

Ancram Zoning Board of Appeals

July 22, 2024

In Person and Via Zoom

Watch Meeting Online:

<https://www.youtube.com/watch?v=4OaBKJxBun4>

Board Members Present: Steve Olyha, William Lutz, Sharon Cleveland, Ron Brant, Carol Falcetti (Alt), James Stickle (alternate)

Board Members Absent: Fred Schneeberger

Board Members Present on Zoom: None

Steve Olyha called the meeting to order at 7:00 PM.

Minutes:

The Chair asked if everyone had a chance to review the minutes. They had. There were no additional changes or edits.

Ron motioned to accept minutes. The motion was seconded by Sharon Cleveland. All in favor, motion carried.

Correspondence:

Chair Olyha had asked everyone to review the Fee Schedule. Carol provided feedback. The Town Board will hold a workshop to review the Fee Schedule so the Chair asked for feedback again. The Chair asked the ZBA to review the town website. The Chair discussed the memorandum and sample resolution from the Columbia County Planning Board exempting actions from 239 referrals and requested the ZBA review the sample resolution.

The Clerk stated they had given the Board the County's response to the Auld 239 Referral. The Clerk had scheduled a Dropbox training but it had to be rescheduled and would likely be rescheduled to August 1, 2024 at 6pm.

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

Old Business:

Auld/Young

PUBLIC HEARING

Area Variance for Subdivision

221.-1-21

238 Crest Lane

Carol referenced the letter from the Planning Board to the Zoning Board of Appeals, she asked who is “we.” The Clerk responded “we referenced the Planning Board.

The Chair asked if everyone had reviewed the updated letter from the Zoning Enforcement Officer.

Sharon Cleveland motioned to open the Public Hearing. The motion was seconded by William Lutz. All in favor, motion carried.

There was no public comment.

William Lutz asked about the distance from the road and the required Area Variance.

Mr. Khosrova stated the maps had been revised. William Lutz caught a mistake. The surveyor took the furthest point of the existing structure and he measured to the center line of the road. As a result, the Applicant has revised the variance they are requesting to 29.5’ feet.

The Chair asked the Clerk if the Application was complete. The Clerk stated it was and stated the survey had been revised prior to the Public Notice so the Public Notice contained the correct information.

William Lutz motioned to close the Public Hearing. The motion was seconded by Ron Brant. All in favor, motion carried.

The Zoning Board of Appeals went through the 5 factor test to determine whether to grant the Applicant’s Area Variance Application.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance. No.

Why? The residence had been there for years.

2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance. No.

Why? It is not reasonable to move the house.

3. Whether the requested area variance is substantial. Yes.

Why? The Zoning Board of Appeals discussed this and ultimately concluded it is substantial.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. No.

Why? It has been that way for a long time

5. Whether the alleged difficulty was self-created. Yes.

Why? If they had not proposed the subdivision it would have not come to light but it was not created by the current subdivision.

The Zoning Board of Appeals discussed whether there were any conditions they wished to impose.

William Lutz motioned to approve the Area Variance Application. Ron Brant seconded the motion. All in favor, motion carried.

Record of Vote:

William Lutz: Aye

Ron Brant: Aye

Sharon Cleveland Aye

Steve Olyha: Aye

Ron Brant motioned to adjourn the July 22, 2024 meeting of the Zoning Board of Appeals. The motion was seconded by William Lutz. All in favor, motion carried.
