

WHARTON PLANNING BOARD
SPECIAL MEETING
November 14, 2019

The Special Meeting of the Wharton Planning Board was called to order with Chairman Ken Loury reading the Open Meeting Statement as required by law as well as the Judicial Proceeding Statement.

ROLL CALL was taken and the following members were present: Chairman Ken Loury, Ms. Charlotte Kelly, Mr. Roger Steele, Mr. Mark Harris, Mr. Peter Rathjens, Mr. Brian Bosworth, Mr. Christopher Fleischman and Ms. Barb Chiappa. Also present were Attorney Alan Zakin, Planner Jessica Caldwell, and Secretary Patricia Craven. Excused were Mayor William J. Chegwiddden, Councilman Thomas Yeager, Mr. Patrick O'Brien and Engineer Christopher Borinski.

The Pledge Allegiance to the Flag was next.

The reading of the bills was next. A Motion was made by Brian Bosworth and Seconded by Roger Steele to approve the bills as read. YEA – 8 NAY – 0

The application for Trading Houses, LLC was next. Architect Matthew Smetana was sworn in and qualified. Mr. Ruben Maldonado, construction manager for Trading Houses, LLC was also sworn in. The owners of Trading Houses, LLC, Mr. & Mrs. Carlos Castaneda were also present.

Architect Smetana described the existing house of 732 sq. ft and in disrepair. The lot is narrow compared to what the zone requires, it is 50 ft vs. 75 ft. The house is 2ft off the left side property line. The ordinance requires 10 ft side yard. It is pre-existing, non-conforming. They are keeping the existing footprint and are expanding forward with an addition that will be 6 ft off the left property line and will require a variance.

The house will have 3 bedrooms and will be updating it with a large master suite, large open living space and 2 baths. They will be adding a deck out the back, adding 2 gables for curb appeal, stone to the front, new windows and siding. It is a 1 story residence. They will be adding a door to access the basement from the outside. This is a bump out on the right side of the house which is about 14.5 ft from the property line. The basement is accessible from the inside as well. The outside door will make it easier to bring items to the basement. The basement is for storage. Part of the basement is dirt and they will doing the floor so that the basement will be clean for a furnace and washer and dryer. The area is about 400 sq. ft.

Notices were sent to everyone within 200 ft. which is on file with the secretary.

Brian Bosworth noted that the plans show that there was a door on the left side of the house. Mr. Maldonado presented a picture on his phone which was marked into evidence as A-1, 11/14/19 Picture of the front view of the existing house. Mr. Maldonado will email this picture to Ms. Craven. Mr. Maldonado stated that there was no door there, it was a window. Architect Smetana stated that there may have been a door there at

one time but from the inside it was a window. After some discussion it was decided that Architect Smetana revise the plans to show a window. Mr. Maldonado stated that there is heat in the existing basement and under the new addition there will be a crawl space. They will not have any bedrooms in the basement. The outside door to the basement was a concern of the Boards for possible subletting or renting out that space. Chairman Loury stated that he would like to make that a condition of approval. They can finish the basement but cannot have any sleeping in the basement.

Mr. Maldonado stated that the owner will be flipping the house and selling it.

Mr. Steele stated that the addition brings it more in line with the neighbors.

Planner Caldwell stated they have a preexisting lot width of 50 ft where 75 ft is required and a preexisting 2ft side yard where 10 ft is required. They are moving the addition over 6 ft to not exacerbate the side yard setback as much as they can. They are bringing it in line with the houses in the neighborhood as far as setbacks and size. This house is dilapidated and in need of repair. These are all positives and there are no neighbors here tonight in attendance. She sees no negative impact. Roger Steele stated that it is an eyesore now and if he was a neighbor, he would want it to be improved. Many Board members agreed.

Rubin Maldonado stated that as far as landscaping they will be adding grass and small bushes in the spring. There is ornamental bamboo in the back yard which they will be cleaning up and leaving some of it as well as adding grass.

The meeting was open to the public and with no public in attendance the meeting was then closed to the public. The public was properly noticed.

Mark Harris stated that it is a reasonable application and brings the home up to the standard of the neighborhood. He sees no reason why it should not be approved. Mr. Steele agreed and stated that they are only requesting 1 variance for the 6 ft setback. Mr. Loury stated that the benefits far outweigh the detriments.

Attorney Zakin stated the conditions that were acceptable to the applicant:

1. Correct the issue on the floor plans (the door on the left side)
2. Basement can be finished but no bedrooms in the basement. (The Boards concern is the outside door to the basement. This owner will be fixing this up and selling the home. Their concern is with the next owner.)
3. They have 2 years to start construction or they have to reapply.

The applicant was also advised that their resolution would be read at the December 10, 2019 Planning Board meeting and if they start any construction before that, they are doing so at their own risk.

Mr. Maldonado stated that the driveway will be the same size and paved.

Attorney Zakin went over the application again and the conditions.

1. Correction of the floor plan to correct the appearance of a door.
2. No sleeping area in the basement
3. They have 2 years to start construction and if not, they must come back to the Board and reapply. This approval would then be null and void.

A Motion was made by Roger Steele and Seconded by Peter Rathjens to approve the application with the conditions. YEA – 8 NAY – 0

A Motion was made by Brian Bosworth and Seconded by Christopher Fleischman to adjourn.
YEA – 8 NAY – 0

Patricia M. Craven – Secretary

Ken Loury - Chairman