

Town of Copake Zoning Board of Appeals

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Meeting Minutes of December 21st, 2017

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The meeting of the Zoning Board of Appeals of the Town of Copake was held on December 21st, 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, Thomas Goldsworthy, and Mark Miller.

Michael Diperi and town attorney Ken Dow were excused as well as Veronique Fabio secretary.

Secretary Lisa DiConti was present to record the minutes.

2) Reading and approval of the minutes:

~ The approval of the November minutes was tabled until the January 2018 meeting.

3) Correspondence:

The following correspondence was acknowledged.

12/8. From Barbara Smith in reference to Rt. 23 and Craryville Rd. intersection.

12/12. From Frank Peteroy in ref. to the GRJH gas station project on 23.

~ Jon Strom noted that the ZBA had already ruled on the GRJH application and that the Planning Board was reviewing the site plan.

12/13. From Planning Board letter in ref. to Vargas/Machado application. The application is currently going through site plan review and the Planning Board cannot comment on it at this time.

4) New Applications:

No new application.

5) Public Hearing:

2017-25 Vargas/Machado, 123 Golf Course Rd. Tax Map 165.5-6 & 165.5-1-18

~ Jon Strom asked for a motion to open the public hearing, Thomas Goldsworthy made the motion, Mark Miller seconded, all in favor.

Chris Knox of Crawford & Associates represents the owners, they are requesting front & side yard variance as well as a variance for work on the septic system planned within 150' of Copake Lake. Demolition of the existing house and building a new residence including a new septic system and landscaping around the property is planned.

A new site plan dated 12/19/2017 was submitted. No major changes were done, just more details on the septic system proposed.

Sand filter and absorption field were changed as well as the dimensions. Additional grading was added. The easement meets and bounds were adjusted. The location of the septic tank was shifted further away from the lake, closer to the road, 15' from the house. Additional drainage improvements is noted on the new site plan with more landscape that will filter off the water run of.

~ Jon Strom noted that no changes were made as far as the location of the house following the ZBA suggestion at the prior meeting.

Jon Strom asked if there were any comments from the abutters that were notified.

~ Chris Knox indicated that the future house is kept in the same location to preserve the existing view and the disturbance of the site.

~ Jon Strom asked if the owners will keep the view shed permanently to allow people to enjoy the open view to the lake in the future.

~ Chris Knox noted that the well location is still approximate and it will be confirmed according to final pipes placement. Now the well seems to be located in the house or very close to the outside foundation, it will be moved to a more appropriate place.

~ Frank Peteroy said that he was on site and noticed that some digging had taken place, was that for percolation tests?

~ Chris Knox responded that some tests were done.

~ Frank Peteroy noted that the location of the house remained the same as from the previous plans. He was also concern about the plume of contamination from the sand filter septic system following the downward flow towards the lake and the future well.

~ Chris Knox responded that all the septic components will fulfill the BOH requirements on setbacks and will be designed to exceed the levels of treatments above a typical sand filtering system.

~ Frank Peteroy also mentioned the idea of moving the house 7' or so away from the left side property line.

~ Chris Knox said that the owners want to maintain the water shed opening as much as possible and keep soil disturbance to a minimum.

~ Frank Peteroy suggested a 6' fence as shielding on the right side of the property if necessary.

~ Thomas Goldsworthy mentioned that at the last meeting the ZBA asked that the 2 lots be combined.

~ Chris Knox responded that it was done. The two parcels have been legally combined.

~ Jon Strom recommended that the decision of the board be postponed until next month. An easement agreement for the septic has to be obtained.

Jon Strom and Frank Peteroy feel strongly about moving the house to the west a few feet to reduce the number of variances. This is a big project on the lake and the board needs time to review the plans before making a decision, also some feedback from the Planning Board would be beneficial before the board makes a decision.

~ Chris Knox indicated that the owners were not able to come to an agreement about the septic system with the home owner's association but had

a verbal agreement with Jon Urban to install the system on the golf course. Chris Knox asked if the board would consider giving a conditional approval and agree to match the existing setbacks.

~ Architect Cathy Chia asked how the board would feel if they were to move the project to the west, an adjustment to accommodate the location driveway would put the house closer to the lake than on the original plan. It would have to be drawn out to give accurate measurements. The ideas will be conveyed to the owners.

~ Frank Peteroy noted that 10' should be kept from the existing culvert.

~ Jon Strom suggested to keep the public hearing open and reiterated that the applicant should look into moving the house 5 to 10 feet to the west of the property. The easement agreement has to be in place before a decision can be taken.

Chris Knox will keep in touch with the secretary for updates on the easement agreement.

Internal Business:

Jeffrey Wood had applied for the open seat on the board, however it appears that he is not present tonight for the interview.

Frank Peteroy made a motion to go into executive session to interview Jon Strom, Marc Miller seconded, all agreed.

Jon Strom is interviewed.

Thomas Goldsworthy made a motion to come out of executive session, Jeffery Judd seconded, all agreed.

Jeffrey Judd made a motion to recommend Jon Strom as member of the ZBA for another 5 year term and make that recommendation to the town board, Thomas Goldsworthy seconded all agreed.

A letter will be sent to the town board members.

On a motion by Jeffrey Judd, seconded by Marc Miller and agreed upon by all members, the meeting was adjourned at 7:40.

Respectfully submitted.
Veronique Fabio.

Next meeting January 25, 2018