would
10 like to be able to sell it.

11 What I'm looking for you guys to do is to recognize it
12 as a two-family house. Apparently, after that, I may have
13 some other things that I have to do with the Town to get
14 everything copasetic. I'm not asking you to waive any
15 building or fire code violations. Those are things that
16 you cannot do, the building inspector cannot do. Nobody in
17 this town can waive the New York State Building and Fire
18 Code, so we're not looking for that. Whatever happens has
19 to be done according to the code, to the fire code and
20 building code.

21 If there's a Planning Board issue, if, for some
22 reason, there's a Planning Board issue, I'm not asking you
23 to waive that, I'm not asking you to vote that I don't have
24 to do that. I have to do whatever I have to do. The first
25 thing I want to do is to show that it's a two-family, a

1 - RE: A. PANTILIERIS -

2 legal two-family, and you're going to give me an exemption.
3 You have to give me an exemption from the zoning code. The
4 zoning code says it's two acres. You have the power, as
5 the Zoning Board of Appeals, to make exceptions to the
6 Zoning Code to do justice, to do fairness. That's what
7 your job is, to give that little edge, and that's what I'm
8 looking for. I'm looking for you to pass a resolution that
9 says we grant a variance to this particular property for a
10 two-family house.

11 Now, there may be a side yard requirement, too, but
12 that came with the house. I'm not going to be able to buy
13 the property from the neighbor so you've got to give me a
14 little bit of a variance. The house has been there since
15 about the 50s or the 60s. It started out as a summer home
16 and then morphed into what it is right now, which is
17 probably what happened to a lot of houses up here. They
18 were bungalows and pretty soon they were bigger bungalows
19 and more family members were showing up and grandkids were
20 showing up and it just sort of grew. And, you know, when I
21 first came up here, like I said before, all of the towns up
22 here, they were very generous and kind. You know, okay, we
23 all got to live here together, let's get things done. I
24 think that's what happened here.

25 MS. PLATT: If I may, in 1978, assessor's records

1 - RE: A. PANTILIERIS -

2 showed it as a seasonal dwelling and did not have an
3 additional kitchen, which means that at some point after
4 '78 it was put in illegally.

5 MR. FARRELL: It was put what?

6 MS. PLATT: Illegally, a second kitchen, making it a
7 two unit dwelling.

8 MR. FARRELL: The tax bills, you know, we have tax
9 bills going back to 1983 and it says that it was a
10 two-family house. In fact, the building inspector, there's
11 a letter from the building inspector --

12 MR. PANTILIERIS: Excuse me.

13 MR. FARRELL: No. Let me finish and then you say
14 whatever you want.

15 MR. FARRELL: Mary said it's been a two-family house
16 since 1983. That was in the letter that she had sent to
17 me.

18 MS. PLATT: If I may, again, the assessor assesses it
19 based on what they see so if they're seeing it's a
20 two-family they're going to assess it as a two-family so
21 it's going to be taxes as a two-family. So once again, it
22 doesn't mean that it was converted legally.

23 BOARD MEMBER FINDLEY: Would anyone know what the
24 difference in taxes would be for a one-family to
25 two-family?

1 - RE: A. PANTILIERIS -

2 MS. PLATT: You could check with the assessor's
3 office. They could probably give you an estimate. I don't
4 know how they calculate it, single, two-family, though.

5 BOARD MEMBER FINDLEY: The assessor doesn't come up
6 with that number for the school taxes, though; correct?

7 MS. PLATT: There's a percentage that she uses that
8 the schools give her.

9 BOARD MEMBER FINDLEY: Okay.

10 MR. FARRELL: It shows. The assessor for the Town is
11 also the assessor for the school board and everything is
12 reflected. They don't have a separate assessor, they just
13 have a collector.

14 BOARD MEMBER MORREALE: What prompted the 2013 visit
15 that --

16 MR. FARRELL: Say it again.

17 BOARD MEMBER MORREALE: What prompted the 2013 visit
18 from the --

19 MR. FARRELL: I don't know. He just said she showed
20 up. And I assume there was a complaint of some sort. I
21 was never privy to what it was. Was it a neighbor, was it
22 somebody down the road, was it somebody that didn't like
23 him, I don't know. But generally, those things, my
24 understanding from being in this business for 50 years,
25 it's usually somebody nearby.

1 - RE: A. PANTILIERIS -

2 MR. PANTILIERIS: They were taking pictures for the
3 assessor to use.

4 MR. FARRELL: Oh, okay.

5 BOARD MEMBER MORREALE: So the assessment is what ...

6 MR. PANTILIERIS: I think so.

7 MR. FARRELL: I gave you a lot of information. I went
8 in the records and did the best I could to look through
9 both the assessor's records and the Building Department's
10 records. I have to compliment Mary Grass for also doing it
11 because in one of her letters I can see where she went into
12 the same records I did, and ...

13 CHAIRMAN MORDAS: All right. So basically, you have
14 this letter from Mr. Griffo from December of 2002.

15 MR. FARRELL: '02.

16 And he closes in March of 2003, about four months
17 later, three months later. And that goes to the bank and
18 the bank attorney, and that indicates there's no violations
19 on the property and indicating that it's a two-family
20 house. And then I got this tax bill that says it's a
21 two-family in a 220. I'm, like, you don't send the
22 building inspector out to see if there's anything wrong
23 with the house. The seller is not going to let you come in
24 the door.

25 CHAIRMAN MORDAS: Well, I'm really more concerned

1 - RE: A. PANTILIERIS -

2 about what transpired between the Building Department at
3 the time and your client's title insurance company.

4 BOARD MEMBER MORREALE: Right.

5 CHAIRMAN MORDAS: All right. Anybody have any
6 questions?

7 BOARD MEMBER FINDLEY: I would just like to know
8 difference in taxes.

9 CHAIRMAN MORDAS: Okay.

10 BOARD MEMBER FINDLEY: And if we do somehow come up
11 with that it's a two-family, what happens with this? There
12 would have been a kitchen added at some point.

13 CHAIRMAN MORDAS: If we do issue the variance it's
14 going to --

15 BOARD MEMBER FINDLEY: Then --

16 CHAIRMAN MORDAS: -- it's going to be a conditional
17 variance based upon -- I'm assuming there's going to have
18 to be some kind of building inspection, make sure
19 everything is up to fire code.

20 Is that what you're getting at, Kent?

21 BOARD MEMBER FINDLEY: Yes.

22 CHAIRMAN MORDAS: Okay. So we would word the variance
23 depending upon ...

24 BOARD MEMBER RAMPE: Inspection of the premises.

25 CHAIRMAN MORDAS: If it's got to be in front of the

1 - RE: A. PANTILIERIS -

2 Planning Board, Planning Board approval. So we kind of
3 make it -- you know, we sort of give them a yellow light
4 that can turn green at a later date.

5 MR. FARRELL: That's it. Perfect.

6 BOARD MEMBER FINDLEY: And we need Steve here for
7 discussion.

8 CHAIRMAN MORDAS: Yes.

9 BOARD MEMBER FINDLEY: We need Steve here for a real
10 discussion on that.

11 CHAIRMAN MORDAS: I agree.

12 So I'm going to kind of cut it short. We'll probably
13 get into a little more depth.

14 If I have a motion to set up a public hearing.

15 BOARD MEMBER RAMPE: I make that motion.

16 CHAIRMAN MORDAS: I'll second it.

17 All in favor?

18 BOARD MEMBER RAMPE: Aye.

19 BOARD MEMBER FINDLEY: Aye.

20 BOARD MEMBER MORREALE: Aye.

21 CHAIRMAN MORDAS: Aye.

22 (The motion was agreed and carried.)

23 CHAIRMAN MORDAS: We'll be going a little more into
24 depth with our lawyer, our counsel present, at the public
25 hearing.

1 - RE: A. PANTILIERIS -

2 MR. FARRELL: This is a light yellow?

3 BOARD MEMBER FINDLEY: Well, you couldn't get that
4 yellow today, anyway, so ...

5 MR. FARRELL: I hear you.

6 I was wondering when the public hearing would come.

7 Thank you very much. Have a great night.

8 CHAIRMAN MORDAS: Have a good night.

9 BOARD MEMBER RAMPE: Thank you.

10 MR. FARRELL: Okay.

11 CHAIRMAN MORDAS: All right. Motion to --

12 Oh, Mr. Farrell, Mr. Pantilieris, do we have
13 permission to walk the site?

14 MR. FARRELL: Absolutely.

15 CHAIRMAN MORDAS: Thank you very much.

16 MR. FARRELL: It's just the house on the road with a
17 small lot. Do you want to call first or anything else like
18 that?

19 CHAIRMAN MORDAS: Is that necessary? Would you prefer
20 us to call you first?

21 MR. PANTILIERIS: Call for what, sir?

22 MR. FARRELL: Take a look at your house.

23 MR. PANTILIERIS: That will be a great idea so I can
24 make sure that I'm there.

25 CHAIRMAN MORDAS: All right.

1 - RE: A. PANTILIERIS -

2 MR. FARRELL: Give him your number.

3 CHAIRMAN MORDAS: Give your number to Kyra.

4 MR. FARRELL: Thank you for your courtesy.

5 CHAIRMAN MORDAS: Thank you.

6 BOARD MEMBER RAMPE: I make a motion to adjourn the
7 meeting.

8 CHAIRMAN MORDAS: I'll second it.

9 All in favor?

10 BOARD MEMBER RAMPE: Aye.

11 BOARD MEMBER FINDLEY: Aye.

12 BOARD MEMBER MORREALE: Aye.

13 CHAIRMAN MORDAS: Aye.

14 (The motion was agreed and carried.)

15 (Time noted: 7:51 p.m.)

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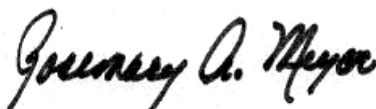
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REPORTER'S CERTIFICATION

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 Anastasios Pantilieris, 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 18, 2018

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