

# Town of Copake Zoning Board of Appeals

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## Meeting Minutes of October 26, 2017

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The regular meeting of the Zoning Board of Appeals of the Town of Copake was held on October 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, Michael Diperi, Thomas Goldsworthy and Mark Miller.

Town Board Liaison, Stosh Gansowsky and Town Attorney Ken Dow were also present.

Secretary Veronique Fabio was present to record the minutes.

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

~ Jon Strom asked if board members were ready to make a motion to accept the August 24th meeting minutes.

*~ Jon Strom asked for a motion to accept the August minutes, Mickael Diperi made the motion, Jeffery Judd seconded, all agreed.*

### **3) Correspondence:**

The following correspondence was acknowledged.

**9/28**, from Jeff Nayer, Land Use Training; October 30, 2017, Columbia Greene Community College.

10/4, from Thomas Goldsworthy, he will not be able to attend the November meeting.

10/25, from Frank Peteroy and from Ken Dow in ref. to LURC workshop; town zoning section 232-22& N

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

##### **Simon/Nealon, 25 Red Fox lane, Tax Map 155.17-1-3**

Area variance for a 2 car garage located in the front yard.232-8-D (4)

Seymour Simon & Elizabeth Nealon presented their project.

They would like to build a 24'x 24' two car garage close to their long driveway. Approximately 55' from the front property line. The garage will be hidden from the road by already existing trees. The proposed construction will be located in an existing cove where the applicants park their car in the winter to allow the driveway to be plowed. Seymour Simon & Elizabeth Nealon's house is located on a hill farther up.

~ Jeffrey Judd noted that another driveway behind the house is visible on the plan. He also asked for the height of the garage.

~ Elizabeth Nealon responded that the garage will be 18' in height, painted cedar red to match the other buildings on the property. The roof will be non-reflective and light fixtures shielded. She indicated that the driveway at the back of the property is not paved and not usable.

~ Jeffrey Judd asked about the grade of the driveway main driveway.

~ Seymour Simon indicated that it might be around 9%.

~ Jon Strom noted that there are more than one abutter. The board will need more details on the driveway grade and the driveway in the back of the house.

~ Frank Peteroy noted that only a variance for locating the garage in the front of the property is needed, the front yard property line would be 55' away from the proposed garage.

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

#### **5) Public Hearing:**

None

### **Internal Business:**

~ Jon Strom reminded members about the four hours mandatory training due before the end of the year.

~ Ken Dow discussed some LURC (Land Review Committee) details. The subject was brought about by Frank Peteroy in his letter dated 10/25/2017.

“Ken Dow stated that the current draft of proposed zoning law changes from the LURC quotes and restates certain sections of state law, sometimes with modifications. To avoid confusion, it is his recommendation that the draft not restate any state laws, and only include very specific language when the town decides to vary from or supersede state law. He will convey that recommendation to the LURC and Town Board.

~ Jon Strom noted that he had spent time making corrections in the draft and is hoping that this will be also checked.

A group of local residents was in the audience, they wanted to voice their concerns regarding shooting activity in a residential neighborhood of Copake. They were advised to contact the building code enforcer who will be able to handle their complaints. They indicated that they were looking for advice, Ken Dow offered to talk to them after the meeting.

On a motion by Michael Diperi, seconded by Jeffrey Judd and agreed upon by all members, the meeting was adjourned at 7:37.

Respectfully submitted.  
Veronique Fabio.