

TOWN OF CHATHAM
MARCH 27, 2014

ZONING BOARD OF APPEALS
FINAL COPY

MEMBERS PRESENT:

David Everett, Chairman
Mitchell Khosrova
Robert Leary
JP Henkel
Kary Jablonka
Adrianus Ooms
Jeffrey Lick
Walt Simonsmeier, Building Inspector

PUBLIC PRESENT:

Bernadette A. Brusco, Agent of Carolina Bucci
Daniel Russell, Land Surveyor
Michael and Abby Behrens for Andrew Behrens

Chairman David Everett called the meeting to order at 7:00 pm. The Pledge of Allegiance was recited. Kary Jablonka made a motion to approve the February 27, 2014 minutes, David Everett seconded the motion, carried.

Informational

Request for Area Variance for Andrew Behrens for front, side and rear yard setbacks for the construction of a new garage on property located at 235 DeWitt Brown Road, East Chatham, NY 12060

Michael and Abby Behrens, parents of Andrew Behrens the applicant who was unable to attend tonight's meeting, presented the application to the Board requesting an Area Variance for setbacks for the construction of a new garage on property located at 235 DeWitt Brown Road, Chatham, NY 12060. Mr. Michael Behrens explained that the proposed new 24x28 foot garage location does not meet the required setbacks according to Town Zoning Law. The required setback from the middle of the road is 75 feet, the location of the garage would only be 31 feet. The driveway is fairly steep with a gulley along the edge. Bob Leary commented that he has already visited the site and understands why Mr. Behrens would like to build his garage at the proposed location. Dave Everett asked if it would be feasible to place the garage in the turn-around as depicted in one of the pictures that were presented to the Board? Mr. Behrens stated that they would need to bring in a lot of fill. Mitch Khosrova explained to Mr. Behrens that the Board needs to explore other alternatives that maybe the homeowner may not have thought about. Mr. Behrens commented that he understands this and explained that a lot of water runs down along the property and the shed that already exists is placed above a wet spot and there would still be a setback issue. He also explained that the septic system runs along the front of the property.

The Board looked at the contour of the property as well that is depicted on the map. Chairman Everett stated that he would like to see some communications between Andrew Behrens and his neighbors regarding the placement of the garage. He also commented that the property is steep and there exists the possibility of hitting underground piping. This is a wet property and he urged all Board members to visit this site beforehand if a Public Hearing is scheduled. Jeff Lick commented that it looks like water would be running down the hill no matter where you place the garage. Chairman Everett asked if this would be a cost issue in regard to placing the garage by the turn-around as opposed to by the road? Mr. Behrens stated yes.

Chairman Everett asked that Mr. Behrens provide communication from his neighbors regarding the location of the garage when they look out there window as opposed to placing it behind the shed area. Mitch Khosrova explained that it would be helpful if the map depicted where the springs are located on the property as well as the septic system. The Board would also like an opinion from the contractor or engineer as to why this location is the best. Kary Jablonka stated that this would be helpful to point out that this is indeed the best location and why other alternatives would not work. JP Henkel commented that there is at least a four (4) foot rise to get to the existing parking area. Mr. Behrens stated that the gradient lines on the map don't do it justice to show how steep the property really is.

The Board did not have any more questions therefore a Public Hearing will be scheduled for April 24th. Mr. Behrens is to provide the following for the Public Hearing:

1. A contractor letter regarding the location of springs on the property and the septic system.
2. The thought process for the location of the garage
3. An Engineer and or contractor report stating why this is the best location
4. Opinions from the neighbors regarding the location of the garage

Informational

Area Variance for a proposed lot line adjustment with adjoining lands of William W. Jackson, Jr. and Linda Jackson and Ernesto De La Vega and Scott Tarr for property located at 647 Albany Turnpike, Old Chatham, NY 12136

Daniel Russell, a land surveyor from Crawford & Associates and the agent for William W. Jackson and Linda Jackson, presented the Board with a map showing the encroachments of gardens and lawns behind the Jackson property which Mr. Jackson is currently occupying. The proposal is to square off the property which would make the property approximately 3/10 of an acre below the minimum lot size which would create a 1.1 acre size lot. The minimum lot size is 1.5 acres for this area. According to Mr. Russell, there are currently 11 parcels that are undersized.

Chairman Everett stated that there is a letter in the file authorizing the lot line adjustment between Mr. and Mrs. Jackson and Mr. Pujol and Mr. Tarr. Jeff Lick asked if any septic systems or wells would be impacted and Mr. Russell stated no. Mitch Khosrova inquired with the Building Inspector Walt Simonsmeier, whether there were any existing violations for these properties and there are none. The clerk will contact Patrice Perry from the Columbia County Planning Board regarding this application as well even though a new lot is not being created.

A Public Hearing is set for April 24, 2014 at 7:00 pm at the Town Hall.

Informational

Area Variance for a sign for Carolina Bucci for property located at 181 Haddock Hill Road, East Chatham, NY 12060

Chairman Dave Everett and Mitch Khosrova have recused themselves from this application. Board member Robert Leary will chair this application.

According to Bernadette Brusco, agent for Carolina Bucci, Ms. Buscci would like to maintain an address sign that is already erected at the end of the driveway of 1 Blueberry Hill Road. All legal documents for this property state that the address is actually 181 Haddock Hill Road. The road to this property is not very wide but it is very confusing as to the location of the entrance to the property.

Building Inspector Walt Simonsmeier stated that there are two signs on this road and you can barely see the stop sign at the end of the road. It is very hard to distinguish where the entrance to this property is so the homeowner would like to make a bigger sign rather than change the color of the sign. Jeff Lick suggested maybe placing a directional arrow on the sign to help distinguish the entrance of the property. The homeowner would like to keep the Blueberry Hill sign for this property. The 911 sign states that the actual address for this property is 181 Haddock Hill Road. Jeff Lick asked whether the sign size in front of them is cumulative? Walt stated no and stated that the sign can't be larger than 6 square feet. JP Henkel stated that it would be helpful to know if other neighbors in the vicinity also had signs? Ms. Brusco stated that there are other signs between Ford Road and Haddock Hill. Bob Leary commented that what is confusing is that the driveway is actually off of Haddock Hill road but the homeowner would like to incorporate Blueberry Hill in to the location of this property.

The Board continued to discuss possible options for a sign and concluded that the sign should actually read 181 Haddock Hill Road. The Board proposed that the client just needs a new 4x4 sign and they don't need to change the address on any legal papers. They can just put up a sign that states Blueberry Hill and leave the address as 181 Haddock Hill Road.

Ms. Brusco stated that she will contact the homeowner to see what she would like to do and to see if she would like to withdraw her application.

With no further business to discuss, Jeff Lick made a motion to adjourn the meeting at 7:52 pm, JP Henkel seconded the motion, motion carried.

Public Hearings are scheduled for April 24, 2014 at the Town Hall.

David Everett, Chairman

Respectfully Submitted
Barbara A. Fischer
Clerk