

Town of Copake Zoning Board of Appeals

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Meeting Minutes of March 23, 2017

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The regular meeting of the Zoning Board of Appeals of the Town of Copake was held on March 23, 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, Thomas Goldsworthy, Michael Diperi, and Mark Miller. Town Board Liaison, Stoch Gandosky was present as well. Jeffrey Judd and Town Attorney, Kenneth Dow were excused. Secretary Veronique Fabio was present to record the minutes. An audience of about 5 people was also present.

2) Reading and approval of the minutes

The approval of the December 15, 2016, January 26, and February 23, 2017 was postponed until the next meeting.

~ Jon Strom mentioned a couple of his comments on Camp Pontiac application what were omitted on the February minutes. The minutes will be corrected and resubmitted for approval next month including December 15, 2016, January 26, 2017.

3) Correspondence:

The following correspondence was acknowledged by Jon Strom.
3/20/17 from Marc Gross in ref. to Ben Meir.

~ Jon Strom noted that this application with the ZBA is closed and the applicant is in court with his neighbors.
3/22/17 from Planning Board in ref to Camphill Village.

4) New Applications:

1) 2017-08 Frances Cicogna, 38 Blue Bird Rd. Tax Map# 165.6-1-20

Area variance requested for 12'x20' shed located less than 10' from the property line.

~ Frances Cicogna, the owner, presented her project. Her and her husband own the house for 3 three years and they would like to install a prefabricated 12'x 20' storage shed close to the property line. They would need a 7' side yard variance.

~ Frank Peteroy noted that the proposed shed is more than the permitted 120 square feet.

~ Tom Goldsworthy asked why the other side of the property was not considered for the location of the shed.

~ Frances responded that on the other side it would not be easily accessible and the proposed location would put the shed next to their neighbor's shed.

~ Jon Strom read the Zoning Code with regards to the size allowed i.e. 10'x10' or 10'x12, that it should not be on a permanent foundation, not used for other purpose than storage and screened from view as much as possible. Jon asked that Frances bring a detail plan of the shed for the next meeting.

~ Tom Goldsworthy showed pictures of the property that he took on location.

~ Jon Strom asked for a motion to accept the application for public hearing next month. Michael Diperi made the motion, Tom Goldsworthy seconded, all agreed.

The application will be forwarded to the Planning Board

2) 2017-07 Raymond Sassoon, 645 Breezy Hill Rd. Tax Map 157.-1-95

Relief from 232-8 (4) for a garage located in front of property.

~ Bill Stratton represents the Owners. He presented the application. The 2 car garage is already built. Bill said that a building permit was issued in 2016.

~ Jon Strom read the letter dated 01/7/2017 from the Building Department in reference to a potential violation of the zoning code unless the garage is attached to

the house. A certificate of occupancy cannot be issued until the violation is corrected.

~ Tom Goldsworthy asked if the Planning Board had seen the project. Bill Stratton said no, he indicated that the cost for the 2 car garage was approximately \$125,000.

~ Frank Peteroy noticed that the survey presented was inaccurate, and asked for an updated one showing the actual location of the house and the garage for the next meeting.

~ Jon Strom asked that the original building permit be also presented next month as well as the plans that were submitted at the time.

~ Jon Strom asked for a motion to accept the application for public hearing next month. Michael Diperi made the motion, Frank Peteroy seconded, all agreed.

The application will be forwarded to the Planning Board.

3) 2017-09 Nathan Sawyer, 1084 Lakeview Rd.
Tax map #176.1-3-16 and 176.1-3-17

Area variance for 12 x 24 garage located in front yard.

~ Mrs. Taryn Zarrillo came to the table to present the project. With her husband, Nathan Sawyer, she owns the two lots, respectively 0.20 and 0.22 acres. They would like to replace the existing 12'x16' shed by a 12' x 24' garage in the same location. It will be a prefabricated garage installed on a concrete slab. They are planning a gravel driveway, some grading will be necessary. Calvin Miller will be the contractor for the project.

The choice for the garage location is limited; it cannot be built behind the house or it would be too close to Robinson Pond, the septic system is in the front yard on the right side and some large trees are growing there as well.

~ The plan provided to the ZBA shows that the new garage will be located 94 feet from Robinson Pond. It was suggested to the applicant that moving the project 6' forward would reduce the number of variances necessary. The applicant agreed with the idea.

~ Frank Peteroy had questions about the driveway grading and the drainage plan. It appears that there is a two foot drop. He asked that the applicant provide more details for the next meeting and adjust the plan with the 100' set back from the Pond just discussed.

~ Jon Strom asked for a motion to accept the application for public hearing next month. Michael Diperi made the motion, Tom Goldsworthy seconded, all agreed.

The application will be forwarded to the Planning Board.

4) 2017-10 Camphill Village, 84 Camphill Rd. Tax Map # 175.1-48

Area variance for addition to an existing building within 100 feet of a water body.

Pat Prendergast is the engineer for the project, he came to the table accompanied with Jos Smeele and Roman Gerhard.

The project consist of an addition to the existing “Village Green” building to improve the entrance and modernize the kitchen.

Pat Pointed out the details of the plan. There is a stream behind the proposed addition and some non-DEC wetland. The project will have absolutely no impact on the stream.

~ Mr. Smeele indicated that the existing building dates back to the 1970’s and is in need of updating.

The project was approved by the Planning Board however it was determined that a variance would be necessary because of the proximity of the proposed addition to the unnamed stream.

~ Pat Prendergast noted that the land around the proposed addition is flat, all drainage pipes will be relocated. Following a question, Pat Prendergast and Jos Smeele indicated that no large truck deliveries are done at the kitchen entrance now and in the future.

~ Frank Peteroy asked if the Army Corp of Engineer was aware of the project.

~ Pat Prendergast said that no permit was necessary from Army Corp of Engineer. He explained that in order for a wetland to be considered DEC wetland, 12.4 contiguous acres are necessary. There are some DEC wetland on the Camphill Village site but not where this project located.

The plans for the addition were approved by the Planning Board already now just a 60’ set back variance from the stream is needed.

~ Jon Strom asked for a motion to accept the application for public hearing next month. Michael Diperi made the motion, Tom Goldsworthy seconded, all agreed.

The application was approved by the Planning Board therefor no referral is necessary.

4. Closed Public Hearing:

None

5) Public Hearing:

None

Internal Business:

Tom Goldsworthy indicated that he will not be present for the April 27 meeting.

On a motion by Michael Diperi, seconded by Tom Goldsworthy and agreed upon by all members, the meeting was adjourned at 8:00pm

Respectfully submitted.
Veronique Fabio.