

Town of Claverack
Zoning Board of Appeals
Minutes of: October 24, 2018

Chairman David Graziano called the October 24, 2018 meeting of the Town of Claverack Zoning Board of Appeals to order at 7:30 p.m.

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

Absent with regrets: Roger Case

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

Correspondence: None

Review the minutes of the June 27, 2018 meeting.

Motion to approve the June 27, 2018 minutes with minor corrections was made by John Porto with a second from Steven Melnyk. All members were in favor. Motion carried.

NEW APPLICATIONS:

Cornelius Riegel Area Variances: Tax Map #(SBL) 131 . – 1 – 41 Located at 225 Millbrook Rd. Area Variance to replace an existing 70' X 14' mobile home with a larger 26' X 44' mobile home and Area Variance for side yard setbacks less than required 20'

Mr. Riegel was present at the meeting and informed the Board that he is withdrawing his application at this time due to unforeseen circumstances. Mr. Riegel stated that he may decide to resubmit the application in the future. Mr. Riegel was informed that he would need to reapply. Board members returned Mr. Riegel's survey maps. One original was retained for the file. Mr. Riegel thanked the Board members for understanding and expressed how helpful the Town of Claverack CEO Jay Trapp was as he prepared the application.

Ben Ezinga Area Variance: Tax Map #(SBL) 110 . – 1 – 31 . 3 Located at 441 NYS Rte. 66. Area Variance to replace an existing shed with less than the required front yard setback of 50'.

Mr. Ezinga was present for the application. Chairman David Graziano informed Mr. Ezinga that if he would do a simple boundary line adjustment between his two properties he would not need to go through this process. Mr. Ezinga answered that he had considered a boundary line adjustment but the cost of a new survey and deeds was more than he wanted to spend so he applied for an area variance as the more inexpensive process to meet his needs. Mr. Ezinga continued that the well on the property currently has a small shed overtop of it but it is old and falling down. Mr. Ezinga informed the Board that he will purchase a pre-fabricated shed from A to Z sheds which will be 12' X 30' which larger than the existing shed but will also allow him to store his lawn mower and garden tools. Rob Fitzsimmons asked Mr. Ezinga if the well services one or two properties. Mr. Ezinga stated that this well only serves his residence. Mr. Ezinga informed the Board that there are no other accessory structures on his parcel. Steven Melnyk asked Mr. Ezinga if he owns all of the property to the creek. Mr. Ezinga stated yes he does and he purchased it last year, was the former Frank Sabo farm. Rob Fitzsimmons informed the Board that the front of the house faces this way but it is actually characterized as the side of the property on some maps or how it is viewed. Rob Fitzsimmons continued that it is up to the Board how they want to classify the application either a front yard setback which would require a 50' setback or a side yard which would require a 20' setback. Rob Fitzsimmons stated that if the Board determines that this is actually an area variance for a side yard setback then the variance needed is much less substantial because Mr. Ezinga has 15' and needs only 20'. Rob Fitzsimmons informed the applicant that the Town of Claverack now has a simplified Boundary Line Adjustment process and approvals only take one meeting but understands the cost of new surveys and deeds. Board members had no issues and determined that this application was actually for a side yard setback.

Chairman Graziano reviewed the criteria for granting an area variance reminding the applicant and Board members that all 5 points are not required. George Schmitt stated that he only has one technical issue with the EAF because there are wetlands on the property and although they do not impact this parcel they are on adjoining parcels.

Board members agreed that the application is complete and to set public hearing for the application for November 28, 2018 at 7:30 p.m. Mr. Ezinga was instructed to obtain a public hearing notice sign from the Town Clerk's office.

Motion to adjourn the meeting was made by John Porto with a second from Steven Melnyk. All members were in favor. Motion carried. Meeting adjourned at 7:45 p.m.

Respectfully submitted,

Jodi Keyser, Secretary