

Ancram Zoning Board of Appeals
August 10, 2010, 7:00PM
Meeting Minutes

Board Members Present: Sheldon Waldorf, Sue Bassin, Leah Wilcox, Fred Schneeburger
Others Present:

Alan Basch; Harvey Gram, Samantha Langton

Chair Leah Wilcox called the meeting to order at 7:03pm.

MINUTES FROM MEETING ON 6/29/2010

Ms. Bassin moved to approve the minutes from 6/29/2010, Mr. Waldorf seconded, and the board unanimously passed the minutes.

Application 10-3 Area Variance to construct an addition, Tax Map 208.1-20, Harvey Gram and Allan Basch

Mr. Gram and Mr. Basch would like to construct an addition to their residence nearer to the side property line than is permitted by zoning regulations. The applicants would like to add a shed to their furnace room to make room for their plants in the winter. They showed the prospective location of the shed on a sketch map in addition to showing photos of the site. The property is a pre-existing non-conforming lot. The Building Inspector denied an application for a building permit since for a side yard, the required setback is 20% of the lot width but no less than 8'. 20% of the lot width is 18' and the applicants are requesting that the addition be located 8'9" from the side lot line.

An area variance is a Type II action and therefore the SEQRA process is complete. An area variance is an exempt action for referral to the County Planning Board. The application was referred to the Town Planning Board which recommended approval at its August 5 meeting. Notice appeared in the official Town papers on July 29th. The applicants submitted certified mail receipts from notices sent to abutting property owners. The application is complete. The owner of the neighboring property sent a letter in compliance with these plans; the letter was entered into the record and is included in the file.

The following 4 questions were addressed by the Board:

1. Is there a change in the character of the property?

The Board noted that the garage on the neighboring property is very close to the property line so that the addition would only be visible from the neighbor's garage and not the residence. The character of the community would not be changed.

2. Are there any practical alternatives for the location of the shed?

The Board determined that other locations were undesirable for practical and aesthetic reasons. The side of the house for the proposed addition is the only one that has a wall that is uninterrupted by doors and windows. All of the views from the house are to the north and west and there is no other feasible location given the placing of the house.

3. Is the degree of variance substantial?

The Building Inspector said that there should be 18' from the property line to the shed, but there will only be 8'9" in between the property line and the shed, which is greater than the minimum 8'.

4. Will there be an effect on the environment?

The board determined there will be no environmental effect at all.

5. Was the difficulty self-created? Zoning was in place when the applicants purchased the property.

Public Hearing:

Chair Wilcox entered the letter from the neighbors across the property line from the proposed shed, Mr. and Mrs. Jason Brahm, into the record. Mr. and Mrs. Brahm stated that there was "No objection to the proposed extension of shed."

No other comments from the public were made and Chair Wilcox closed the public hearing.

Mr. Waldorf motioned to approve the area variance based on the evidence presented and the answers to the five questions. Mr. Schneeberger seconded the motion. A roll call vote was taken and the board members unanimously approved the motion. Chair Wilcox explained that the area variance will be filed with the town clerk so that Mr. Basch and Mr. Gram will be able to apply for the building permit.

A meeting was set for September 7th at 7:00pm to discuss an area variance for the town garage and a renewal permit for the O & G mine.

Mr. Waldorf motioned to adjourn the meeting, Ms. Bassin seconded, and all approved the motion. The meeting was adjourned at 7:22pm.

Respectfully submitted,

Samantha Langton