

Zoning Board of Appeals
Town of Claverack
91 Church Street
Mellenville, NY 12544

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Minutes of the October 22, 2003 meeting of the Zoning Board of Appeals

Meeting called to order by acting chairman, Michael Brandon at 7:31pm. Present were board members Frank Clegg, Steve Melnyk, new board member Steve Harder, Paul Gundrum and chair Michael Brandon. Secretary Caren Mahar, Town Attorney, Rob Fitzsimmons, Town Engineer Gary Stuart also in attendance. Norma Barnard and Jock Winch were absent.

Acting chair Michael Brandon asked everyone to stand for the Pledge of Allegiance. Mr. Brandon introduced himself and board members to audience. He then asked the board to review the September 2003 ZBA meeting minutes. Frank motioned to accept minutes with corrections Rob suggested. Steve seconded. Board approved unanimously to accept minutes with slight corrections..

Henry Cassivant Jr (112.2-1-56) 710 Rte. 217, Mellenville

No show, had contacted Mike in advance of meeting. Waiting for a survey.

Samuel Wright III: (Use variance to expand area and time of operations for gravel mine on Martindale Rd.) Applicant submitted two DEC letters to board for files, both from Nancy Adams, one to Sam, one to James Keegan. Submitted permit from the DEC. Mike asked if small pile originally in dispute had been moved yet as that was a condition of variance on the moratorium, to move pile and finish reclamation. Rob asked applicants intent. Why the hold up on moving the pile? Applicant answers problems with truck and filing and receiving paperwork has caused delays. DEC didn't want him to touch much until the SWPPP was finished. Suggestion that applicant move pile, reclaim original footprint by December 10 (next ZBA meeting) Applicant says he is willing to do whatever needs to be done. Rob will draft a resolution for applicant and board to be completed before applicant can touch next parcel with the following: All DEC conditions must be met including haulage road to be watered as necessary to minimize dust, 5 year town permit to run concurrent with DEC permit. Mike opened for public comment 7:50pm. None. Public comment closed 7:50pm.

Robert and Katherine McKay (112.-1-57) seeking an area variance for a potting shed and greenhouse at 469 Tishauer Rd. No show, had talked to Mike in advance. They will appear at Dec 10 meeting.

Son Tran (131.-1-28) Site plan review for construction of additions to rear and side of garage for small engine repair business (REFERENCE: File # 273A) at 62 Millbrook Rd with an open breezeway. Mr. Tran presented signed and stamped 1988 map updated by Anthony Nucci and revised on October 20, 2003. Rob: Proposed building sections are not on map, Completed additions are not on map. Discussion ensued by board members about distance between lean to and building wall...Applicant: 14', For storage of equipment? Applicant: Yes, Setback 20'? Paul and Mike okayed. Shed...distance to that? Should be slid over a couple feet to be sure it is legal. Gary: can we accept a plan without proposed project on it? Board: letter of approval should state conditions that NE side of new building must meet set-back requirements and is not to exceed 14' by 25'/ Open to Public Comment:7:57pm. None. Closed to Public Comment, 7:57pm. Gary completed SEQR long form with audience. Paul motioned to accept a declaration of negative impact for this proposal. Steve seconded. Unanimous. Paul motioned to approve site plan as submitted on stamped plan with NE side being within boundaries set forth by the town and of a size no more than 14x25 feet. Steve seconded. Unanimous. Site plan approved.

Scott Conlee: () 7 Shaw Bridge Road. Now show #1. No contact with any board member or secretary.

Cantele:

Board questions: How much footage/fill to bring in?

Applicant: None, turning plateau area into a stockyard with natural screening/greenspace as outlined on plan/

Board: What is the surface to be made of?

Applicant: Shale.

Evergreens 10' apart? Applicant: yes., present driveway to be used for entrance and exit. Excavation simply because it is an old cornfield, need to level high point to bring in equipment.

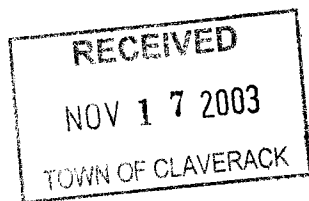
Evergreens on Rt 66 side, gas, water line and fire hydrant need to be accessible on Rt 66 side.

Applicant: line water, no wells. No poles with lights, no underground utilities. Rob and Gary: Everything meets legal town setbacks. Gary completes SEQR long form with the audience. Frank motioned to accept declaration of negative impact, Paul seconded motion. Unanimous board vote. Public Comment period opened by Mike 8:13 pm. No comment. Mike closed Public Comment 8:13 pm. Frank motioned to accept site plan for applicant as submitted. Steve seconded. Site plan approved unanimously.

Informal request for presentation to board by Dr. Esselston, Hollowville Land Management Co.
Was moved to Dec 10 meeting as entire board was not present.

Informal presentation by David Ginsberg looking to add 12,000sf of freezer space to current facility off Rt 66. 74x169' freezer to be placed on lands purchased years ago that abutted Ginsberg property designated for use as fire road. Refrigerator is to have 5' thick fire-rated panels and will be placed in area that is currently a parking lot. They will lose 25 spaces of parking out of 128 and will tie into concrete block wall. Use stays the same, they would like to move forward. Gary spoke with Stanley on this project. Traffic flow would remain the same. Gary asks if setbacks have been met? Yes. Parking spaces would be relocated to north end. 12,506sf attachment would drain into parking area, where it currently does, so there is no new impact. Legal stamped plans need to be submitted with project proposal and current buildings to scale for next meeting to be on agenda.

Frank motions to adjourn meeting. Steve seconds. All approve. Meeting ends 8:43 pm
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