

Planning & ZBA Meeting – April 8th 2025

Chair opens the meeting:

Welcome, everyone, to the first ZBA meeting of April. You may start the roll call.

Roll Call:

- Bob Zimmer, Chair – Here.
- Chris – Attorney, here.
- Jamison Zajac, Engineer – Here.
- Jennifer Lyons – Here.
- Eric Kelm – Recused.
- Mariano Choconi – Not present.
- Vic Ludmere – Here.
- Pete Hildebrand – Here.

Alright. We only have one applicant tonight: Dan and Don and Joanna Celentano. Eric is representing them, so he's already up here at the table.

I'll begin by reading the planning application into the record.

Application Details:

The applicant is Don and Joanna Celentano, for property located at 582 Jersey Avenue in Greenwood Lake. (Note: The original application incorrectly listed the address as 585.)

- Prepared by Fiedler Engineering and Joseph Irace.
- Location: Section 315, Block 2, Lot 7.
- Current use: Residential.
- Proposed use: Residential.
- Site area: 4,205 sq. ft.
- Federal or state permits required: No.
- Anticipated construction time: 8 months.
- Current site condition: Residential building.
- Increase in number of residents or shoppers: No.
- Application signed by Eric Kelm. A notarized affidavit is attached authorizing Eric to represent the property owners.

Building Inspector Review:

- Reviewed on September 9.

- Construction of a new single-family home requires Planning Board review due to proximity (within 100 feet) to the waterfront.
 - Variance required due to non-compliant lot width and area.
 - Recommendation: Review setbacks.
 - Note: No fire-rated measures on the north side; that wall must be fire-rated.
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Attached Documents:

- SEQR short form (not read into the record, as this is a residential application).
- ZBA application for area (bulk) variance.
- Proposed front yard: 34 ft.
- Depth along the side: 130 ft.
- Lot area: 4,000 sq. ft.
- Variances requested:
 - Shortest side yard: 2'8" (required: 7'5").
 - Total side yards: 12'10" (required: 11'6").

A new septic system is also proposed and approved by the Orange County Health Department. Plans include:

- Survey.
 - Septic system design.
 - Architectural building plans.
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Applicant Presentation:

Eric Kelm explains that the plan is to tear down the existing house and rebuild slightly shifted on the lot. Currently, both the Celentano and the neighbor's houses are almost touching. The new house will be 2'8" from the property line on one side, improving the setback from the neighbor's house.

The dimensions of the house remain the same, except for squaring off one corner on the compliant side.

- The replacement house is slightly larger in square footage.
- It remains a one-bedroom house.
- The septic system is approved for one bedroom.
- Existing house has no real basement; the new house will have a walk-out basement.
- Height: 27 ft (two stories plus walk-out basement on lake side).
- Bathrooms: Three (with living space all upstairs, entrance via bridge similar to neighboring property).

Discussion Points:

- Interior floor space is 1,771 sq. ft. (across both floors).
- Some inconsistencies noted between architectural square footage and survey (possibly due to exterior vs. interior measurements).
- Septic system to be installed after house construction due to logistics.
- Concerns raised about the property line distances, deck placement, and lakefront setbacks.
- Decks extending into the lake area are not part of the construction application and cannot be approved by the board.
- Ownership of lakefront property is unclear and complex.

Public Comments:

Multiple neighbors raised concerns, including:

1. **Proximity & Fire Safety:**
 - House is close to the property line.
 - Fire safety risk if too close; need for fire-rated wall.
2. **Septic System Validity:**
 - Disbelief that soil tests were conducted (neighbors say they never saw any activity).
 - Board holds signed and approved documentation from Orange County Department of Health.
3. **Privacy:**
 - New house layout may lead to reduced privacy for neighbors.
 - Living areas and decks may face neighboring homes directly.
4. **Potential Airbnb Use:**
 - Concerns about house being rented out and neighborhood character changing.
 - Board emphasizes that short-term rentals must follow village Airbnb regulations.
5. **Construction Impact:**
 - Fear of foundation damage during drilling or septic installation due to ledge rock.
 - Request for pre-construction surveys and vibration monitoring.
6. **Drainage and Water Runoff:**
 - Concern about roof runoff between tightly spaced houses and into the lake.

Board Responses:

- Septic system is compliant and has County Health Department approval.
- Any necessary changes (e.g., if rock prevents installation) must be re-approved.

- Pre-construction documentation can be requested (e.g., vibration monitoring, existing condition survey).
 - Final occupancy and usage will be reviewed by the building department.
 - Privacy and visual impacts are considered in site plan approval (especially within 100 feet of waterfront).
 - Airbnb concerns will be monitored and enforced as necessary.
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Conclusion:

- Board acknowledges neighbor concerns and agrees to consider mitigation measures where feasible.
- Public hearing was formally opened partway through discussion.
- The board will take public feedback and documentation into account before making a final decision.