

Town of Copake Zoning Board of Appeals

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Meeting Minutes of October 25, 2018

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The meeting of the Zoning Board of Appeals of the Town of Copake was held on October 25, 2018 at the Copake Town Hall, 230 Mountain View Road, Copake, NY.

1) Roll call:

The meeting was called to order at 7:05 PM by Jon Strom ZBA Chairman. Present were; Frank E. Peteroy, Jeffrey Judd, and Thomas Goldsworthy. Town attorney, Ken Dow and Town Board Liaison, Stosh Gansowski were present.
Michael Diperi was excused.
Veronique Fabio recorded the minutes.

2) Reading and approval of the minutes:

~ Jon Strom asked for a motion to approve the September 27, 2018 minutes. T. Goldsworthy had some typo corrections and P. Peteroy did not have a chance to read the minutes.
The approval of the minutes was postponed until next meeting.

3) Correspondence:

The following correspondence was reviewed

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9-20 from Jeffrey Judd, letter of interest.

~ *Jeffrey Judd will be interviewed in November.*

10-9 from Alyson Atwood Esq. in ref. to Faranda variance.

~ *Mr. Faranda will not present an application after all.*
10-9 from Marc Miller, Letter of resignation.
~ *Jon Strom acknowledged his resignation.*
10-17 referral from Ancram ZBA.
~ *J. Strom asked that a thank you response be sent to Ancram.*
10-25 from Gray Davis in ref. to GRJH.

4) New Applications:

1) 2018-12 Fontana, 11 Island Dr. Taconic Shores tax map 176.1-6-4

Replacement of garden shed. Represented by Linda Chernewsky.

Linda and Mr. Fontana were present.

Linda presented a Freshwater Wetland Permit from the DEC dated 10-24-18.

The permit allows the installation of the shed and a 16' x 6' high stockade fence near Robinson Pond.

~ Linda explained that the existing shed will be removed and a new 12'x16' shed will be installed 3 feet from the right side yard line.

The applicant is requesting a 7 foot variance (232-8) and the relief from 232-11, D, 2 for development within 100' of water.

Linda indicated that the new shed will be aligned with the neighbor's shed on the other side of the property.

The ZBA would like to see a survey showing the property in question and the lot next to it.

~ *Jon Strom asked for a motion to accept the application for public hearing next month, November 15. Tom Goldsworthy made the motion, Jeffrey Judd seconded, all agreed.*

2) 2018-11 Fontana, 5 Island Dr. Taconic Shores. Tax map 176.1-6-2

New house construction and septic. Represented by Linda Chernewsky.

~ Linda Chernewsky indicated that there is an application in front of the DEC for this project. At their request the house plan was moved away from the water as much as possible. The house will be 70 feet from the water, therefore a 30 foot variance is necessary.

The house will be a modular, 26.1 foot high.

A set of aluminum stairs leading to the pond and a stone patio were also included in the application submitted to the DEC.

Linda noted that DEC wants specific landscaping on the bank by the pond as it is quite steep there. Linda included the type of trees and bushes requested on her plan.

~ Jon Strom asked for a motion to accept the application for public hearing next month, November 15. Tom Goldsworthy made the motion, Jeffrey Judd seconded, all agreed.

5) Public Hearing:

2018-13 Catamount Ski Area, Catamount Road, Copake. Tax Map 157.-1-11.1
Special Use Permit for installation of two Zip Lines represented by Pat Prendergast.

~ Jon Strom asked for a motion to open the public hearing. Tom Goldsworthy made the motion, Jeffrey Judd seconded, all agreed.

Pat Prendergast and John Schaffer were present.

~ Pat Prendergast presented the map requested by the ZBA members showing the abutting properties to the project.

He recapped the zip lines plans; a short line approximately 951 feet in length with a 8% grade and a long line 5,634 feet with a 17% grade.

It was noted that the Hillsdale ZBA granted a special Use Permit for the portion located in Hillsdale.

~ John Schaffer said that he flew a drone over the area and the houses bordering Breezy Hill Rd. are behind a swell, the cables of the zip lines could not be seen from the homes on the road.

The Columbia County Planning Board in a letter dated October 16, 2018 has reviewed the application and recommended approval of the project.

~ Stosh Ganswosky asked details about the installation.

~ John Schaffer responded that a helicopter installs the ¾ inches cables. Large concrete blocks are set at either end of each zip line. The company that will do the installation is a vetted company.

~ Ken Dow asked if cold temperatures affect the cables and how fast might a person go on the long zip line?

~ John Schaffer responded that yes, the cold does have an impact on the cables but it does not affect the functioning of the system and that a speed of 50 mile per hour can be attained.

The abutters were contacted by registered mail, and a public notice was posted in the Columbia paper prior to the public hearing.

There was no one in the audience concerning this application.

232-23 A.

Authorization to grant or deny special uses. The Town Board authorizes the Zoning Board of Appeals to grant or deny special uses in accordance with section 274-b of the New York Town Law and the provisions set forth in this section. No land or structure may be used or constructed for any use requiring a special use permit pursuant to this chapter, and no use subject to a special use permit under this chapter may be permitted, enlarged or altered, unless approved by the Zoning Board of Appeals. Prior to approving an application for a special use permit, the Zoning Board of Appeals shall determine that the proposed special use, as submitted or modified, with conditions, will conform to the character of the neighborhood within which it is located, will have no more adverse effects on health, safety, or welfare of persons living or working in the neighborhood and shall be no more injurious to property or improvements in the neighborhood than would any other use generally permitted in the same district, and conforms to the objectives enumerated below.

Upon review the ZBA determined that the project is compatible with the objectives following 232-23 D (1), (2) a through q. of the Copake Zoning Code.

~ Jon Strom asked for a motion to close the public hearing, Tom Goldsworthy made the motion, Jeffrey Judd seconded, all in favor.

Tonight the Zoning Board of Appeals will be voting on an appeal for a Special Use permit.

Vote: Frank Peteroy; YES

Jeffrey Judd; YES, he added that his decision is based on the criteria followed after review.

Thomas Goldsworthy; Yes

Jon Strom; YES”

Special Use Permit is granted.

6: Closed Public Hearing:

None

7: Internal Business:

~ Tom Goldsworthy handed a training certificate for 4 hours. He also said that he will not be able to attend the January meeting.

~ Jon Strom indicated that he could not speak to reporters from the Register Star. The message will be forwarded to town supervisor Jeff Nayer.

On a motion by Jon Strom, seconded by Thomas Goldsworthy and agreed upon by all members, the meeting was adjourned at 8:10.

Respectfully submitted.
Veronique Fabio.