



Town of Marbletown
Zoning Board of Appeals
1915-1925 Lucas Avenue
Cottkill, New York 12419
planning@marbletown.net

Zoning Board of Appeals
Approved Meeting Minutes
June 22nd, 2022

Meeting Called to Order – Tom Smiley – Board Chair

6:05 P.M.

Pledge of Allegiance

Quorum Call:

Board Present: Tom Smiley, Kathie Grambling, Brendan Masterson

Board Absent: Andy Nilsen, Zach Bowman, Egidio Tinti

Town Staff Present: Shawn Marks

Announcements: Michelle Solcberg is not available tonight; Shawn Marks will be Tech and Scribe

Business:

1.) 2022-04 AV – Gray Sammons Area Variance – Public Hearing Continued

Applicants: James Gray and Olivia Sammons

Address: 219 Old Kings Highway, Accord, NY, 12404

SBL: 69.4-1-8, R1, 3.00 acre

Requesting an Area Variance on a 40-foot-tall accessory building

Chairman Smiley: Applicant have not arrived yet, we'll give them a few more minutes and skip ahead in the agenda to the approval of minutes.

2.) Meeting Minutes

Announcement from the Chair: Brendan Masterson will be a voting member of the Board tonight. Zach will not be in attendance, but Andy N. and Egidio T. may show up a bit late tonight.

Motion to approve the minutes of the May 25th, 2022, ZBA Meeting made by Kathie Grambling, second by Brendan Masterson, call of the roll with unanimous Aye. (3-0)

Call by the Chair for any additional business: None presented

The Board returned to Item # 1 on the agenda



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Kathie Grambling, Application Lead, provided a summary review of the Application and its progress:

- A written narrative of supporting detail was submitted into record by the Applicants. The narrative is dated 6/14/22 and all members of the Board have reviewed the contents.
- A site visit was conducted by 2 Board members on June 14th, 2022.
- The public hearing is continued tonight

The Board briefly discussed the written narrative provided by the Applicant. The narrative was displayed on the overhead projector during the discussion.

A copy of the narrative was requested by Cassandra Thaule and provided via email.

The Board reviewed and discussed the photos taken at the Site Visit. The photos were displayed on the overhead projector during the Board's discussion. The Board discussed the layout of the parcel, the vegetation, topography, and the proposed site of the structure on the parcel.

The Board discussed the proposed structure, its size and location, its noted contrast to the character of the neighborhood, the alternatives available to the applicant in meeting the same general needs without a variance, and the potential impacts upon the neighborhood and of a precedent with regard to a height variance.

Call for Public Comment

Cassandra Thaule – 192 Old Kings Highway:

- The plans show plumbing and other components of a residence. They have a bedroom noted on their plans. What's to prevent it from being a residence? The structure is a residence, or it will become a residence. I believe they are being untruthful. They are saying what they are saying to get around the code.
- What happens once the building is built and then they do whatever they want? What then? What can the Town do about it?



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- We're becoming a suburb instead of what we used to be. There's 3-house subdivision 1000 feet down the road from me with a house right on the street. It used to be impossible to get a subdivision in the Town.
- The building does not fit in with the neighborhood. There's nothing else on that road of that size. There is a barn that is falling down, but I don't think it's close to being that high. Maybe 30 or 35 feet tall.

Ms. Thaule had several inquiries relating to the Zoning Code, Density Requirements, Building Code, and Permitted Uses within the District. The Chair and CEO Marks provided details and answers to the relevant inquiries

Additional call for Public Comment; No additional comments received

Motion to Close the Public Hearing made by Brendan Masterson, second by Kathie Grambling, call of the roll with unanimous Aye. (3-0)

The Board read, reviewed, discussed, and edited the Draft Determination and Resolution. The Determination and Resolution were displayed on the overhead projector during the review and discussion

Motion to Deny an Area Variance for the height of the detached accessory structure made by Kathie Grambling, second by Brendan Masterson; call of the roll with the following vote: Kathie Grambling – Aye, Brendan Masterson – Aye, Tom Smiley – Aye; 3 Aye – 0 Nay; Absent Zach Bowman, Egidio Tinti, Andy Nilsen

A copy of the Determination and Resolution may be obtained by contacting the Planning & Zoning Office

Motion to adjourn made by Brendan Masterson, second by Kathie Grambling, call of the roll with unanimous Aye. (3-0)

Meeting Adjourned

6:48 P.M.

A digital copy of the audio recording of this meeting may be obtained by contacting the Planning & Zoning Office

DRAFT SUBMITTED July 5th, 2022

MINUTES APPROVED August 24th, 2022

Shawn Marks



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