

**Ancram Zoning Board of Appeals  
December 17, 2012 7:00PM  
Meeting Minutes**

Board Members Present: Chair Leah Wilcox, Sheldon Waldorf, William Lutz (alternate), Fred Schneeberger, Sue Bassin

Board Members Absent: Alyson Kozlowski

Clerk: Colleen Lutz

Others Present: Timothy Kay

Chair Wilcox opened the meeting at 7:00pm.

**TRAINING**

Sheldon Waldorf submitted his certificate for recent training.

**6/21/11 MINUTES**

Ms. Bassin suggested some grammatical changes that were emailed to the Clerk. The changes were made and the minutes were resubmitted to the Board. No additional changes were recommended.

Mr. Waldorf motioned to pass the minutes, Ms. Bassin seconded, all approved.

The Chair stated that in the future it would be better to review and approve the minutes online so that they can be placed on the website sooner.

**Application 12-1**

Robert Vonderheide

39 Shore Drive

Tax Parcel #s 197.1-1-35

Chair Wilcox opened the discussion and gave a brief description of the parcel. She also stated that the parcel is in the newly created RhoR-1. She explained that the applicant was requesting a 4 FT area variance for a new addition that will join a pre-existing structure to the primary residence. The setback from the road will not change.

Chair Wilcox asked if any of the members had a conflict of interest on this application. None of the members indicated that they had a conflict of interest.

This application was referred to the Town of Ancram Planning Board on 12/06/12. The Planning Board stated that they recommended approval of the variance based on the fact that the variance will not increase the degree of non-conformity. The Planning Board also noted that its recommendation was based on a hand sketched drawing, not an actual survey of the property.

The Chair read the denial by the building inspector based on his inspection, and stated that this action is exempt from referral to the County Planning Board. Notices appeared in the Columbia Paper as well as the Registered Star. Notices were also sent to all properties located within 500FT of the application.

This action is considered a type II action under the SEQRA (State Environmental Quality Review Act). Therefore the SEQRA process is complete.

The Chair read the oath to Mr. Kay, he accepted. She asked Mr. Kay to explain the site and the area variance that the applicant was requesting.

Mr. Kay stated that the measurement of the lot was done using strings on the corner pins of the lot. He felt it was quite accurate. He also stated that the addition will be used for entry and mud room and the pre-existing 12X12 FT structure will be used for storage, which the current house lacks.

Ms. Bassin asked if the addition will be external to the house.

Mr. Kay stated that the addition will be attached to the house to make an entry.

Mr. Lutz stated it looked like it would be like a mudroom. Mr. Kay agreed.

The Chair asked how long the applicant's had owned the property. Mr. Kay stated he thought about 2 years.

Mr. Schneeberger asked if the road had been opened up as it is very difficult to get a truck in there. He questioned if it is able to be accessed by fire apparatus.

Mr. Kay stated that the road was better, but it was still difficult to get larger trucks in.

Ms. Bassin asked if it was in the wetland buffer, she was unsure if the map indicated that. The Chair stated that it was not.

The Chair opened the public hearing. Being no comments or questions from the public, the Chair closed the public hearing.

The ZBA considered the following 5 questions pertaining to area variances:

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:  
The ZBA feels that the character will not be altered.

2. Whether the benefit sought by the applicant can be achieved by some method which will be feasible for the applicant to pursue but would not require a variance:  
The current design seems to be the only way possible to achieve the end result of attaching the pre-existing building

3. Whether the requested area variance is substantial;

The new addition would not be substantial because there is already a pre-existing building that has the same front yard setback as the proposed addition.

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

There are no physical environmental issues and no adverse impacts on the neighborhood or district.

5. Whether an alleged difficulty is self-created.

The variance was self-created because of the new addition, and the pre-existing building was not constructed to code by the previous owner.

Mr. Lutz motioned to approve the Area Variance. Ms. Bassin seconded the motion. An individual vote was taken and the variance was unanimously approved. The variance will be filed with the building inspector and Town Clerk. This is not a building permit; the Area Variance will need to be filed with the town and county to acquire other necessary permits.

#### **Unfinished Business:**

The Chair informed the board that Alyson Kozlowski will not be renewing her term on the ZBA due to personal and family reasons. The Chair formally asked William Lutz Jr. if he would consider filling the vacancy. Mr. Lutz stated he would discuss the issue with the Chair.

The Chair also discussed the issue of training hours with the members of the board. She stated that because some members were behind, she would like to reset their training to zero and start fresh. She stated that a new member coming on the Board as an alternate would have zero hours to start anyway. Those members that had an excess of hours would not reset to zero. The members of the Board agreed with this plan.

The Chair briefly addressed the issue of the wind turbines up on Carson Road in the Town of Ancram. She stated that she had thoroughly read over the applications and minutes of the ZBA meetings during which those applications were discussed and approved and felt that the ZBA had made the correct decisions based on the information it was given.

A motion was made by Ms. Bassin to adjourn the meeting. The motion was seconded by Mr. Lutz and the Board unanimously agreed.