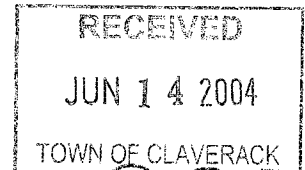


Claverack Zoning Board of Appeals
May 26, 2004



COPY

The meeting was called to order with the pledge of Allegiance by chairman Michael Brandon at 7:30 PM. Attending were Board Members Steve Harder, Paul Gundrum, Frank Clegg, Norma Barnard, Jock Winch. Steve Melnick and Secretary Caren Mahar were absent. Town Attorney Rob Fitzsimmons and Town Engineer Gary Stuart were also in attendance.

The Chairman introduced the board members and the acting secretary.

The minutes of the April meeting were reviewed and one correction made – “Bill First will contact Stanley.” Norma made a motion to accept the minutes with this correction; seconded by Steve; carried.

Henry Casivant, Jr.

Chairman Brandon advised that the continuing variance for Casivant will not be on the agenda, as Mr. Casivant reported that he is working with his surveyor and will not attend.

Dobson Cellular (Cellular One)

Representatives from Dobson Cellular were advised that they had provided no mailing addresses to notify abutting landowners, so their request was not advertised and therefore would not be heard. They wished to address the board informally. Neil Alexander, representing the fourth co-locator on the tower – stated that a 6' by 18' pad would be constructed inside the fence. The antennae would be located 120' from the bottom of the tower. Rob advised him that neighbors within 2600' must be notified, per section 8-4-19c of the zoning ordinance, and that the property owner must give permission for this request. Columbia County leases the land, so the ZBA needs a copy of the lease and the FCC license. The bond for removal will also have to be updated to include this equipment, and a certificate of insurance will be required.

Gary Stuart recused himself as town representative, as his firm represents the applicant. Rob suggested that the ZBA consider obtaining another engineer to review the application on the town's behalf.

The applicant will have to provide a copy of the 4/14 report referenced. The amount of the escrow account was discussed – the amount agreed upon was \$2,000. The applicant will work on the mailing list and will return in June.

Lauren Gerken was present to request an area variance to construct a garage next to her house at 246 county route 16 in Hollowville. The garage will have 2 windows, an automatic garage door, and a walk-in door. It will be 24' from the side boundary,

21' from the front line, and 2' from the rear boundary line. There will be no interference with well or septic.

The applicant stated that the structure will be in character with the house and will have no great impact on the neighborhood. Young trees will mature and hide it from the road. Her only other recourse would be to use a temporary structure which would not look as nice. She said her neighbors have no problem with the proposal.

The chairman opened the application to public comment - there was none, so the public hearing was closed.

The engineer read the SEQRA short form. Paul Gundrum made a motion to declare a negative declaration of environmental impact; seconded by Jock Winch; carried. Frank Clegg made a motion to approve the request; seconded by Paul; carried.

Johanson – Chairman reported that applicant provided a invalid mailing list for certified letter to abutting neighbors, so they would not be attending.

Clifford Weigelt, representing Millbrook Road LLC, requested to give an informal presentation to the board for a use variance for a mine between Millbrook and Orchard Roads. They would stockpile humus for removal at a later date. When finished, a pond would be left. They may use the Alvarez mining road to remove material. 9+ acres would be dug. Chairman Brandon explained that this is outside of the mining overlay zone, so will require a use variance. The property owner must designate Mr. Weigelt as his representative for this application.

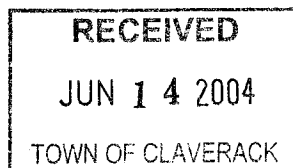
The town has already received the lead agency letter from DEC – Gary has responded – DEC is aware that a use variance is required. Rob stated to the board that this is not a conflict for Mr. Weigelt, as Town Board Member, but if any ZBA member feels uncomfortable, they may recuse themselves.

Daley-Winters

Julia Daley and her daughter informed the board that they will be removing the “carport” which was attached to their pre-existing nonconforming use without a building permit on Route 23. It was agreed that it would be down within 60 days, no later than August 1st. Rob explained that they will be ticketed to appear in Town court if it is not removed by then.

There being no other business before the board, a motion was made by Paul to adjourn; seconded by Jock; carried. The meeting adjourned at 8:34 PM.

Respectfully submitted,
Linda Guntert
Acting Secretary



COPY