

**TOWN OF CHATHAM
MARCH 28, 2013**

**ZONING BOARD OF APPEALS
FINAL COPY**

Members Present:

David Everett, Chairman
Mitchell Khosrova
Robert Leary
JP Henkel
Jeff Lick
Adrian Ooms
Kary Jablonka
Tal Rappleyea, Atty.
Walt Simonsmeier, ZEO

Members Absent:

None

Public Present:

Karen Scheriff
Kevin Scheriff
Mark Greenburg

The March 28, 2013, Zoning Board of Appeals meeting was called to order at 7:00PM by Chairman David Everett. The Pledge of Allegiance was recited. Robert Leary moved and Adrian Ooms seconded that the February minutes be adopted. This carried with Jeff Lick abstaining. Mitchell Khosrova moved and Jeff Lick seconded that the January meeting minutes be accepted. This carried with Kary Jablonka abstaining.

HARVEY AND GABRIELLA SPERRY- REQUEST FOR A SPECIAL USE PERMIT TO ALLOW ONE BUILDING ON THEIR PROPERTY ON JEFFERSON HILL RD. TO BE USED TO STORE RECREATIONAL VEHICLES

PUBLIC HEARING

Mr. Sperry reviewed his proposal---to operate a heated facility for motor homes and travel trailers within a 12 bay building. Postal receipts were turned in, and the survey was presented. It was clarified that a Special Use permit runs with the property, but in this instance only one building on the property is being approved for indoor storage of the aforementioned vehicles.

The Public Hearing was opened at 7:04PM. Mark Greenburg, an adjoining property holder, expressed concern that his property is near one possible route of travel to the property---- off of Albany Tpk. He stated that as long as the Sperrys owned this property he knew that this endeavor would be handled well. However, he asked for assurances that when and if the property was sold that this wouldn't be expanded. The Board assured him that any expansion would have to come before the Board. Mr. Sperry also added that on the website, the only travel route into the facility is off of Rt. 32, since the road had been paved. He does not expect anyone to utilize the road off of Albany Tpk. The Public Hearing was closed at 7:09PM.

Mr. Everett read a letter from the Town Planning Board recommending that the Special Use Permit be granted. Kary Jablonka reviewed the Short Form SEQRA application, which shows no adverse effects to the following: air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems. Also, there are no aesthetic, agricultural, archaeological, historic, or other natural or cultural resources or community or neighborhood character concerns. There are no significant effects to vegetation or fauna,

fish, shellfish or wildlife species, significant habitats or threatened or endangered species. The community's goals for the land are not affected, and there are no long or short term effects identified. Since this is the case, Mr. Jablonka moved that this is to be considered an unlisted action, and there is no significant adverse environmental effect in approving this Special Use Permit. This was seconded by Mr. Lick and carried. Mitchell Khosrova moved that this Special Use Permit be issued with the following conditions: 1. this operation is limited to the one building of 12 stalls indicated on the application; 2. Everything is to be stored inside the aforementioned building; and 3. the owner will only recommend the access from Rt. 32 to get to the facility. This was seconded by Adrian Ooms and carried unanimously. Approval fees were paid.

**KEVIN AND KAREN SHERIFF- REQUEST FOR A VARIANCE SO A GARAGE CAN BE
CONSTRUCTED ON THEIR PROPERTY ON HARMON HEIGHTS ROAD THAT CANNOT MEET
THE SIDE SETBACK INFORMATIONAL**

Mr. Sheriff stated that the desire is to put a 2-car garage on their house, but that they need an eight or nine foot variance in order to accomplish this. The Board requested an updated survey which will include the proposed garage, the septic and well and any other structures not currently on the map, as well as where the driveway to the garage will go. The Board would like this information 10 days prior to the meeting if possible. Mr. Sheriff stated that all of the neighbors are fine with this addition, and will provide letters stating this. Certified letters will need to be sent to the property holders within 500 feet of the property, as well. The clerk will be instructed to send a draft letter to Atty. Rappleyea which will inform the Village of this request, since the property also falls within the Village. If the survey is complete in time, the Public Hearing will be scheduled for the April meeting.

The third applicant did not appear at the meeting. The clerk was instructed to reschedule that project for the April meeting.

Kary Jablonka moved and Mitchell Khosrova seconded that the meeting be adjourned. The meeting ended at 7:38PM.

David Everett

Respectfully submitted,

Marilyn Cohen, substitute clerk