

# **Town of Copake Zoning Board of Appeals**

~

## **Meeting Minutes of January 26, 2017**

~

The regular meeting of the Zoning Board of Appeals of the Town of Copake was held on January 26, 2017, at the Copake Town Hall, 230 Mountain View Road, Copake, NY.

### **1) Roll call:**

The meeting was called to order at 7:00 PM by Jon Strom, ZBA Chairman. Present were; Frank E. Peteroy, Jeffrey Judd and newly appointed member Thomas Goldsworthy and alternate member Mark Miller. Secretary Veronique Fabio was present to record the minutes. Kenneth Dow; Town Attorney and Board Member; Michael Diperi were excused.

### **2) Reading and approval of the minutes of preceding meeting:**

The approval of the December 15, 2016 minutes was postponed to the next meeting.

### **3) Correspondence:**

The following correspondence was acknowledged by Jon Strom. He introduced the two new members.

01-7-17 From Town Board, Letters of appointments for Marc Miller & Thomas Goldsworthy

01-18-17 From CCPB in ref. to Brousseau 2016-11

01-18-17 Michael Diperi cannot attend the meeting

01-20-17 letter from Barbara Smith in ref to Gas station project on rte. 23

01-25-17 Jeffrey Judd might not attend the meeting

#### **4) New Applications:**

##### **1) 2017-01 Camp Pontiac, 2044 County Rte. 7 Tax Map #186.-2-38-100**

Area Variance requested for relief from 232-9P for construction and replacement of an onsite waste water disposal system in compliance with DEC within 150 feet of a body of water.

Frank Peteroy recused himself because he is currently doing some work for Camp Pontiac.

Andrew Aubin from Crawford & Associates Engineering represents the owner of Camp Pontiac. Representatives from Camp Pontiac were present in the audience. Mr. Aubin came up to present the project.

“Camp Pontiac is a camp for children. The waste water system disposal has to be brought to NYSDEC standards, the system is 100 feet from the water as per DEC standards, however part of the system is located within a 150’ of Lower Rhoda Pond and requires the need for a variance under Copake zoning code.

There are 7 septic tanks located within the 150’ set back.

5 of these tanks are going to be replaced by new one in the same locations.

2 pumping system will be added and the existing leach field is going to be eliminated. The sewage will be pumped to an upland area.

NYSDEC (Email dated November 23, 2016 from Malcom James) approved the plans for the collection system and the removal and replacement of some septic tanks not in compliance with the 2014 design standards. The treatment system and the final disposal is currently under DEC review.”

Andrew explained that the disposal system will be move to an upland area. The waste will be pumped up to a treatment location.

Pretreatment will enhance the operation of the new leach field upland.

Treatment and absorption tests have been submitted to DEC.

~ Jeffrey Judd asked what type of tanks and pipes will be used.

~ Andrew responded that concrete tanks and plastic pipes are planned. Some of the existing tanks will be re-used, others will be abandoned. The whole system will be underground.

~ Thomas Goldsworthy asked for details on the abandonment of tanks.

~ Andrew explained that the tanks will be pumped out, cracked and then filled with clean fill.

~ Jon Strom asked if the ZBA could be provided with a simple diagram of the septic system.

*~ Jon Strom asked for a motion to accept the application for a public hearing on February 23, 2017, Jeffrey Judd made the motion, Thomas Goldsworthy seconded, all agreed.*

The application will be referred to the Planning Board.

**2) 2017-02 Walsh & Barbato, 7 Memory lane.**

**Tax Map # 165.10-01-16 & 17.1 & 17.2**

Area Variance to enclose an existing porch. Relief from 232-24B (a) [5] modification on a non-conforming structure.

Ryan Walsh was here to present the project, he owns the house with Mr. Barbato. They want to enclose an existing porch and turn it into a 4 season room. There is no view of Copake Lake from the house, the lot is so small that the patio in the back is on the property line. The existing porch faces Cove Rd. Scott Decker will do the work. The roof of the new room will be 6" lower than the existing roof. There is an existing slab.

~ Jon Strom noted that construction will add to the percentage of living space.

~ Frank Peteroy asked if for the next meeting the ZBA could have a plan of the balance of the layout of the house and the location of the well and septic system. He asked if Mr. Walsh was adding a bedroom.

~ Mr. Walsh responded that they want to create a new den with a bathroom and a closet. Now the house is 750 square feet.

*~ Jon Strom asked for a motion to accept the application for a public hearing on February 23, 2017, Jeffrey Judd made the motion, Frank Peteroy seconded, all agreed.*

The application will be referred to the Planning Board.

**3) 2017-03 Spiezia, 10 Washington Dr. Tax Map # 165.15-1-41**

Area variance for new screen porch, deck & mudroom. Update septic tank to 1000gallons. Requesting relief from 232-24 B (2) a [2] & [5].

Set back variances for front, rear and right side also needed.

Linda Chernewsky is here to present the project. The owners want to enclose and enlarge the existing deck and screen porch. One bedroom will be moved from upstairs to the main level downstairs. The existing 300 gallon septic tank will be upgraded to a 1000 gallon. The outside stairs will be updated to code.

Linda explained that the bedroom (2) count will remain the same. The roof height will be increased from 18'6" to 26'8". Variances needed are as follow;

Front yard variance of 15'7"

Rear yard variance of 43'04"

Right side yard variance of 12'24"

Morris is working on the septic system.

The upstairs will have a bedroom, an office space and a play room.

*~ Jon Strom asked for a motion to accept the application for a public hearing on February 23, 2017, Jeffrey Judd made the motion, Frank Peteroy seconded, all agreed.*

The application will be referred to the Planning Board.

#### **4) 2017-04 Fitzgerald, 69 South West Colony Rd. Tax Map # 165.14-2-33**

Area Variance for foundation improvement, new roof and deck on a non-conforming lot.

Linda Chernewsky presents the project. The owner of the property wants to extend the roof and build a new deck facing South Colony Rd. Some foundation work will have to be done as well, possibly with concrete blocks since it is a small area. The lot is a non-conforming lot, coverage proposed is 43.96%. Linda noted that she had included the patio with the lot coverage but it actually should not be part of it. A variance for 24.69% is requested. As well as a front yard setback variance of 21'7", a right side setback variance of 5'8" and a left side setback variance of 3'10".

*~ Jeffrey Judd expressed some concern about erosion with the deck so close to a steep area.*

*~ Linda said she can try to reduce the size of the deck by a couple of feet.*

*~ Jon Strom asked for a motion to accept the application for a public hearing on February 23, 2017, Jeffrey Judd made the motion, Frank Peteroy seconded, all agreed.*

The application will be referred to the Planning Board.

**5)2017-05 Skyrms, 30 Deerfield Circle Tax Map# 186.-3-13**

Ara Variance for construction of a pool within 100' of a wetland.

Brian Buchholtz from PondWorks represents the owners Mr. And Mrs. Skyrms. They want to have a naturally filtered swimming pool with new fencing, gates equipment and associated grading.

Brian explained that the DEC re-delineated the wetland buffer zone restricting the options for the pool location. No portion of the property meets the requirements of the local zoning ordinances for swimming pools.

~ Jeffery Judd asked details about the type of filtration.

~ Brian explained that it was a completely natural closed system with biological filtration. No chlorine is used, the system acts as a wet land. The pool will be located 30' away from the house. It will be approximately 8' at the deepest and the whole system will cover about 700 square feet. Water turnover rate is low. The pool will be completely fenced off.

*~ Jon Strom asked for a motion to accept the application for a public hearing on February 23, 2017, Jeffrey Judd made the motion, Frank Peteroy seconded, all agreed.*

The application will be referred to the Planning Board.

**5) Public hearing:**

**None**

**6) Internal Business:**

~ Corey Brousseau, was in the audience and he asked if the board was going to give a final review on his application 2016-11 8010 Route 22, Tax map # 176.-1-32.

The Columbia County Planning Board meeting of December was canceled and the ZBA want its recommendation before finalizing the Special Permit.

Mr. Brousseau will have to wait until the ZBA next meeting.

Bob Haight of the Planning Board questioned the Spiezia details of the application, and was wondering if they are creating more bedrooms, he acknowledged that the sewer system will be improved.

On a motion by Jon Strom, seconded by Jeffrey Judd and agreed upon by all members, the meeting was adjourned at 8:20

**Next meeting February 23, 2017**

Respectfully submitted.  
Veronique Fabio.