

Town of Claverack  
Zoning Board of Appeals  
P.O. Box V  
Mellenville, NY 12544

Minutes: November 28, 2007

APPROVED 1/9/08

The November meeting of the Town of Claverack Zoning Board of Appeals was called to order by Chairman Frank Clegg at 7:40 p.m. Chairman Clegg led the Zoning Board members and audience in the Pledge of Allegiance.

Members present were: Chairman Clegg, Steven Melnyk, Paul Gundrum, David Graziano, Norma Barnard, Steven Harder, Secretary Jodi Keyser, Attorney Rob Fitzsimmons, and Engineer Joe Romano. Absent member: Jock Winch

The Board members reviewed the draft minutes of the October 24, 2007 meeting. Motion to approve draft minutes for October 24, 2007 as written was made by 1<sup>st</sup> Steven Melnyk with a 2<sup>nd</sup> from Norma Barnard. All members were in favor.

**Buck Hill Development Ltd./Conrad Coon - Rte 23 & Taconic State Parkway.**

Tax Map # (SBL) 133 . – 2 – 13. Special Exception & Use Variance for Self-Storage Units.

Mr. Conrad Coons was present with revised landscaping plans, hours of operation, and gate/security information. Mr. Coons stated that the hours of operation will be from 6:00 a.m. to 9:00 p.m. Mr. Coons informed the Board that the buildings will not have lights on them rather the lighting for the site will be from lights attached to poles that are spaced along the front of the site. The buildings will not have electricity, lighting, or heat. The site will have a control gate that is operated by the storage renter. A detailed planting design was submitted. Submitted plans to DOT with no response as of this meeting. Chairman Clegg deemed the application complete. Opened the meeting to public comment at 7:47 p.m. with no public comment public comment period was closed at 7:48 p.m. Joe Romano reviewed the Long Form SEQRA. Motion for Negative Declaration for purposes of SEQRA was made by 1<sup>st</sup> Paul Gundrum with a 2<sup>nd</sup> from Steven Harder. All members were in favor. Motion carried. Review letter received from Clough Harbour and Associates stating that all concerns were met by the applicant. County Planning letter received with approval.

Motion for conditional approval for Special Exception and Use Variance with conditions of NYS Department of Transportation curb cut approval, full size stamped maps supplied was made by 1<sup>st</sup> Steven Harder with a 2<sup>nd</sup> from Paul Gundrum. All members were in favor. Motion carried.

**Columbia Park Equities – 17 Bender Blvd. Columbia County Commerce Park. Tax Map # (SBL)**

101 . – 2 - 49 . Construction of a warehouse/storage building for records storage and manufacturing of pole-barn components.

Continued to January meeting due to not paying escrow account to the Town of Claverack.

New Cases:

**Shutts, Michael/Runyon, Carolyn - 152 Dunbar Rd. Claverack . Tax Map # (SBL) 123 . – 1 – 56 Site**

Plan Review to replace existing singlewide mobile home with a new singlewide mobile home.

Applicants were present to replace a pre-existing mobile home. The mobile home was demolished in January 2007 with a permit. The applicants are asking to replace the mobile home with a 1996 Titan mobile home that they are purchasing from John A, Alvarez and Sons. This is not their primary residence. Possible future home for one of their sons but will remain a rental unit until such time. Rob Fitzsimmons reads the new amendment to the Zoning Law, which allows the replacement of a mobile home only one (1) time on a parcel. The property does not need to be the owner's primary residence. Steven Melnyk informed the applicants that the newer 1996 mobile home meets all codes. Chairman Clegg informed the Board that Building Inspector Stan Koloski would address

the codes with the applicant when they apply for a building permit and a certificate of occupancy. Using existing well and septic. Will keep the two existing driveways. Also there is a small garage/shed still on the property. Opened the meeting to public comments at 8:00 p.m. Tom Seaver of Dunbar Rd. representing the residences of Dunbar Rd. Has concerns with aesthetics. Hesitant to speak and tell someone else what they should live in. Believes that everyone should be able to live in what they are able to afford but doesn't think that houses (stick built) should have to look at a mobile home across from them. Does not want to be complaining but shares the views of many of the homeowners on Dunbar Rd. Norma Barnard informed the audience that it appears to be an improvement over the mobile home that existed. Carole Keil stated that a mobile home is not wanted in the area but she did not have enough time to prepare to her argument. Chairman Clegg stated that a newer mobile home is an improvement. Paul Gundrum stated that there is a great need in this area for affordable housing for everyone. Steven Harder agreed and stated further that the applicant's plan to give the mobile home to their son at some point. Mr. Seaver stated that the problem is not only with the mobile home but the site itself is in poor condition. Mrs. Keil asked the Board if there are any time constraints. She stated that she was informed by Stan Koloski that the applicant had until January 18, 2008 to put a new mobile home on the site. Rob Fitzsimmons directed Mrs. Keil and the applicants back to Stan Koloski for answers. No further comments. Public comment period closed at 8:16 p.m. Rob Fitzsimmons asks for consciences of the Board agreeable that replacement is an improvement to site. The Board was in agreement. Joe Romano reviewed the SEQRA for the Board. 1st Steven Harder made motion for Negative Declaration for the purpose of SEQRA with a 2<sup>nd</sup> from Paul Gundrum. All Board members were in favor. Motion carried. Motion to approve site plan as received with provision that newer replacement mobile home meet all current building codes was made by 1<sup>st</sup> Steven Harder with a 2<sup>nd</sup> from Paul Gundrum. All members were in favor. Motion carried. The applicant paid fees of \$39.78 for certified mailings for their application.

**Culoso, Salvatore/Vormer, Mattijs** – 1293 Martindale Rd. Philmont. Tax Map # (SBL) 123 – 2 – 15

Use Variance for custom cabinet making facility

William Spampinato representing Mr. Vormer and Mr. Vormer were present. Mr. Vormer has interest in purchasing the former Culoso property on Martindale Rd that was previously a burial vault plant. Mr. Vormer owns a custom woodworking and cabinet making business. He currently rents space in Austerlitz but that space is no longer large enough to accommodate his business. The site consists of a garage and a warehouse building. The property was rezoned and it is now zoned **Aquifer** overlay and Rural Residential. Mr. Spampinato informed the Board that he feels that the Use Variance should be granted. He stated that the 4 reasons for granting a Use Variance have been researched. The buildings are impossible to convert to a residential structure because the larger building is a large concrete structure. The buildings would be too costly to tear down due to the amount of cement involved not only in the buildings but there is a great amount of cement within the site itself. A Level II Environmental Review showed some concerns. Site does not qualify for Super Fund money for cleanup. Mr. Spampinato supplied a rough floor plan for the large warehouse building. Chairman Clegg asked if the applicant plans to contain his work to the inside of the building. Mr. Spampinato informed the Board that the entire business would be housed within the building. No outside storage ever. The materials are by special order and are only for one order at a time. Saw dust collection equipment will contain all dust that is then sold. The site will have a contracted dumpster at the rear of the garage with pick up scheduled once a week. The applicant uses chairman Clegg asked what typed of finishes. Mr. Vormer stated he uses oil-based lacquers and other types of stains and varnishes but are custom ordered at different times depending on the customers order. Chairman Clegg expressed concern with these types of items being used within the Aquifer Overlay Zone and asked how the applicant disposes of the leftover varnishes and stains currently. Mr. Vormer stated that the garbage contractor informed him to mix the leftover items with sawdust and let harden then throw in the dumpster. Rob Fitzsimmons informed the Board that the applicant is not before this Board for a Site Plan at this time only for a Use Variance. The plan will require a full Site Plan Review and that is the time for the specific items to be discussed. Mr. Spampinato informed the Board that Mr. Vormer only deals with custom orders so there is no over-stocking of materials. Only orders the materials needed for current job. Rob Fitzsimmons reminded the Board and applicant that a Use Variance is the hardest of the Variances to obtain. The current owner was the owner of the property at the time the zoning changed. The owner may not have even known that the zoning for the site was changed. The owner no longer in business and now wishes to sell the property. Mr. Spampinato informed the Board that the applicant intends to clean the site up. He plans to remove the old vaults, leftover

concrete, and old barrels. Also the buildings will be overhauled with a new heating system. Steven Melnyk asked Mr. Vormer how many employees work for him. Mr. Vormer stated that he currently employees one person but that number will increase with larger building. Mr. Vormer stated he has been working in the business for 15 years 10 of which in his own business. Steven Melnyk asked that the members of the audience wishing to comment be allowed to state concerns. Dick Snow, Carol Snow, and Diane Manchuk of Martindale Rd. were present for the meeting. Mr. Snow stated that anything is an improvement over the way the property is currently. Mrs. Snow stated that they still have many concerns. Needs to clean up the site and concerned that the applicant is unaware the extend of work that is needed to clean up the area. The amount of concrete, garbage, and chopped up old wooden crates are all over the property. Concerned with the amount of traffic a business may create. Will large trucks be required to deliver, how often? Roadway is very busy with many busses and cars since new Taconic School built. Worried about safety. Concerned with noise from blowers. Steven Melnyk asked the Snow family if the site was cleaned up and the business conducted as stated by Mr. Vormer then would they have a problem. Mr. Snow stated that he would like to see the site cleaned up and has no problem with the type of business Mr. Vormer plans but will be interested in attending the Site Plan Review for the project. Rob Fitzsimmons informed the Board that the application meets the 4 basic concerns for the ZBA to grant a Use Variance. Application should be referred to the County Planning Board for review. Applicant will return on January 9, 2008 for public comment. Applicant paid fee of \$18.36 for certified mailing for the application.

Due to the Christmas Holiday the next meeting of the Town of Claverack Zoning Board of Appeals will be held on Wednesday, January 9, 2008 at 7:30 p.m.

Motion to adjourn the November meeting at 8:57 p.m. was made by 1<sup>st</sup> Steven Melnyk with a 2<sup>d</sup> from Steven Harder. All Board members were in favor. Motion carried. Meeting adjourned.

Respectfully submitted,

Jodi Keyser  
ZBA Secretary