

Town of Claverack  
Zoning Board of Appeals  
P.O. Box V  
Mellenville, NY 12544  
Minutes: April 24, 2013

APPROVED 5/22/13

Chairman Frank Clegg called the April 24, 2013 meeting of the Town of Claverack Zoning Board of Appeals to order at 7:30 p.m.

Chairman Clegg led members of the Zoning Board of Appeals and audience members with the Pledge of Allegiance.

Members in attendance were: Chairman Frank Clegg, Kim Keil, David Graziano, Oliver Milot, Jock Winch, Chris Post, engineer Paul McCreary, attorney Barrett Mack, and secretary Jodi Keyser

Absent with regrets: Steven Melnyk.

#### Correspondence

Zoning Board of Appeals members reviewed the minutes of the March 27, 2013 meeting. Secretary Jodi Keyser informed the Board members that at the request of Katy Cashen the minutes were revised regarding the Claverack School Zoning Law change and new minutes were supplied. David Graziano asked the TOC attorney Barrett Mack if the minutes should be changed at the request of someone other than a Zoning Board member at a meeting. Barrett Mack stated no the minutes should remain as written unless the Zoning Board of Appeals members agree to the change or ask for a change to be made. Ms. Cashen informed the ZBA that the change was to make more sense of the sentence but understood their concerns.

Motion to approve the March 27, 2013 minutes was made by Jock Winch with a second from Kim Keil. All members were in favor. Motion carried.

#### **Continuing Applications for 4/24/13:**

**Dianda, John:** Tax Map #(SBL) 121 . – 1 – 60 Located at 3 Rte. 217 Claverack. Area Variance for setbacks of a constructed side porch.

No show. Strike #2 ZBA members conferred that the applicant had not yet obtained a sign for the Public Hearing as instructed.

#### **New Applications for 4/24/13:**

**Schroeder, Patricia & Erika Use Variance:** Tax Map # (SBL) 130 . – 1 – 42 . 200 Located at 5625 NYS Rte. 9-H & 23. Requesting a Use Variance to establish a business in a pre-existing non-conforming building that was previously used as a business but abandonment has occurred.

Patricia Schroeder and Erika Schroeder were present for the application. Pat Schroeder informed the ZBA members that she and her sister-in-law Erika own the property in the application. Mrs. Schroeder explained that the building is the former site of the Yankee Doodle Tack Shop and then the Glencoe Computer shop. Mrs. Schroeder continued that they are trying to sell the building but have had a difficult time. Mrs. Schroeder informed the ZBA that the building has been on the market and has had some commercial interest but no residential interest. Mrs. Schroeder continued that she has spoken with the TOC CEO Stan Koloski and he informed her that because the property is in a Residential Zone and it has been vacant for several years therefore it is considered an abandoned use and reverts to a residential structure. Jock Winch stated that commercial use means a lot of different things. Jock Winch asked how much property is with the building. Mrs. Schroeder stated that the property is less than one acre. Jock Winch continued that a Use Variance remains with the property and therefore the TOC ZBA would need a more concrete commercial buyer to be able to make the decision. Mrs.

Schroeder informed the ZBA that no one wants to purchase the building as a residence because it is very small. Barrett Mack asked Mrs. Schroeder for the history of the building. Mrs. Schroeder informed the ZBA that she and her husband ran Yankee Tack Shop a horse tack shop from 1976 until 1991 when it became Glencoe Computer Shop until the end of 2008. Barrett Mack asked why the computer shop ceased doing business. Mrs. Schroeder stated that the person running the computer repair business obtained a different position and left the business. Barrett Mack asked if Mrs. Schroeder and her husband ran the computer shop. Mrs. Schroeder stated that the computer business leased the property from them. Kim Keil asked the applicants if they considered doing some cosmetics to the building to make it more appealing as a residence. Chairman Frank Clegg informed the applicants that the Use Variance is very difficult to obtain and without knowing exactly what type of commercial business would be buying the property the TOC ZBA does not have enough information to be able to grant the change. Mrs. Schroeder was advised to re-apply when she has a solid commercial buyer for the property then return for ZBA review.

Motion to adjourn the meeting was made by Jock Winch with a second from David Graziano. All members were in favor. Motion carried. Meeting adjourned at 7:48 p.m.

Respectfully submitted,  
Jodi Keyser, Secretary  
Town of Claverack Zoning Board of Appeals