

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

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Minutes of the **March 24, 2004** meeting of the Zoning Board of Appeals

Meeting called to order by acting chairman, Michael Brandon at 7:30 pm. Present were board members Steve Melnyk, Jock Winch, Norma Barnard, Paul Gundrum, Steve Harder and chair Michael Brandon. Frank Clegg was absent. Secretary Caren Mahar, Town Attorney, Rob Fitzsimmons, Town Engineer Gary Stuart also in attendance.

Chairman 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 February 2004 ZBA meeting minutes. Steve motioned to accept minutes with minor changes. Norma. seconds with changes. Board approved unanimously to accept minutes with changes.

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

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

Daniel and Gwenn Pasco (131.-1-5) Applicant seeking a use variance to enlarge/expand non-conforming use. On same property at 6032 Rt 9H/23 Hudson, there used to be a tavern, residence and trailer. Applicant wishes to put in a newer, larger mobile home to replace existing trailer. #2 no show, no contact. Letter advising of 90 day rule will be sent to applicant. Contacted Caren Mahar to keep application active so she may apply for refund of application fee of \$100.

Susan Daley-Winters (143.-1-40.) at 1291 Route 23 Craryville for an area variance for front setbacks to add a lean-to onto structure. No show #2. Letter of "90 day rule" to be sent to applicant.

Michael Finkle(111.-1-61.100) for interpretation regarding construction/building permits/recreational facility/animal harboring at 109 Fish and Game Rd, Claverack. Mr. Finkle submitted long and short term plans to board, business permit to operate a farm, plans of the "run-in" sheds required by NYS. Wants to board and exercise horses. Plans to get rid of mobile home, fix and repair delapidated buildings. Knows he needs a permit for demolition. Rob points out that we are here to determine whether this is a farm, 15 horses, privately owned, boarding, not open to the public, no advertising or sale of items, or a commercial venture.. If the board deems his short term plan is agricultural and not commercial, then it is not subject to site plan review. He knows to come before us with a siteplan as they develop further.

Open to Public Comment 8:20 pm. No comment. Public comment period closed 8:20pm. Steve motions to accept Mr. Finkle's plan as described to the board in his short term plan as a farm, therefore not subject to siteplan review. Paul seconded. All in favor. Motion carried unanimously.

Charles and Susan Leone (121.4-1-44) for an area variance for sideyard setback for a storage shed at corner of Rt 23 and Fox Hill Rd, Claverack. Shed is already up. Due to topography, no other place to put shed to store items. Open to Public comment 7:48pm. There was none. Applicant has not heard of one neighbor objecting. Public Comment closed 7:48pm.. Applicant was advised to see building inspector Frank motioned to accept SEQR declaration of no negative impact for this project. Steve seconded. Motion was unanimous. Paul motioned to accept area variance for shed /side setbacks. Frank seconded. Motion carried unanimously.

Jessica Riley (121.-1-24.110) No show, no contact. Certified letter sent reminding her of 90 day rule and of meeting date and time. She was also asked to bring a copy of sign idea and designation on property where sign would go.

Kaufman/Digiovanni, Inc.(110.-1-29.200) 23 Fish and Game Rd for modification on plans already submitted to and approved by ZBA. Steve Hart of Hart engineering represented the project. Plans submitted to show that parking would remain the same, the courtyard area would be decreased and the building a little

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bigger with the 12x60 addition with center drainage. 720sf, slightly smaller than what was approved in August 2003 Storage space was to have no access from outside, purpose for storage and filing. Open to public comment 8:40pm. No comment. Public Comment period closed 8:41pm. SEQR review done. Steve motion to accept revised plan and declare no negative impact on environment. Frank seconded. Motion carried unanimously to approve revised project plans. Applicant advised to go back and see the building inspector for necessary permits.

Frank motions to adjourn meeting. Norma seconds. All agree. Meeting closes at 8:57pm.

Draft 4/11/04 *Approved 4/28/04*
CM *CM*

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