

**Ancram Zoning Board of Appeals**  
**November 2nd, 2018 7:00PM**  
**Meeting Minutes**

Board Members Present: Steve Olyha (Chair), William Lutz, Sharon Cleveland (Alt)

Board Members Absent: Fred Schneeberger, Ron Brant, Sheldon Waldorf, Robert Horwitz (Alt)  
Others Present: Don Duksa (Applicant Resident)

Clerk: John Hoffman

Chair Olyha opened the meeting at 7:00PM.

The meeting minutes from 8/30 and 10/9 were reviewed. Will Lutz motioned to approve the minutes. Sharon Cleveland seconded the motion. All in favor motion carried.

**Correspondence:** Members were reminded that they are required to complete 4 hours of training. Additionally, members are required to attend the new harassment and discrimination policy training.

**Conflicts:**

The Chair, Steve Olyha asked if there were any conflicts Fred Schneeberger wished to abstain because of a business and personal relationship with Don Duksa.

**Old Business:**

**Don Duksa**

**Area Variance**

**1030 County Route 27A**

**197.-1-2.12**

Steve Olyha opened the public comment.

There were no public comments

Steve Olyha motioned to close public comment. Will Lutz seconded the motion. All in favor, motion carried.

Sharon Cleveland motioned to declare a negative declaration for the environmental review. Will Lutz seconded the motion. All in favor, motion carried.

Will Lutz motioned to approve the area variance with the following conditions:

1. The applicant must receive a Building permit;

The motion was seconded by Steve Olyha.

**FACTORS CONSIDERED:**

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: Yes\_\_\_ No X

Reasons: There are barns all around the area including an existing barn on the property.

2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: Yes\_\_\_ No X

Reasons: No, changing would require significant grading to the property.

3. Whether the requested variance is substantial: Yes\_\_ No X

Reasons: Based on the requested variance from the 60 foot setback requirement notwithstanding the requirement based in part on 10 percent of the structure’s square footage.

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes\_\_\_ No X

Reasons: No, the variance will minimize site disturbance and reduce the development footprint.

5. Whether the alleged difficulty was self-created: Yes X No\_\_\_

Reasons: The applicant did not have to build a pole barn.

**DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:**

The ZBA, after taking into consideration the above five factors, finds that:

the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance request is denied.

the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

**RECORD OF VOTE**

	MEMBER NAME	AYE	NAY
Chair	<u>Steve Olyha</u>	<u>X</u>	___
Member	<u>Will Lutz</u>	<u>X</u>	___
Member	<u>Sharon Cleveland</u>	<u>X</u>	___
Member	<u>Fred Schneeberger</u>	abstain	

**New Business:** None

Will Lutz motioned to adjourn the meeting. Steve Olyha seconded the motion. All in favor,  
motion passed.

Respectfully Submitted,

John Hoffman

Secretary Town of Ancram ZBA