

**TOWN OF CLAVERACK
ZONING BOARD OF APPEALS
91 CHURCH STREET
MELLENVILLE, NY 12544**

APPROVED 3/28/07

New Chairman Frank Clegg called the January 24, 2007 Town of Claverack Zoning Board of Appeals to order at 7:30 PM. Chairman Clegg led the Board and audience in the Pledge of Allegiance. Members in attendance were as follows: Chairman Clegg, Stephen Melnyk, Norma Barnard, Jock Winch, Paul Gundrum, Steven Harder, new member David Graziano, Town Engineer; Joe Romano, Town Attorney; Rob Fitzsimmons, and Jodi Keyser; secretary. The Board members reviewed minutes of the December 13, 2006 meeting. Motion to accept the minutes as written was made 1st by Paul Gundrum with a 2nd from Stephen Melnyk. All members were in favor. Motion was carried.

1. Stewardship at Millbrook Road

Mr. Gilchrist and Mr. Bossolini were present for the applicant. Before the ZBA for a Site Plan Review for the #49 lot within the Stewardship. This lot will be used as a common lot and owned by the Homeowners Association. Joe Romano has reviewed the Site Plan and sent a comment letter to the applicant's representatives on 12/28/06. The following issues have been addressed and are deemed satisfied by Joe Romano: The handicapped parking spaces and ramps are added to the Pavilion house and garden shed. Pedestrian crossings do not need to be marked but a culvert will be installed to the area where there is a dip in the terrain. A paved apron will be installed at the site where the Stewardship entrance meets Orchard Rd. and aprons will also be installed within the plan at individual roadways. Fencing will be constructed using common post and rail fencing. Lighting will be installed on the garden shed and the pavilion house porch roofs using very low wattage i.e. 60 to 100 W bulbs. Walking trail in the open areas will be a simple maintained mowed path approximately 1 mower in width, and in the woods a simple cleared and marked trail. The project will have street signs within the project. Rob Fitzsimmons informed the Board members that the Planning Board gave the project Final Subdivision Approval on 1/9/07 with the conditions of 48-lot septic system approval from DOH and Site Plan Approval from the Town of Claverack Zoning Board of Appeals. Jock Winch asked Mr. Bossolini about the buildings shown in the plan sitting directly on the ground, no elevation, splashing up of water and mud is a concern. Mr. Bossolini answered that the observation tower and decks will be constructed using pressure treated lumber. Jock Winch also asked why the structures have different types of roofing on them. Standing seam metal and architectural shingles. He feels that this looks "shabby" and he is concerned with the spacing of the roofing trusses. Mr. Bossolini informed the Board that when the project applicant and architect apply for the necessary building permits they will adhere to all codes and will relay Mr. Winch's concerns to the architect. Rob Fitzsimmons reviewed with the Board a Resolution that he and the applicant worked on together. Rob read the Final Site Plan Resolution to the Board. Motion to accept the Final Site Plan was made by 1st Paul Gundrum with a 2nd from Jock Winch. Roll call of the members went as follows: Paul Gundrum – yea, Jock Winch – yea, Norma Barnard – yea, Stephen Melnyk – yea, Steven Harder – yea, Frank Clegg – yea. Zero nay votes, and 1 abstention from David Grazino.

2. Won Buddhism of America Tax Map # SBL (122. –1-. 53) Rte. 23 Claverack. Site Plan Review for seminary.

Mr. Pat Prendergast, Mr. Bernard Karp, and project architects Brezavar and Brezavar were present. Joe Romano informed the Board and applicants that there is still an issue with the water quality of the well. Mr. Prendergast realizes that there is an issue with regard to the water quality particularly the fluoride level. He has received recommendations from the DOH that a reverse osmosis filtration may alleviate the levels or the installation of a charcoal filter system may help also at a lower cost. Mr. Prendergast

has studied both systems and he will recommend to the applicants that the best thing in his opinion is to have another well drilled. The new well will be drilled out of the rocky area and down near the creek to possibly keep the different minerals from the well. Mr. Prendergast submitted a detailed lighting plan to the file. He informed the Board that he used a lighting engineer that was trained by Mr. Howard Brandston and was highly recommended. The lighting design will use very low 20W lights to mark the area for people and will not stand out. Rob Fitzsimmons informed the Board that this lighting plan would alleviate the light pollution in the area. Howard Brandston agrees with the lighting plan, feels that it was well designed and meets vision standards. NYSOPRAHP letter was submitted. Rob Fitzsimmons informed the Board that they need to make a declaration of the SEQRA and that public comment on the plan was closed in December 2006. Applicant has addressed all of the Board's concerns. Rob Fitzsimmons reviewed the SEQRA parts I and II no need for part III. Motion for Negative SEQRA declaration was made by 1st Steven Harder with a 2nd from Paul Gundrum. All members were in favor. Motion for Negative SEQRA declaration was carried by all members. Rob Fitzsimmons read a Resolution for Final Site Plan Approval with the condition of DOH approval to the Board members. Motion to accept the Resolution granting Final Site Plan Approval with condition of DOH approval for the well was made 1st by Jock Winch with a 2nd from Stephen Melnyk. Members were polled for their individual votes as follows: Frank Clegg – yea, Stephen Melnyk – yea, Norma Barnard – yea, Paul Gundrum – yea, Steven Harder – yea, Jock Winch – yea. Zero nay votes. 1 abstention. Motion was carried.

3. Excellisior Wood Products LLC: Tax Map # (SBL) 101 – 2 – 02 . 111 Special Exception for business within the Columbia County Commerce Center.

The application has received 3 strikes for no shows therefore the application is dropped by this Board.

4. Pace, Bruce & Churchill, Lyle: Tax Map #(SBL) 131 . – 1 – 45 . 111 2630 Rte 27, Claverack Area Variance for property line setbacks for the construction of a deck.

Applicant informed the Board secretary via phone that he is working together with TOC building inspector to solve his issue and will keep this Board informed as to his application. Asked to be adjourned to the February meeting.

5. Surace, Robert: Tax Map #(SBL) 132 . 1 – 1 – 25 Area Variance for a residential addition and attached garage located at 250 County Rte. 16 Hollowville.

Robert Surace was present before the Board. He is asking for an area variance for setbacks for an addition. Steven Harder asked the applicant if he has enough access to the well that sits directly behind the proposed garage addition. Mr. Surace informed the Board that he has good access to the well on the other side of his home. Mr. Surace installed the proper signs at his site. All certified letters were sent to abutting landowners with no comments received. Application has been legally noticed in the Register Star Newspaper. Chairman Clegg opened the meeting to public comment at 8:30 PM. No comments were received. Public comment was closed at 8:30 PM. Rob Fitzsimmons reviewed the Short Form SEQRA. Motion for Negative SEQRA declaration was made by 1st Paul Gundrum with a 2nd from Steven Harder. All members were in favor. Motion for Negative SEQRA declaration is carried. Motion to grant Area Variance for addition as planned was made by 1st David Graziano with a 2nd from Paul Gundrum. All members were in favor. Motion was carried.

Motion to adjourn the meeting at 8:37 PM was made by 1st Norma Barnard with a 2nd from Paul Gundrum. All members were in favor. Motion was carried and the meeting was adjourned.

Respectfully submitted,

Jodi Keyser
Secretary