

Ancram Zoning Board of Appeals
March 31th, 2016 7:30PM
Meeting Minutes

Board Members Present: Sue Bassin, Shelt Waldorf, Fred Schneeberger, William Lutz Jr., Ronald Brant (alt), Chair Bonnie Hundt

Board Members Absent:None

Clerk: Colleen Lutz

Others Present: Christopher Duncan, Larry and Linda Eckler, Jason Werner

Chair Hundt opened the meeting at 7:30pm.

New Business

Christopher Duncan, Duncan Hollow Farm
5 Rockefeller Road
Ancramdale, NY 12503
Parcel ID # 206.-1-16.112

The Chair briefly explained that the applicant wishes to obtain a 30 ft. variance to build an agricultural barn within the side yard setback.

Mr. Duncan explained that he had met with the building inspector and Mr. Ferrato was concerned that the barn not be located too close to the house. He stated that as it is situated, it is approximately 200 ft. from the house. He also stated that there is a small stream located on the property which dries up. The closest neighbor is Ayn-Margaret Schmidt.

Mr. Duncan explained he also wanted to stay away from the preexisting stone wall. He stated that the structure was approximately 100ft from the stream.

The Chair asked if Mr. Duncan had an agricultural exemption.

Mr. Duncan said he did not but he had a certification for his business Duncan Hollow Farm.

The Chair stated that he must amend his Agricultural Data Statement to include Mr. Webb's Willowbrook Farm.

The applicant agreed.

Ms. Bassin asked what type of agriculture he planned to have on the property.

Mr. Duncan explained he would like to have a couple of goats for his children to raise; like a hobby farm.

Mr. Waldorf felt that the variance is not unreasonable and he was aware that the stream dries up.

The Clerk briefly explained how the variance amount was calculated. In the case of barns for agriculture, the side yard setback shall be equal to 10% of the building square footage plus the applicable side yard setback. Therefore the proposed 400 sq. ft. barn has the following setback: $400\text{ft} \times .10 + 20\text{ft} = 60\text{ft}$. The applicant stated the plan is currently 30ft, therefore he needs a 30ft variance.

The Chair stated that the biggest question was the distance to the stream.

The Clerk stated she would double check the DEC classification of the stream and make sure the Zoning Board and Planning Board have that information before they make their recommendation.

The Chair explained that the application will go to the Planning Board for review on April 7th, 2015 therefore the public hearing could be scheduled for April 28th, 2016.

The applicant confirmed that the 28th of April would be okay.

Larry and Linda Eckler

206.-1-34

225 Simons Road

Ancram, NY 12502

Mr. Ecker explained that they would like to add a sunroom on the south side of their residence. The Zoning Enforcement officer determined that the sunroom is in the rear yard, therefore the setback is 60 ft. Currently, the house is 50 ft. from the property line. The sunroom is 20ft X 20ft therefore, they will need a variance of 30 ft.

Mr. Eckler stated that he had attempted to buy a portion of Mr. Sommerhoff's field to eliminate the need for the variance however, Mr. Sommerhoff was not interested.

Mr. Lutz questioned how the house was permitted to be built only 50ft from the lot line.

Mr. Eckler stated that there was a trailer on the location when they built the house and the trailer may have preexisted zoning, however he was unsure. He stated that they had needed to build in the location due to the wetland near the front of the property.

Ms. Bassin asked if the existing utilities such as septic and well will be effected or need to be upgraded.

Mr. Eckler stated that they would not.

The Chair verified that it was within 500 ft. of the Sommerhoff Farm.

Mr. Lutz noticed that the plan had stand-alone solar panels. He wondered if they were be near the structure.

Mr. Eckler stated he was not exactly sure how far the panels are from the proposed addition.

The Chair explained that the application will go to the Planning Board for review on April 7th, 2015 therefore the public hearing could be scheduled for April 28th, 2016.

The applicant confirmed that the 28th of April would be okay.

Nancy and Jason Werner

208.-1-9.200

Boston Corners Road

Millerton, NY 12546

The Chair explained that the applicant would like to build a detached garage in the front yard setback of the property.

The applicant explained that eventually his mother would like to subdivide the property and give the existing portion to him. He would like to make sure that the structure is compliant with the zoning laws of the district. He stated that he plans to have is located 20ft from the side yard and 35ft off the road.

The Chair stated that the property was surrounded by the old golf course.

Mr. Schneeburger asked where they propose to subdivide the land.

Mr. Werner indicated a rough area of where they might like to subdivide and proposed where a house might go. He stated that there was a significant wet area in the middle of the property so he was limited to where the garage could be located.

Mr. Werner stated that there is currently road access to the garage.

The Chair asked if there was any agriculture within 500ft.

Mr. Werner stated that there had been animals in the area around the property. Currently, the land is rented by a farmer.

The Chair stated that the Agriculture Data Statement must be corrected to add the property next door, Mountain View LLC. She also stated that it appeared that the setbacks are reversed and need to be corrected.

Mr. Werner agreed.

The Chair also clarified that the proposed action is permitted, the location is the key.

The application will go to the Planning Board for review on April 7th, 2015 therefore the public hearing could be scheduled for April 28th, 2016.

Sue Bassin stated that she may not be able to attend on April 28th. She wondered if Ron could vote in her absence.

The Clerk stated that Mr. Brant can only vote in the case of a recusal.

The members of the Board suggested that it might be a good idea to be changed to absence of a member as well.

The applicant confirmed that the 28th of April would be okay.

At 7:40 PM a motion was made by Fred Schneeberger 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