

**Ancram Zoning Board of Appeals
December 15th, 2014 7:00PM
Meeting Minutes**

Board Members Present: Shelton Waldorf, Fred Schneeberger, William Lutz Jr., Chair
Bonnie Hundt

Board Members Absent: Sue Bassin

Clerk: Colleen Lutz

Others Present: Timothy Kay

Chair Hundt opened the meeting at 7:00pm.

A motion was made by Sheldon Waldorf to accept the minutes and seconded by Fred Schneeberger.

The Chair asked if there was anyone who felt they might need to recuse themselves from the application. None of the membership present felt they needed to recuse.

Old Business

Robert Vonderheid- Represented by Timothy Kay

39 Lake Shore Drive Ancramdale, NY 12503

Parcel ID # 197.1-1-35

The Chair went over the current application again and explained why this was a modification of the original variance. She explained that the homeowner wishes to add a second story on an addition that required a variance in 2012. She stated that the degree of non-conformity will not be increased by the modification of the variance, as the building will not encroach on the property line. The overall scope of work has changed, therefore the old variance does not apply.

The Chair also stated that the planning board comments suggested that the roof line be considered and how altering it would affect the overall character of the neighborhood.

Mr. Kay stated that there is no open view of the lake. He stated that there is approximately 100 yards of woods before the lake. The view shed will not be spoiled.

The Chair stated that it was a type II action and that there are no SEQRA requirements.

The Chair went over the five main questions the board must consider before and while granting a variance.

1. Will the overall character of the neighborhood be changed? The Board members answered no.
2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance? The ZBA decided no.

3. Whether the requested variance is substantial? The ZBA decided no.
4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood? No environmental impact noted
5. Whether the alleged difficulty was self-created? The Board determined yes.

The Chair asked if the Board had any additional questions of Mr. Kay. The members had no additional questions.

Sheldon Waldorf made a motion to open the public hearing, seconded by Fred Schneeberger. There were no additional attendees from the public; therefore William Lutz made a motion to close the public hearing, seconded by Sheldon Waldorf.

William Lutz made a motion to approve the variance. The motion was seconded by Fred Schneeberger and the Board unanimously agreed. Sue Bassin was not present.

Additional Business

The Chair stated that the ZR training will be scheduled for January 2015. She asked if the Board had any specific questions they would like to ask of Nan so she could prepare better for the training. The following questions were discussed:

1. What is a substantial variance, how can it be calculated?
2. Go over setbacks and calculating the percentages.
3. Self-created hardships?

At 7:40 PM a motion was made by Sheldon Waldorf to adjourn the meeting. The motion was seconded by William Lutz and the Board unanimously agreed.

Respectfully Submitted
Colleen Lutz
Secretary Town of Ancram ZBA