

APPROVED 9/27/17

Town of Claverack
Zoning Board of Appeals
P.O. Box V
Mellenville, NY 12544
Minutes of August 23, 2017

Chairman David Graziano called the August 23, 2017 meeting of the Town of Claverack Zoning Board of Appeals to order at 7:30 p.m.

Chairman Graziano led members of the Board and audience with the Pledge of Allegiance. Chairman Graziano introduced the Board members.

Members in attendance were: Chairman David Graziano, Steven Melnyk, Chris Post, Roger Case, engineer; George Schmitt, attorney; Rob Fitzsimmons and secretary; Jodi Keyser

Absent: John Porto

Board members reviewed the minutes of the July 26, 2017 meeting.

Motion to approve the July 26, 2017 minutes was made by Roger Case with a second from Steven Melnyk. All members were in favor. Motion carried.

CONTINUING APPLICATIONS FOR 8/23/17:

Schram, Peter Area Variance: Tax Map #(SBL) 131 . – 1 – 11 Located at 24 Van Wyck Lane. Area Variance for a boundary line adjustment of two non-conforming parcels within the 5 acre zoning area each consisting of less than 5 acres.

Peter Schram was present for the application. Mr. Schram submitted new maps showing the new owner. Mr. Schram reviewed the application for the Board members. Mr. Schram informed the Board that he purchased the former Shaw house on Van Wyck Lane and recently sold the property. Mr. Schram continued that the property borders his son Nicholas' property and before the sale of the house he agreed to subdivide 2 +/- acres from the Shaw house parcel and merge it onto the property owned by his son Nicholas. Mr. Schram informed the Board that this was at the review process with the TOC Planning Board and was all set to be approved when it was discovered that the properties are in the Rural Residential Zone and requires 5 acre parcels. Mr. Schram informed the Board that the current property with the Shaw house has just over 5 acres and his son's property is just over 2 acres but adding another 2 acres from the Shaw house property will make it more private and closer to conforming. Rob Fitzsimmons informed the Board that this application is seeking to make a conforming 5 acre parcel into a non-conforming parcel but by adding 2 acres on to the smaller parcel it also is making a non-conforming pre-existing parcel closer to conforming to the lot size requirement. Mr. Schram informed the Board that the deed indicates that no further subdivision of the properties will be allowed. Chris Post informed the Board that he is a neighbor of the properties and it does not change the character of the neighborhood and it is generous of Mr. Schram to give two acres to his son. Chairman David Graziano reviewed the 5 criteria for granting an Area Variance of which all 5 are not required as with a Use Variance. Mr. Schram informed the Board that he placed a public hearing sign at the site as instructed prior to the meeting. Chairman Graziano opened the meeting to the public hearing at 7:47 p.m. No effects on the remaining property. Chairman Graziano closed the public hearing at 7:48 p.m. George Schmitt reviewed the SEQRA for the Board.

Motion to grant a negative declaration for purposes of SEQRA was made by Steven Melnyk with a second from Roger Case. All members were in favor. Motion carried.

Motion to approve the Area Variance was made by Chris Post with a second from Roger Case. All members were in favor. Motion carried.

Chairman Graziano reminded the Board members that they are responsible to have 4 hours of training before the end of the year to be able to sit on the Zoning Board of Appeals.

Motion to adjourn the meeting was made by Steven Melnyk with a second from Chris Post. All members were in favor. Motion carried. Meeting adjourned at 8:00 p.m.

Respectfully submitted,
Jodi Keyser, Secretary