

MINUTES
BOARD OF APPEALS
VILLAGE OF THOMASTON
VIA ZOOM

June 3, 2021

PRESENT: Nick Toumbekis, Chair
Michael Nikrooz, John Pschenica, Lawrence Greengrass, and
Lawrence Levy, Members
Denise Knowland, Village Clerk
Linda Earley, Deputy Village Clerk
Brian S. Stolar, Village Attorney

Due to public health and safety concerns related to COVID-19, and pursuant to the Governor's Executive Orders, the meeting and public hearings were held by videoconferencing, through Zoom. The meeting was recorded and a transcription will be provided at a later date.

The hearing notice for the application provided the method for public participation, including the opportunity to submit comments through electronic mail before and during the hearings, or through Zoom videoconferencing during the hearing. The Zoom sign in information was provided in the hearing notices. The applicants presented their applications through Zoom videoconference. Upon the completion of the presentations for the respective applications, the Board asked whether any person sought to make a public comment on the respective application. As provided in the hearing notice, public comment could be made either by participating in the Zoom meeting or by submitting comments by email before or during the meeting.

The application materials were made available for viewing and downloading, on the Village website, before and during the application.

The Board called the meeting to order at 6:03pm.

The Board opened the public hearing on the application of Burton and Joyce Weston, 1 Singley Court, Thomaston, New York, for a variance to install a generator in a front yard, where Village Code §203-119(D)(1) requires a generator to be located in a rear yard. Premises are designated as Section 2, Block 334, Lot 47 on the Nassau County Land and Tax Map.

The hearing was recorded, and a transcription will be provided at a later date. No member of the public sought to speak and the Deputy Village Clerk advised that no comments were received by email.

After hearing all comments, on motion duly made by the Chair, seconded by Mr. Greengrass, and adopted unanimously, the Board closed the hearing.

The Board discussed the application. On motion by the Chair, seconded by Mr. Greengrass, and adopted unanimously, the Board declared itself as lead agency under SEQRA and determined that the application was a Type II matter under SEQRA which requires no environmental review, and granted the variance, on the conditions that (i) the noise emanating from the units not exceed 75 dBa, at the property line; (ii) the unit shall not exceed 20,000 kwh of output; (iii) all sound dampening methods contained with the manufacturer's specifications for each unit shall be provided on the unit by the applicants; (iv) the applicants plant evergreen screening as a sound buffer around the units, and the applicants and all future owners shall maintain such screening for as long as the units are located as approved herein; (v) the applicants, and all future owners, shall arrange for annual servicing of the unit, to be undertaken by a contractor acceptable to the Village Building Department and provide the results of the annual

inspections to the Building Department; (vi) no later than six (6) months after the filing of this decision with the Village Clerk, the applicants shall obtain all required licenses and permits; (vii) no later than one (1) year from the date the applicants obtain such permit the applicants shall obtain all required certificates of occupancy and/or completion for the improvements proposed on the plans submitted to this Board, to the extent approved herein; and (viii) all approved and authorized work shall conform to the plans submitted to the Board, as authorized by this approval.

There being no further business, on motion duly made by the Chair, seconded by Mr. Greengrass, and unanimously approved, the meeting was adjourned at 6:50 pm.

THE ABOVE MINUTES WERE FILED IN
THE OFFICE OF THE VILLAGE CLERK
OF THE INCORPORATED VILLAGE OF
THOMASTON AT
TIME: 10:47 A.M./P.M. on

DATE: JUNE 14, 2021
(Month) (Day) (Year)

BY: LINDA EARLEY
(Print full name of filer)