

Town of Lenox
Zoning Board of Appeals
January 6, 2021 7:00 p.m. via Zoom

Members Present: Robert Fuster Jr (RFJ); Shawn Leary Considine (SLC); Ned Douglas (ND); Cliff Snyder (CS); Kimberly Duval (KD)

Staff: Jessica Cote, Land Use Assistant

RFJr opened the meeting at 7:01pm.

1. 75 Taconic Ave – Special Permit Application

- Cameron Brown from Hill Engineering presented the application on behalf of the petitioner, Andrea and John Simons. Applicants plan to remove existing sun room and add a two-story addition.
- Two story addition will encroach into the front yard setback.
- Andrea and John explained why the need for an addition as they both work from home and need extra space to build home offices. The sun room to be remove needs works and is starting to deteriorate.
- RFJr asked about the property lot. Cameron explained existing sunroom is already non-conforming on lot and is unheated and the piers are collapsing underneath. Existing sun room is 7 feet into front yard setback and new addition would be 12 feet into front yard setback. Stairwell will extend an extra 4.5 foot from addition. Addition will be 21 feet from property line including the stairway. This is a corner lot therefore the addition needs to adhere to the front yard setback requirements and therefore there is a need for a SP to build the addition.
- No correspondence was received and there was no public comment.
- SLC moves that the ZBA grant the petitioners request from 5.3.5 and 6.3.5 of the ZBL. KD seconds. Board discussed. All in favor 5-0.

2. 21 Schermerhorn Park – Special Permit Request

- Christian Deckert, property owner, explained the petition for the SP for a deck into the side yard setback. When Christian provided the plans to the Building Department it was realized that the deck was four feet into the side yard setback. Due to the shape of the lot, there is a need for a Special Permit to construct the deck. Christian reviewed the survey plan submitted to the Board.
- SLC asked if removal of the corner of the deck would make this deck conform to the Bylaw and there would be no need for a SP? CD responded yes. SLC then asked what is where the deck is right now. Currently there is gravel stone where the proposed deck would be constructed.
- The Board asked questions about the current garage and if it would stay as well as where the neighbors' homes are in proportion to the deck.
- JC read the correspondence into the record.
- Public comment:

- Mary Jane Fromm – 32 Schermerhorn Park – Will not be impacted by this deck however there is concern for Mrs. Hoffman privacy overlooking her back yard. Feels important is the expectation of privacy in this neighborhood and that the value of homes neck to the applicant will decrease. Only has concerns for others in the neighborhood
- Mr. Klausmeyer – 8 Schermerhorn Park – concerns with visual impact and that the deck will be visible from his home.
- Susan Hoffman – 15 Schermerhorn Park – opposed to project. View into her yard from applicant's deck. Will have loss of privacy and doesn't understand why applicant wasn't required to get a permit back when they installed French doors.
- RFJr moves to schedule a site visit and continue hearing to next regularly scheduled meeting. CS seconds. All in favor 5-0. Site visit 1/19 at 1:30 and hearing at 7:00pm.
- CD asked who would be coming to the site visit. RFJr replied that it is open to the public as it is a posted public meeting. There was then back and forth about the applicants not wanting their neighbors on their property. RFJr explained that if a site visit was not completed then the petition would be denied.

RFJr closed the hearing at 8:04pm.