

**Town of Copake  
Zoning Board of Appeals**

**Minutes May 23, 2013**

The regular meeting of the Zoning Board of Appeals of the Town of Copake was held on Thursday, May 23, 2013, at the Copake Town Hall, 230 Mountain View Road, Copake, NY. An audience of about 20 was present including Marcia Becker; Planning Board , Susan Sweeney; Town Board Liaison and Edward Ferrato; Building Inspector.

The meeting was called to order by Chairman Hilarie Thomas at 7:10 PM.

**Roll call:** Present at this meeting were: Hilarie Thomas, Frank E. Peteroy, Michael DiPeri, Ralph Shadic, and Jon Strom. Adam Resnikof was absent.

Kenneth Dow; Copake Town Attorney was also present.

**Minutes:**

Hilarie asked for a motion to waive the reading of the April 25 minutes and approve them.

Michael DiPeri made the motion, Jon Strom seconded, all in favor.

It was noted that The October 2012 minutes were still open.

**Correspondence:**

Hilarie Thomas reviewed the following correspondence.

Aril 23-----Edward Ferrato in ref to Septic Approval of existing onsite sewage....

April 25-----From Marguerite Shannon in ref to Hosier application.

May 1<sup>st</sup>-----From C. Mc Donald attorney for Nielsen in ref to changes in variance requested.

May 4-----From Planning Board in ref to Hosier.

May 8-----From Iven Taub email in ref to location of septic system.

May 12-----From A. Chibbaro; detailed plans for the project.

May 16-----From Planing Board Memos for Taub, DiSalvo, Kreutz, Sawchuck, Nielsen, Chibbaro.

**Closed Public Hearing:**

None

**Public Hearing:**

**1) 2013-07 Gregg Hosier, Lakeview Rd, Tax Map # 165.11-1-45 ,area Variance, improvements within 100' of water (deck and vehicle pull off..)**

Mr. Hosier was not present, public hearing remains open for next month.

**2) 2013-08 Iven & Diane Taub , 1052 Lakeview Rd Taconic Shores**

**Tax Map # 176.1-2-55, Are variance requested for 20 x20 garage in front yard of property.**

*Hilarie Thomas asked for a motion to open the public hearing, Michael DiPeri made the motion, Frank Peteroy seconded, all in favor.*

**Mr. Taub came to the table. He presented the new survey with a drawing of the location of the septic system as indicated by Bill Baldwin & Sons.**

**Frank noted that he was on the site and remarked that the soil had been disturbed.**

**Mr. Taub had no knowledge of any work being done on his property that would have moved the soil around.**

**Hilarie read the Memo from the Planning Board;**

The Planning Board reviewed the Taub application for a variance from the ZBA to locate a garage in the front yard. The garage was built without a building permit, and Mr. Taub is correcting the oversight. Several matters were raised during the Board's discussion as follows: When was the garage built? Where is the leach field located? The septic tank is identified on the site map. Some additional screening of plantings between the garage and Lake View Road would lessen any objectionable visual impact. According to Sections 232-1.D. and 232-27, should a fine be imposed on the applicant? The Code Enforcement Officer can comment on this possibility. The building's distances from the road and south side yard should be included on the site map.

**Frank agreed with the Planning Board that screening of the garage side towards the road is necessary.**

**Mr. Taub pointed out that the back of the garage faces a dead end road and agreed to plant some type of shrub along the side of the garage facing the road. He will hire a landscaper.**

**Distances of the two corners of the garage from the road are respectively 25.' and 27'.3.**

**Jon Strom asked if Taconic Shores had given their approval for the construction.**

**Hilarie confirmed that Taconic Shores knew and had approved the construction.**

**Mr. Taub explained the confusion with the garage that was built unknowingly to him without a permit from the town of Copake without.**

**The garage was built November 2012.**

**Frank suggested that because the lot being a corner lot, 2 variances might be necessary.**

**It was determined that it was not the case. Ken Dow confirmed the findings.**

**The location of the septic system has been clarified.**

**Taconic Shores requires a 25 foot setback from front of property.**

- **The ZBA is going to vote on a variance of an average of 14' to the front of the property line,**
- **as well as a variance to have the garage located in the front yard ( 232-8-D4). Shrubs should be planted to screen the view of the side of the garage from the road.**

***Hilarie Thomas asked for a motion to close the public hearing, Jon Strom made the motion, Michael DiPeri seconded, all in favor.***

**Hilarie proceeded to read the 267-b Permitted action by board of appeals.**

*a. The Zoning Board of Appeals shall have the power, upon an appeal from a decision or determination of the administrative official charged with the enforcement of such ordinance or local law, to grant area variances as defined herein.*

*b. In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall consider:*

*1; Whether an undesirable change will be produced in the character of the Neighborhood or a detriment to nearby properties will be created by the granting of the area variance.*

*Answer: NO*

*2; Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue other than an area variance;*

*Answer: NO*

*3; Whether the requested area variance is substantial;*

*Answer: NO*

*4; Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;*

*Answer: NO*

*5; Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.*

*Answer: Yes*

*c. The Board of Appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.*

- The ZBA is going to vote on a variance of an average of 14' to the front of the property line.
- As well as a variance to have the garage located in the front yard (232-8-D4).
- Shrub should be planted to screen the view of the side of the garage from the road.

**Roll call vote; Ralph Shadic, Yes. Frank E. Peteroy, YES. Hilarie Thomas, YES. Michael Diperi, YES. Jon Strom, Yes.**

**Variance granted.**

**3) 2013-09 DiSalvo Carmella , 23 Longley Dr. Copake . Tax Map # 165.10-1-8.  
Variance requested for 12 x 18 deck for a hot tub.**

*Hilarie Thomas asked for a motion to open the public hearing, Jon Strom made the motion, Michael DiPeri seconded, all in favor.*

**Hilarie read the Memo from the Planning Board.**

At the May 2, Planning Board meeting the Board reviewed the Di Salvo application. The plans as submitted show the proposed deck attached to the existing deck. Ms. Di Salvo says it will not be attached and therefore new plans must be submitted. The new plans must specify the

distance between the two decks and how the new deck will be accessed. It seems to the Planning Board that 2 variances are required – for development within 100' of Copake Lake (new deck is not attached to principle structure), and rear yard setback variance. The Planning Board suggests that Erosion and Sediment Control plans be included on the site map to insure the lake is protected during construction, and that additional landscaping planned for and shown along the shoreline.

**Carmella DiSalvo came to the table. She mentioned that she had spoken to Michael Higgins about her project and that he told her that no permit was necessary from the DEC.**

**It was determined by the hot tub installation specialist that the proposed new deck location was ideal for a hot tub because the ground is flat; the existing deck is built on slanted ground. The new deck will be detached from the existing deck.**

**Ed Ferrato suggested that a floating deck on 12 inch footers separate from the house would be best to prevent soil disturbance.**

**Hilarie asked if anyone in the audience had comments; being none she stated that the board is going to vote tonight on;**

- **A set back variance of 75' to the water for the 12'x18' deck.**
- **As well as a 13' side yard set back variance.**
- **Erosion control and silt fence should be installed during construction.**

***Hilarie Thomas asked for a motion to close the public hearing, Jon Strom made the motion, Michael DiPeri seconded, all in favor.***

**Hilarie proceeded to read the 267-b Permitted action by board of appeals.**

***a. The Zoning Board of Appeals shall have the power, upon an appeal from a decision or determination of the administrative official charged with the enforcement of such ordinance or local law, to grant area variances as defined herein.***

***b. In making its determination, the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted, as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination, the board shall consider:***

***1; Whether an undesirable change will be produced in the character of the Neighborhood or a detriment to nearby properties will be created by the granting of the area variance.***

**Answer: NO**

***2; Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue other than an area variance;***

**Answer: Yes**

***3; Whether the requested area variance is substantial;***

**Answer: NO**

*4; Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;*

*Answer: NO*

*5; Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.*

*Answer: YES*

*c. The Board of Appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.*

Hilarie asked if anyone in the audience had comments; being none she stated that the board is going to vote tonight on;

- A set back variance of 75' to the water for the 12'x18' deck.
- As well as a 13' side yard set back variance.
- Erosion control and silt fence should be installed during construction.

Roll call vote; Ralph Shadic, Yes. Frank E. Peteroy, YES. Hilarie Thomas, YES. Michael Diperi, YES. Jon Strom, Yes.

**Variance granted.**

**4) 2013-10 Juan Kreutz, 137 Golf Course Rd. , Tax Map # 165.5-1-7, area variance for 10x5 deck near the water line of Copake lake.**

*Hilarie Thomas asked for a motion to open the public hearing, Michael DiPeri made the motion, Jon Strom seconded, all in favor.*

**Jack Schutlz came to the table, he represents Mr. Juan Kreutz; his neighbor.**

**Hilarie read the Memo from the Planning Board.**

.The Planning Board reviewed Mr. Kreutz's application to build a small deck 1-2 feet from Copake Lake. The deck will be built over large stones. It appears this will not impact the lake any more than the existing landscaping. The rocks will remain for the purpose of erosion control. Any additional plantings along the shoreline will help protect the lake.

**All abutters were notified.**

**Jack explained that the 5'x 10' deck will be a floating deck on piers not driven into the ground.**

**It was noted that a 30' side yard set back is required in the area.**

**Jon Strom questioned the type of footing that will be used; Jack Schultz responded that preformed concrete footings were planned in order to keep soil disturbance to a minimum.**

**US Army Corps of Engineers has been contacted (3/14/13 and 4/10/13), no permit is required for the described project.**

- A 98' set back variance for the deck to the water's edge.
- A 12' side yard set back variance on the South side of property (abutting land of Flanigan).
- Erosion control and silt fence should be installed during construction.

*Hilarie Thomas asked for a motion to close the public hearing, Michael DiPeri made the motion, Jon Strom seconded, all in favor.*

**Hilarie proceeded to read the 267-b Permitted action by board of appeals.**

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*1; Whether an undesirable change will be produced in the character of the Neighborhood or a detriment to nearby properties will be created by the granting of the area variance.*

*Answer: NO*

*2; Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue other than an area variance;*

*Answer: Yes*

*3; Whether the requested area variance is substantial;*

*Answer: NO*

*4; Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;*

*Answer: NO*

*5; Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.*

*Answer: Yes*

*c. The Board of Appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.*

**The board is going to vote tonight on;**

- A 98' set back variance for the deck to the water's edge.
- A 12' side yard set back variance on the South side of property (abutting land of Flanigan).
- Erosion control and silt fence should be installed during construction.

**Roll call vote; Ralph Shadic, Yes. Frank E. Peteroy, YES. Hilarie Thomas, YES. Michael Diperi, YES. Jon Strom, Yes. Variance granted.**

**5) 2013-12 Nielsen, 25 SW Colony, tax map 165.14-02-67.12, area variance to build within 100 feet of Copake lake, a set of 5 stone steps and a set of wooden stairs leading to the lake shore.**

*Hilarie Thomas asked for a motion to open the public hearing, Frank Peteroy made the motion, Michael DiPeri seconded, all in favor.*

**Hilarie read the Memo from the Planning Board.**

At the May 2, Planning Board meeting, the Board reviewed the application from Mark and Linda Nielsen to keep 5 stone steps and build a set of wooden stairs from the existing patio to the shoreline – all within 100 feet of Copake Lake. Attorney Chris McDonald representing the Niensens provided a letter stating the project had been modified and they are no longer asking for an additional patio. He said new plans would be forthcoming including more detail showing the remaining stone steps. The new wooden steps will be built using an auger/drilling method which will lessen potential erosion and sediment damage to the lake. The Planning Board asks that more information be given and plans be provided for the shoreline landscaping showing how it will protect the lake, as well as the planting plan for the area where the patio was removed.

**Hilarie also read the letters from Christopher Mc Donald dated 5/1/13 and 5/20/13 where it is stated that the construction of the 15' x 15' second patio project is abandoned. The applicant is now seeking a variance for the stone steps (5 steps) that are already in place and a set of wooden stairs on metal posts going to the shore of the lake.**

**Christopher Mc Donald came to the table, he represents the applicant, Lisa Nielsen. He presented a new plan indicating the number of steps for the stairs as required by the board at the last meeting.**

**Frank questioned the location of the stone steps. Christopher Mc Donald noted that the stone steps are closest to the North side of the property.**

**That stone set of stairs was built without a permit.**

**Jon Strom noted that the location of the removed second patio can very easily become a second patio.**

**Frank pointed out that gravel on that flattened area is the best option for drainage.**

**All the abutters (4) were contacted and one person is present today at the meeting, she just wants to take a look at the new proposed plan and she had no comments.**

**Jon Strom asked if the abutters that have a right of way can use the stairs, Mc Donald's answer to that question was " No " and the private rights of the abutters is not an issue for**

the Zoning Board of Appeals. There is an area to the right that is the right of way that can be used to access the lake.

Hilarie questioned the plan for erosion. , Mc Donald responded that an auger system type of posts is planned, this will create only minor soil disturbance to the area.

Jon Strom questioned if the board should take in consideration the fact that the ZBA had previously denied the stone steps and they have not been removed.

Ken Dow intervene and noted that the ZBA has to take in consideration the detriment to the neighbors and the community in their decision making process. There were a lot of issues the last time the Nielsen's application was before the board but in the end the detriment to the community is what had to be considered.

Mc Donald argued that it is not who owns the property that should matter but what kind of improvement is proposed. The new project is minimal compared to some improvements that already exist around the lake. It fits with the character of the community.

Hilarie would like to treat the stone steps as a separate variance. The patio was removed but the stairs were left in place. Mc Donald noted that the board is not bound by the decision made previously on the steps. The land is very steep in that area and some way to access the flattened portion is necessary.

Ed Ferrato commented that the stone steps were previously approved (8/25/11) but were moved out of the perimeter of the approved patio. Mc Donald noted that the contractor encountered a lot of tree roots that made it impossible to build the stairs where originally planned. Mc Donald would like the board to move on at least one of the variances and if modifications have to be made for the stone stairs it will be reworked.

Hillarie asked to go for advice of legal counsel. . Mc Donald objected.

The board removed itself from the room at 9:05 and came back to the public hearing at 9:15.

The board would like to see a less massive and more rustic type of stairs.

The board decided to make a decision and close the public hearing on the wooden stairs and leave the stone steps issue for the next meeting.

*Hilarie Thomas asked for a motion to move the public hearing for the stone steps to June 27, and close the public hearing on the wooden stairs. Michael DiPeri made the motion, Jon Strom seconded, all in favor.*

Hilarie proceeded to read the 267-b Permitted action by board of appeals.

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*1; Whether an undesirable change will be produced in the character of the Neighborhood or a detriment to nearby properties will be created by the granting of the area variance.*

*Answer: NO*

*2; Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue other than an area variance;*

*Answer: NO*

*3; Whether the requested area variance is substantial;*

*Answer: NO*

*4; Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;*

*Answer: NO*

*5; Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.*

*Answer: No*

*c. The Board of Appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.*

The board is going to vote tonight on;

- Development within a 100' of a body of water;  
a variance of 97'.5" to the water for a set of wooden stairs with metallic posts.
- Erosion control and silt fence should be installed during construction

Roll call vote; Ralph Shadic, Yes. Frank E. Peteroy, YES. Hilarie Thomas, YES. Michael Diperi, YES. Jon Strom, Yes.

**Variance granted.**

6) 2013-11 Sawchuk, 139 Lake Shore Drive , tax map 176.3-3-7,  
Property owners want to replace existing home with a new construction within the existing footprint and add a 2<sup>nd</sup> floor.

Frank stepped up to the table, he represents the applicants; Mr. and Mrs. Sawchuk.

*Hilarie Thomas asked for a motion to open the public hearing, Michael DiPeri made the motion, Ralph Shadic seconded, all in favor.*

Hilarie read the Memo from the Planning Board.

The Planning Board reviewed the Sawchuck application at the May 2, Planning Board meeting. Site plan review and approval are required for this application. The review process is not yet complete, so no action was taken at the May 2 meeting.

**Frank informed the members that an application has been submitted to the DEC, he is waiting for an answer. Frank has a copy of the owner's deed and photographs of the surrounding properties. The septic tank was pumped out and it was found out that it is a 1000 gallon concrete tank, the field is located towards the front yard about 95' from the center of the road. The septic system is believed to be in good working order; however the property owner is willing to replace the system if judged necessary by the Board of health. Frank is still waiting for a survey; the lot is approximately 50' x 162'. It is set back from the road about 95'.**

**Silt fences and hay bails will be installed prior construction about 19' from the house, beyond that the land slopes steeply towards the lake.**

**The project will follow the same footprint but will be one story higher than the original house. The first floor will be handicap accessible.**

**A rear yard and two side yard variances are requested.**

**Taconic Shores has approved the project.**

**Jon Strom noted the letter from the building department referring to density control. Ed Ferrato clarified that the foot print will not change but the square footage will be increased therefore a density control variance seems to be adequate. Hilarie agreed.**

**Frank indicated that the building height will be around 28' to 32' exact measurements have to be determined. The board will need the measurements, a height variance might be necessary.**

*Hilarie Thomas asked for a motion to move the public hearing to June 27, Jon Strom made the motion, Michael DiPeri seconded, all in favor.*

**7) 2013-04 Anthony Chibbaro , 395 Lakeview Rd, Copake Lake ,165.7-2-6 . Area Variance requested to build a 20'x 28'deck, a 10' x 22'.6" upper deck and install a 8x12 tool shed in the rear yard.**

*Hilarie Thomas asked for a motion to open the public hearing, Jon Strom made the motion, Michael DiPeri seconded, all in favor.*

**Hilarie read the Memo from the Planning Board.**

Mr. Chibbaro's project was not reviewed because he has not supplied the Planning Board with information requested by the Board at the April 4 meeting. He did not attend the April ZBA meeting or the May 2, Planning Board meeting. No action was taken.

**She noted the following correspondence from May 12-----From A. Chibbaro; detailed plans for the project.**

**The new plans are examined by the members. There are no others improvements planned besides the decks.**

**Mr. Chibbaro indicated that he took some measurements; distance of the deck from the lake is 57'. The building in the rear of the property is considered a "bunker" and not a shed. Hilarie asked if the shed could be installed farther from the property line to avoid another variance, but the lot is narrow and that would put the shed almost in the middle of the rear yard.**

**Lindsey Lebreck intervened on behalf of Mr. Robert Golden, an abutter, who had concerns that the improvement will block his view of the lake. It was determined looking at the photographs that Mr. Golden's house is located to the right and built closer to the road than the Chibbaro's house. Mr. Golden's view cannot possibly be affected by the decks. Lindsey Lebreck tried to get in touch on the phone with Mr. Golden unsuccessfully. Mr. Golden could have written a letter to state his concerns.**

**Hilarie asked if anyone else in the audience had comments; being none she stated that the board is going to vote tonight on; -**

- **A 43' set back variance for the deck to the water.**
- **A 15' front yard set back variance.**
- **Two 14' side yard set back for the deck.**
- **A 4' North side yard variance for the shed.**
- **A variance to install a 8x12 shed on the property**

***Hilarie Thomas asked for a motion to close the public hearing, Michael DiPeri made the motion, Jon Strom seconded, all in favor.***

**Hilarie proceeded to read the 267-b Permitted action by board of appeals.**

***a. The Zoning Board of Appeals shall have the power, upon an appeal from a decision or determination of the administrative official charged with the enforcement of such ordinance or local law, to grant area variances as defined herein.***

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***1; Whether an undesirable change will be produced in the character of the Neighborhood or a detriment to nearby properties will be created by the granting of the area variance.***

Answer: NO

2; Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue other than an area variance;

Answer: NO

3; Whether the requested area variance is substantial;

Answer: NO

4; Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district;

Answer: NO

5; Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

Answer: No

c. The Board of Appeals, in the granting of area variances, shall grant the minimum variance that it shall deem necessary and adequate and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

The board is voting tonight on;

- A 43' set back variance for the deck to the water.
- A 15' front yard set back variance.
- Two 14' side yard set back for the deck.
- A variance to install a 8x12 shed on the property.
- A 4' North side yard variance for the shed.

Roll call vote; Ralph Shadic, Yes. Frank E. Peteroy, YES. Hilarie Thomas, YES. Michael Diperi, YES. Jon Strom, Yes.

Variance granted. The Planning Board will review this application on June 6.

## 6. New Business: New Application:

-----2013-13, Pat Prendergast for Camphill Village. Area Variance requested for two new workshop buildings located near federal wet land.

Pat Prendergast accompanied by three village residents came to the table. One resident read a letter in reference to the importance of the project for the village community.

Pat Prendergast presented the project which consists of replacing a 2500 square feet existing workshop by two new workshop buildings approximately 3000 and 3522 square feet.

Hilarie asked if there were vernal pools.

Prendergast stated that the Army Corp of Engineer has flagged every wet land area and ditches on the property. 9 parking spots will be created. The buildings will be located out of wet land areas but a drainage ditch has to be crossed by a driveway in two locations.

Prendergast will apply for a permit with the Army Corp of Engineer to cross the ditch.

He has been in contact with Brad Sherwood who told him the project seems to be eligible for a nation wide permit # 39.

Prendergast is before the ZBA because Copake's building code requires a variance for any improvements done within a 100 feet of any water or wet land.

Frank asked how the run off will be handled.

A 2000 gallon holding tank and all the roof's gutters will be connected to it, some of the water will be redirected towards the gardens as well.

Jon Strom questioned the choice of location considering all the acreage available.

He was informed that because the residents walk to the workshops, the location had to remain close to the housing buildings.

Prendergast noted that also the steep topography limits the use of the land

A utility basement will be built in the center of each building; the rest will be slab on grade. The buildings will be one story.

*Hilarie Thomas asked for a motion to accept this application for public hearing for June 27. Jon Strom made the motion, Michael DiPeri seconded, all in favor.*

The application will be referred to the planning board.

----- 2013-14 Wang/Spencer, 343 lakeview Rd. Tax Map # 165.6-2-49. Area Variance for second floor addition, front porch & deck, & roof over existing side deck.

Linda Chernewsky represents the owners. She presented the project. The house is located next to the marina on Lakeview Rd. The house is set way back from the lake.

A second floor will be added to the current one story house, 3 Bedrooms will be created upstairs. The existing deck will be screened.

The variances requested are;

A height variance of 3'5", a left side, right side and rear set back variance, relief from section 232-24(A) #2, #4 as well.

The application will be referred to the planning board.

*Hilarie Thomas asked for a motion to Schedule this application for public hearing for June 27<sup>d</sup>. Michael DiPeri made the motion, Jon Strom seconded, all in favor.*

*Hilarie Thomas asked for a motion to adjourn this meeting. Michael DiPeri made the motion, Jon Strom seconded, all in favor.*

Meeting was adjourned at 10:30

Respectfully submitted.  
Veronique Fabio  
Recording Secretary.

