



COPAKE PLANNING BOARD

AUGUST 4, 2016

MINUTES

DRAFT

Please note that all referenced attachments, comprising 0 pages, are on file with the Copake Town Clerk and in the Planning Board office. An annotated listing of those attachments appears at the end of this document.

A regular meeting of the Copake Planning Board was called to order at 6:55 p.m. by Chris Grant, Vice-Chair. Also present were Marcia Becker, Jon Urban, and Julie Cohen. Chair Bob Haight, Steve Savarese and Ed Sawchuk were excused. Lisa DeConti was present to record the minutes. Town Attorney Ken Dow was also excused. Town Board Liaison Terry Sullivan was present.

ZONING BOARD OF APPEALS – Referrals

2016-17 ZBA/SPR – STEPHEN & MADELINE SILVERMAN – Miles Road [Copake Falls]

- Application for Site Plan Review
- ZBA Application
- Building Permit Application
- Building Inspector ZBA Referral Letter dated February 20, 2016
- Site Plan
- 2016 Town & County Taxes
- Transmittal Letter from Elizabeth Slotnick dated February 17, 2016
- Pictures

In Bob Haight's absence Vice Chair Chris Grant called the meeting to order at 6:55 pm. Madeline Silverman appeared before the Board to present her application. Mr. Grant clarified that this application is being reviewed for Site Plan for development within one-hundred feet (100') of a water body. Mrs. Silverman explained that the existing bedroom is being increased in size and the existing half bathroom is being changed to a full bathroom. She also noted that an outside pergola/patio is being added.

A discussion ensued regarding the distance from the structure to the water. Ms. Becker made note of the fact that Mrs. Silverman had merged her three lots together and added that there is an

existing Ore-Bed between her property and the neighboring property. Ms. Becker also questioned whether this addition would have any impact to the neighboring property.

Ms. Becker clarified that the variance Mrs. Silverman is requesting from the ZBA includes the increase in the bedroom and the planned pergola/patio. Ms. Cohen noted that the bedroom count is not being increased and there isn't much of an increase in the lot coverage. Mr. Grant asked what the size and age of the septic system is. Mrs. Silverman acknowledged that she believes the system is one-thousand gallons however she was not aware of the age.

The check list was reviewed. Mr. Grant questioned whether any screening would be required by the ZBA. Ms. Becker asked whether there were any trees bordering the property and was advised that there are some. Mr. Grant suggested conditional approval should this be required by the ZBA.

On a motion made by Ms. Becker and seconded by Ms. Cohen the Board voted unanimously to approve the Site Plan for Stephen and Madeline Silverman on Miles Road in Copake Falls subject to any recommended screening by the ZBA and the granting of the variances. The maps will be stamped and signed after ZBA approval is received.

A letter will be written to the ZBA advising them that the Planning Board approved this application subject to their recommendations on screening.

2016-18 ZBA REFFERAL – GRJH INC./THOMAS CASEY – State Route 23 [Craryville]

- ZBA Application
- Building Permit Application
- Letter of Agency
- Site Plan
- Map
- Pictures

Mr. Grant informed the Board that GRJH Inc. would like to convert an old building site into a convenience store. Mr. Grant then explained that this property is located in the B-R district which doesn't permit a convenience store. Mr. Grant also brought up the fact that he had been advised that Clark Engineering notified the Town that this was an error on the map and this district is actually in the B-1 zoning district. However he pointed out that even though this was discovered to be an error the Zoning Code has been certified by the Town Clerk and states that this is located within the B-R district and the Planning Board does not have the authority to change the Zoning Code. He explained that in order for a Convenience Store to be located in this district a Use Variance would be needed from the ZBA or the Town Board would need to pass a resolution amending the Zoning Code to change this parcel to B-1. Mr. Grant also noted that the ZBA should be advised that the Planning Board cannot approve a Site Plan for an application that is in a district that does not permit the use without a use variance.

A letter will be written to the ZBA advising them of the Planning Board's concerns.

PUBLIC HEARING

None

SUBDIVISION/SITE PLAN

2016-15 SITE PLAN REVIEW – NORMAN & VICKI ETTENGER – Lakeview Road [Taconic Shores]

- Application for Site Plan Review
- Building Permit Application/Denial
- Site Maps
- Letter from Stella Anastasia dated May 31, 2016
- Letter of Agency dated July 19, 2016
- Application Fee

Julia Sedlock and Mark Rowntree appeared before the Board representing Norman and Vicki Ettenger. Ms. Sedlock informed the Board that Mr. and Mrs. Ettenger wish to expand an existing deck on a non-conforming structure in Taconic Shores however the non-conformity is not being increased.

The Check List was reviewed. Ms. Cohen acknowledged that the Zoning District was not added to the Site Plan. Mr. Grant made note of the fact that the septic location needs to be placed on the Site Plan showing its relation to the proposed expanded deck. Ms. Becker also requested that the water line be added. The location of both was requested so that construction will not interfere with either location. Ms. Becker advised that permits will also be required from the Taconic Shores Property Owners Association.

On a motion made by Ms. Becker and seconded by Ms. Cohen the Board voted unanimously to approve the Site Plan for Norman and Vicki Ettenger on Lakeview Road in Taconic Shores from a Site Plan prepared by Property Sources dated July 20, 2016 for the addition of the deck extension subject to the Zoning District, the location of the septic system, including the tank and leach field and the location of water line be added to the Site Plan.

2016-16 SITE PLAN REVIEW – PHIL GLADSTON & NANCY TARSHIS – Lakeview Road [Taconic Shores]

- Application for Site Plan Review
- Building Permit Application/Denial
- Site Maps
- Letter of Agency dated July 19, 2016
- Application Fee

Julia Sedlock and Mark Rowntree appeared before the Board representing Phil Gladston and Nancy Tarshis who wish to enlarge their existing deck. Ms. Sedlock clarified that this application is before the Board inasmuch as it is a modification of a non-conforming structure and needs a permit from the DEC for relief for development within one-hundred feet (100') of the lake.

Mr. Grant requested that the septic location, water line and Zoning District be placed on the Site Plan. Ms. Becker questioned whether any screening was needed however the Board felt there would not be any visual impact from this.

On a motion made by Ms. Becker and seconded by Ms. Cohen the Board voted unanimously to approve the Site Plan for Phil Gladston and Nancy Tarshis prepared by W.E. James Engineering and Land Surveying dated July 20, 2016 subject to the addition of the Zoning District, the septic system location, including the tank and leach field, the water line location and the Site Locater Map being added to the Site Plan and receipt of the DEC Permit.

MINUTES

The minutes for the July 7, 2016 meeting could not be approved inasmuch as there was not a quorum of members present from the previous meeting.

ADMINISTRATIVE

MT. WASHINGTON PUBLIC HEARING: A notice was received by the Town of Mount Washington advising us that there will be a Public Hearing held on August 18, 2016 to provide interested parties with an opportunity to comment on proposed amendments to the Mount Washington Zoning Bylaws.

MONOLITH SOLAR UPDATE: An e-mail was received from Attorney Ken Dow regarding the fact that the tree screening required in the Monolith Solar Site Plan have not been planted as yet. It was acknowledged that the electricity has not been connected and this will be addressed before this takes place. Building Inspector Lee Heim is aware of the situation and is monitoring it.

CARRY OVER

The following matters were carried over to the next meeting:

NONE

ADJOURNMENT

There being no further business, on a motion made by Ms. Becker and seconded by Ms. Cohen, the Board voted unanimously to adjourn the meeting. The meeting was adjourned at 7:45 p.m.

Bob Haight, Chair

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ADMINISTRATION

NONE