

**TOWN OF CLAVERACK  
ZONING BOARD OF APPEALS  
91 CHURCH STREET  
P.O. Box V  
MELLENVILLE, NY 12544**

**Draft Copy**

Minutes of the May 24, 2006 Zoning Board of Appeals Meeting.

Chairman Brandon called the meeting to order at 7:30 PM.

Members in attendance:

Chairman Brandon, Frank Clegg, Stephen Melnyk, Norma Barnard, Steve Harder, Jock Winch, Paul Gundrum, Town Engineer Joe Romano, Town Attorney Rob Fitzsimmons, and Secretary Jodi Keyser.

The Board members reviewed minutes of APRIL 26 ZBA meeting. Mr. Clegg found 1 mistake with regard to the Stewardship on Millbrook Rd. bridge is not "old bridge on Catskillview Rd." Secretary will correct to Millbrook Rd.

Motion was made by Frank Clegg to accept the corrected minutes with a 2<sup>nd</sup> from Norma Barnard. Chairman Brandon polled the Board and with all in favor the motion was carried.

Chairman Brandon read correspondences. (*Chairman Brandon informed the members of the Board and the audience that the meeting was being taped by Howard Brandston*)

Chairman Brandon read a letter that was sent to the Town Board from Schoenfield and French Attorneys representing a neighbor of the Cassivant property on Rte 217 in Mellenville. They are asking that the Town take action with regard to the junk cars and other items that are collecting on this site. This is causing the neighbor to have a problem with the sale of his home. Chairman Brandon informed the Board and audience that the necessary steps are being taken in the matter but it is a long, drawn out process.

Letter regarding the Almstead site plan was received and submitted to the file.

Mr. Howard Brandston asked Chairman Brandon for the opportunity to read a letter that he recently read at a Town Board meeting. Mr. Brandston's letter is asking that the Town, ZBA, and Planning Boards put into place a temporary moratorium with regard to subdivisions.

1. Stewardship at Millbrook Road. Applicant informed Rob Fitzsimmons that they would not attend the meeting tonight.
2. Won Buddhism of America Tax Map # SBL (122. - 1 - . 53) Rte. 23 Claverack. Site Plan Review for seminary and 2 residences. Review of plan by Sarah Brezavar plan architect, and Mr. Bernard Karp representing the applicant. Engineer Pat Prendergast will have deep hole and well tests reports ready for next months meeting. Final wetland summary submitted with detailed maps. Traffic study will be conducted for Rte 23. Mr. Karp informed the Board that the new plans show only the "phase I" portion of the plan and that is the only part that the applicant is interested in starting at this time. "Phase II" may be looked at in the future but will have its own site plan review. The main building is restructured to meet the 35-foot height level with the circle on the top of the building moved to the ground level. Parking lot is designed for 100 cars not 500 cars. Chairman Brandon opened the meeting to public comment. Submitted a letter from neighbor John Cotte opposing the plan. Mr. Howard Brandston feels that the maps should show both "Phases" of the project. Rob Fitzsimmons agreed that the "Phase II" design should be shown on maps as specs. Architect Sarah Brezavar agreed and future maps will show both phases. Discussion with regard to the driveway curves. Ms. Brezavar informed the Board that Mr. Prendergast would address this issue at the June meeting. Richard Cross asked if the building (s) are visible from Rte 23. Ms. Brezavar answered that the plan calls for berms and house is not visible until you are entering the driveway. Dorothy Avery has a concern with the amount and speed of traffic on Rte 23 and traffic in and out of the center. Ms. Brezavar said that the center is for meditating monks and does not foresee much traffic. Mr. Richard Avery asked why there are 100 parking spaces if the center is for meditating monks. Ms. Brezavar said that on Sunday's the monks would hold services for the public. May need all spaces or less than the 100. Richard Cross wanted to know the timetable of the project. Waiting for traffic, water, and septic reports at this time. Charles Vieni wanted the Board to be aware that there is a bend in Rte 23 right at the point of the entrance and feels that this along with excretion and/or deceleration lanes be looked at. Also the narrow bridge on Rte 23 may need to be redesigned to handle the large delivery trucks. Ms. Brezavar will make the traffic study aware of these issues. Marie Leicht asked how many permanent residents would occupy the center. Only about 12 full time residents. Others will come in for a weekend of week visit. Steve Pagg asked about lighting at the center. Engineer Joe Romano asked that a photometric scan after construction to show light spillage. Public comment was continued to June 28<sup>th</sup> meeting.
3. McCagg Excavating Tax Map #SBL (101. - 2 - 02. 111 ) Columbia County Commerce Center, 33 Bender Blvd. Site Plan review for a Special Exception for excavating equipment storage and maintenance.  
Dan Proper of Crawford and Assoc. was representing the applicant. Discussion of the application for storage and repair of construction equipment. 3 sided shed for sand and salt and other equipment. Shed is located in far corner of parcel. Heavy vegetation will surround the closed sides of the shed to block dust and other debris. Also a 1000 gallon diesel fuel tank. ACOE wetland marked when the Center was started. Chairman Brandon asked the applicant to supply documentation with regard to the ACOE wetlands. Mr. Proper will supply this item at the next meeting. Joe Romano asked about signage and drainage on the site plan. Mr. Proper stated that the applicant wants the approval of the use variance prior to purchase. Then he will return for a site plan review. ZBA members want to know if the applicant plans to store his sewage disposal trucks at this site. Mr. Proper is unable to answer that question at this time but if it a deciding factor for the ZBA he will advise the applicant not to store septic trucks on site. Chairman Brandon and Jock Winch want the applicant to put this stipulation in writing in the file. Stipulation is that only excavation equipment is stored on site and no sewage disposal trucks at any time. Rob Fitzsimmons informed the applicant that he should apply for the special use variance and site plan review at the same time. Mr. Proper wanted to know if he does both of these items at the same time will the ZBA approve it or is he wasting his time. The ZBA members informed the applicant that he will most likely receive approval but has to go through the proper steps to get there. Rob Fitzsimmons modified the application to show both the special use variance and site plan review. Mr. Proper may return in June or July but he will inform the Secretary of his intent.
4. Ravetto, Lisa Tax Map #SBL (122. - 1 - 56 ) 268 Thielman Rd. Site Plan Review/Area Variance for side yard setbacks for addition to residence. Board discussed with the applicant the project. Ms. Ravetto wants to build an addition to an existing structure but she does not meet the setbacks. Well is marked on map. Roof pitch is changed on plan. Received abutting neighbor approval. Ms. Ravetto is not the owner of the property but may

possible purchase the home at some point. The addition has no bearing on the purchase. Will purchase with or without addition most likely. File contains letter from owner with his approval for the addition. Applicant needs to display signs before next meeting. Certified letters were mailed. Frank Clegg asked if the applicant not owning the property is an issue. Rob Fitzsimmons answered no because the owner has given the applicant approval to represent him. This is fine and if the applicant does not purchase the home then another purchaser will buy the property with an approved variance. Addition will consist of similar materials as the existing structure. Final site plan map will show the roof pitch at 12 x 27. Chairman Brandon opened the meeting to public comment on the plan. Neighbor Pam Banks was present and was in favor of the plan. Likes the proposed project and Ms. Ravetto is a good neighbor. With no further comments the public comment will continue to June meeting. Chairman Brandon told Ms. Ravetto to get the signs up A.S.A.P.

5. First, William Tax Map #SBL (101 . - 1 - 54 ) 41 Ginsberg Lane, Site Plan Review for the construction of 2 propane fuel storage tanks. Mr. William First appeared before the ZBA for a proposed propane fuel storage tank site on his property on Ginsberg Lane. Mr. First informed the Board that he has received approval from the building inspector to store the empty tanks on the site already. The 2 tanks are both 18,000-gallon propane tanks owned by Long Fuel of Ghent. Mr. First is in the process of selling the area to the Long Fuel Company. The Long family will fill these tanks and use delivery trucks to supply homes with propane. They want to make sure that the site plan is approved to allow these tanks before they enter into an agreement with Mr. First. Chairman Brandon asked Mr. First if this would be his last site review for the purpose of storage. Mr. First said yes. Discussion of the safety and codes with regard to propane tanks. Mr. Hart from the NYS Propane Tank Assoc. was present to answer questions with regard to safety and truck delivery methods used by the company. Rob Fitzsimmons informed the applicant that the site plan is hard to approve without subdivision and that the applicant needs a coordinated review. Mr. Fitzsimmons informed the applicant that he understands that the sale of the property weighs on the approval of the ZBA but the ZBA can't approve without this being a subdivided parcel. Chairman Brandon will not open this for public comment at this time due to the fact that the plan is not finalized. Joe Romano needs to review the project at greater length. Robert Kavanaugh asked if he could address the ZBA with regard to the project. Mr. Kavanaugh represents Mr. Considine a neighbor of the site. Mr. Kavanaugh supplied the ZBA with a photograph of the site that shows two white propane tanks on the ground. He wanted to know if the ZBA was aware that the tanks were at the site already and how could the building inspector give the applicant permission to do this. Applicant will return to the June meeting.
6. Coney Island Auto Park Inc. Tax Map #SBL (101 . - 2 - 2 . 111 ) Salerno Drive and Bender Blvd., Columbia County Commerce Center. Site Plan Review/Special Exception Use Permit for a custom auto parts fabrication business  
Mr. Paul Calcagno applicant was present. Informed the ZBA that this was not an auto repair facility. Not allowed within the Commerce Center. The business will fabricate items to customize a car such as special design to upholstery or graphics Bolt on applications only and also memorabilia that is special ordered by wholesalers for the auto industry. No retail business. Only wholesale. No repair, tune-ups, change of spark plugs, oil changes. May include some painting because of raw products needing paint. 3-4 fulltime employees. Lathes and drill press will be used to create, customize and fabricate designs for trade shows or special orders. Shop is not open to the public. Should not be a problem with other occupants of the Commerce Center. ZBA asked about Weiss and his proximity to this site. Mr. Stiffler answered that there is about 5 +/- acres separating these sites. Rob Fitzsimmons asked why the application is for aircraft manufacturing site. Mr. Calcagno answered that the building inspector looked up the project in the code table and that airplane manufacturing was the closest in definition to the project. Rob Fitzsimmons suggested that the ZBA members classify the project and then send the application to the County Planning Board for review.  
Motion was made by Stephen Melnyk to modify the application classification from aircraft fabrication to B-10 table (6-2) page 67 ZBA Law (a Wholesale business) and a 2<sup>nd</sup> from Stephen Harder. Chairman Brandon polled the Board members and the motion was carried with all members in favor.  
Joe Romano wants the applicant to address stormwater management, drainage, grading, and lighting issues. ZBA members asked the applicant if he intended to have outside storage. 3 major issues to address for the applicant. 1) Stormwater survey, 2) Hours of operation. 3) No outside storage of tractor trailer for over 24-hour period. Application is referred to County Planning and applicant will return for June meeting.

Chairman Brandon asked that the members make a motion to adjourn.  
Motion to adjourn was made by Norma Barnard at 9:50 p.m. with a 2<sup>nd</sup> from Paul Gundrum.  
Motion was carried by all members. Meeting adjourned.

Respectfully submitted,

Jodi Keyser  
Secretary