

TOWN OF ANCRAM ZONING BOARD OF APPEALS

October 28, 2024 at 7:00 PM

Watch Meeting Online:

<https://www.youtube.com/watch?v=Vqtx2Kf-w8A>

Board Members Present: Steve Olyha (Chairman), William Lutz, Sharon Cleveland, Ron Brandt

Board Members Absent: Fred Schneeberger, Carol Falcetti (alternate), James Stickle (alternate)

Board Members Present on Zoom: None

Steve Olyha called the meeting to order at 7:00 PM, a quorum was established.

Minutes:

The Chair asked if everyone had a chance to review the minutes. They had. There were no additional changes or edits. A motion was made by William Lutz to accept the previous meetings minutes. The motion was seconded by Ron Brandt. All in favor, motion carried.

Correspondence:

Bryck: regarding a fence needing a variance which is in the preapplication phase; discussions are taking place with the building department and Zoning Enforcement Officer regarding the application.

Homeland Towers: a cell phone tower which is also in the pre-application stage.

Response from Columbia County Planning Board regarding the DelRossi application is included in the packets.

Chairman Olyha asked J. Hoffman about why the Planning Board minutes reflect that Chairman Crocco would be drafting a letter to the ZBA has that happened? J. Hoffman reported that has not happened as circumstances changed with the application. Chairman Olyha asked for clarification regarding if a survey is required by the Planning Board and the Zoning Board of Appeals for the current application from Mr. DelRossi. J. Hoffman and Chairman Olyha discussed that it is a general understanding that for an abbreviated site plan review an updated survey is not required.

Conflicts: The Chair asked if there were any conflicts. There were none.

Old Business:

Wilson/Del Rossi

Area Variance

197.3-1-36

5 Lake Shore Drive

Mr. DelRossi presented before the board, he reported that he pulled his original application and decided to get a revised survey, as the original survey did not contain enough information. Mr. DelRossi has the new survey, he has gone back over the survey with the ZEO to see what size variances will be needed, and has resubmitted the variance application with new numbers as follows:

A variance of 12.7 feet in the front yard from the front of the house to the road. A variance of 12.2 feet to increase the length of the garage. A variance of 118.8 feet for the setback from the lake. A variance of 3 feet from the garage to the property line south in the side yard.

Mr. DelRossi reported that both structures are nonconforming, both structures would be two stories. He reported that he has contacted the New York State Department of Environmental Conservation and they have no issues with the garage being that close to the water as the foundation is existing.

The chairman asked board members if they have any questions

Mr. Lutz raised a question regarding the garage setback and if it is now attached and is two stories will it still be considered a garage and if there will be living space above the garage. Mr. DelRossi reported that above the garage will be used as livable space. Questions were raised by Mr. Lutz and Mr. Brandt if that would change the type of variance needed. Chairman Olyha reported that the structure is still considered a garage and the setbacks requirements have changed as it is going from a detached to an attached garage.

Chairman Olyha asked board members if they felt the application is complete as they previously determined in July the application was complete.

Mr. Lutz asked if the application would go back to the Planning Board for recommendations. Chairman Olyha reported that a public hearing will be held on November 25, 2024, then it would be sent back to the Planning Board at their next meeting. J. Hoffman reported that since the application is not a sub-division it is at the Zoning Board of Appeals discretion as to whether the application needs to be sent back to the Planning Board. Chairman Olyha advised that he does not see any reason why the application would need to go back to the Planning Board.

It was unanimously decided the application is complete.

Mr. Lutz raised a question regarding the existing retaining wall; how high is it in relation to the ground line of the house, and what is the pitch from the house to the water. Mr. DelRossi reported that it is relatively flat, Mr. Lutz would like to know what the pitch is from the house line to the water. Mr. DelRossi reported that it is relatively flat he thinks its less than a 5 percent grade.

Ms. Cleveland clarified that the house will not be any closer to the water and that the garage will meet the back of the house. Mr. Brandt clarified the same. Mr. DelRossi reported that the new home will be in the exact position of the old home. Chairman Olyha clarified that the house will be moving out towards the road, not staying in the exact position, but not moving any closer to the lake. Mr. DelRossi clarified yes, the home is expanding towards the road, not the lake.

Chairman Olyha made a motion to set the Public Hearing on November 25, 2024 seconded by William Lutz. Motion carried.

Mr. DelRossi asked if the board has any issues with the requested variances at this time, as he would like to contact the home manufacturer as he is putting in a modular home through Westchester Modular and will need to plan with them as well. Chairman Olyha reported that they will grant him the maximum variance allowable that the board agrees to so he can go to Westchester Modular and say to them you can put it here, or back further.

Discussion:

Chairman Olyha previously asked Zoning Board of Appeals members to look at the website at the Zoning page to look at the forms that are on there, specifically the checklists so that all board members are familiar with what the checklist is. Chairman Olyha asked if any present members had feedback, none was offered.

Mr. Lutz wished to discussed to the Homeland Tower project. Mr. Lutz discussed the lack of cell service in the area, and promises made in the past for better coverage and why those have not yet been fulfilled. Chairman Olyha answered that while he agrees its an important topic he is not sure how it relates to the Zoning Board. Chairman Olyha did state that the Zoning Revisions Committee when discussing the height of towers wished to be very strict regarding height, but there was general disagreement that health and safety should take priority if that means an additional 25 or 50 feet of tower.

William Lutz motioned to adjourn the October 25, 2024 meeting of the Zoning Board of Appeals. The motion was seconded by Sharon Cleveland. All in favor, motion carried.
