

Ancram Zoning Board of Appeals
November 10th, 2016 7:30PM
Meeting Minutes

Board Members Present: Sue Bassin, Shelt Waldorf, Fred Schneeberger, Ronald Brant (alt), Chair Bonnie Hundt, and William Lutz

Board Members Absent:

Clerk: Colleen Lutz

Others Present: Patrick Hackett PE, John Allee, Lisa Coons, Teri Goetz, Jason Werner, Michael Gershon, Richard Lanka

Chair Hundt opened the meeting at 7:25pm.

The meeting minutes from the previous meeting were reviewed. Mr. Schneeberger stated that his name was spelled incorrectly once. The change was noted and Fred Schneeberger made a motion to accept the minutes as amended. Shelt Waldorf seconded the motion and the remaining members unanimously voted to accept them.

Old Business

Teri Goetz-Vaccaro
54 Carson Road
Millerton, NY 12546
(Town of Ancram)
SBL:221.-1-61.1

The Chair confirmed the location of the parcel and stated that it was located in the AG zoning district and the proposed variance was a type II action. She asked if any of the Board members had a reason to recuse themselves from the application.

No members recused themselves at this time.

As a review:

Currently, the structure is 32'11" from the DEC classified stream. The new addition will improve the setback to 42'4", however they are within the 100FT buffer of the waterbody. They stated that they are moving the septic from within the buffer to the other side of the house, which will remove it from the stream buffer zone. The old tank will be filled as opposed to removing it, as to minimize disturbance near the stream.

The Chair stated that the Board had received the letter from the New York Natural Heritage Program a consultant for the DEC's permitting and review process. She stated that they found 3 ecologically important species near the site and one important habitat. None of the items found had been recorded on the site.

Ms. Bassin asked if there was additional information from the DEC. She stated that she was concerned that there was no definitive yes or no about the project on the site.

The Chair and Applicants confirmed that this was the only correspondence they had received.

The Chair also stated that the planning board had reviewed the variance at their regular meeting. She read the recommendation to the Board which stated that they had no problem with the variance and that they suggested that proper storm water control be in place during construction and that the vegetation on site be preserved to the greatest extent possible.

The Chair asked if any of the Board members had additional questions or comments.

Mr. Schneeberger asked why they were putting in a 2000 gallon septic.

Mr. Hackett explained that they will have 5 bedrooms and they would like to make sure it is adequate if they expand the number of bedrooms.

The Chair stated that during the planning board meeting, there was additional discussion regarding the lawn size and perhaps reducing the lawn and leaving a buffer near the stream.

Mr. Hackett stated that currently there is a manicured lawn on site a drilled well and mature trees. He stated that a cherry tree will need to be removed to accommodate the new septic tank.

Ms. Bassin asked if there were any additional buried tanks on the property.

Mr. Hackett stated not to the knowledge of the homeowner.

He stated that they will be installing footing drains and the addition will have a full basement.

The Chair asked when they plan to start.

Ms. Goetz stated probably not until spring.

Ms. Bassin asked if the structure will be more or less square footage after the transformation.

Mr. Allee stated it would be slightly larger.

Mr. Schneeberger made a motion to open the public hearing. William Lutz seconded the motion. All were in favor.

The Chair asked for public comments. There were no comments from the public.

William Lutz made a motion to close the public hearing. Shelt Waldorf seconded the motion and all were in favor.

The Board considered the 5 factors in granting a variance:
FACTORS CONSIDERED:

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: **No X**
2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: **No X**
3. Whether the requested variance is substantial: **No X**
4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: **No X**
5. Whether the alleged difficulty was self-created: **Yes X**

Fred Schneeberger made a motion to grant the approval of the area variance with no additional conditions. Sue Bassin seconded the motion. A roll call vote of the members was completed:

		Aye	Nay
Chair	Bonnie Hundt	X	_____
Member	Sheldon Waldorf	X	_____
Member	Frederick Schneeberger	X	_____
Member	William Lutz	X	_____
Member	Sue Bassin	X	_____

The Applicants were advised that they would still need to apply to the building department for a permit.

OLD BUSINESS

Nancy and Jason Werner
388 Undermountain Road
Millerton, NY 12546
SBL 208.-1-9.200

Mr. Werner appeared before the board to update them with his project. He stated that there were no changes.

The Chair reminded the Board that the application had been reviewed by the planning board already and they found that with the modifications the ZBA and applicant had agreed to, there would be no need for a variance.

The Chair stated that she would create a memo for the Zoning Enforcement Officer stating these findings. She also reminded the applicant that he would need to apply for a building permit prior to commencement of the work on the structure.

NEW BUSINESS

Michael Gerson-Area Variance
143 Carson Road
Millerton NY, 12546
SBL 225.-1-7

Michael Gershon and Richard Lanka submitted an application to the Board for a rear yard setback variance. They are planning to create an addition to a preexisting structure. The current 3 car garage will be enlarged to work on the repair and restoration of antique cars. The applicant is requesting a 10 ft. 6 in variance. They will be enclosing a currently existing deck to create a storage area, which may become an in-law apartment. The footprint of the new addition will not extend further than the existing deck; however the roof overhang will protrude into the setback which accounts for 4.3 inches of the variance.

Mr. Lanka stated that the proposed construction will result in 2.8% impervious surface on the parcel.

Ms. Bassin asked what was on the other side of the rear property line.

Mr. Lanka stated it was currently actively farmed.

The Chair stated that the board would refer the application to the planning board. They will review it at their next scheduled meeting, December 1st, 2016. She suggested that the applicants go to the meeting to enter any clarifications to the planning board if needed.

The ZBA and applicants agreed public hearing would be scheduled for December 6th, 2016 at 7pm.

ADDITIONAL BUSINESS

The Chair stated that she would be in attendance at the planning board meeting to discuss the issue of recusals with the board.

Ms. Bassin's term is up and she expressed that she would not like to renew.

The Chair suggested that she could become the alternate and Mr. Brant could become the full member.

Ms. Bassin agreed and stated that she would like to become the alternate.

The Chair stated that Mr. Waldorf is also reappointed until 2020 if he would like.

Mr. Waldorf stated he would like to continue.

At 8:30 PM a motion was made by Shelt Waldorf to adjourn the meeting. The motion was seconded by Fred Schneeberger and the Board unanimously agreed.

Respectfully Submitted

Colleen Lutz

Secretary Town of Ancram ZBA