

Hillsdale Zoning Board of Appeals
July 10, 2007
Meeting called to order at 19:30

Jim and Joyce Lapenn 25 Schmeicle Road (105.1-45) application:
Accompanied by general contractor Artie Christie. Supplied maps and unstamped architects drawings (Prepared from survey) of proposed renovation of approximately 26 x 36 (936 square feet) which puts them (per their architect's opinion) approximately 64' 5 and 5/8 in. feet from the rear property line. Original building was 127' from back line. Explained why addition has to go where proposed (to the rear) rather than another way (in front -which would require no variance). Joyce LaPenn explained that the current septic system is in the front. In addition there is an existing chimney that would make it difficult to go to an alternate plan. Craig Norton asked the applicants to explain the flow of the property and why the addition could not be placed over the garage. Applicants explained the design and flow of the proposed renovation. Chairman Norton explained that we need to be certain that there are no alternatives that could mitigate the setback. Zoning Board member Rocco DeFronzo recommended an adjustment or rotation of the addition. This would accomplish being 84 feet away from the rear line instead of the 64 feet. Applicants explained that this proposal would preclude them from having a walk out basement because of the contour of the land.

APPROVED

Another proposal for moving the renovation was proposed by Rocco DeFronzo however, this meant that applicants would be looking at the side of their existing home rather than the proposed view. However, it was noted that this would change the line variance 12' but that a variance would still be needed. Applicants argued that the proposed renovation was with least amount of impact in mind in regard to the conservation and neighbors. Craig Norton believes that this was not the only option for adding a bedroom to their home. Applicants pointed out that neighbor was not present to object. Craig suggested having neighbor send a letter stating he/she is not in opposition to the variance would be helpful. Upon further review it was determined that the drawings submitted may have inaccurate dimensions and therefore the actual distance from the corner of the proposed addition to the rear line may be greater than indicated on the drawings. Applicant's contractor Artie Christie had physically measured the distance and there was a discrepancy with that figure and the distance the architect had recorded on the drawing. Applicants reiterated that the current home was in fact 127' from the rear line minus the 36' addition which would in fact only require a variance of 9 feet.

A motion was made by Rocco DeFronzo and seconded by Juanita O'Rourke that we adjourn this application until August 7 and applicants must have a survey with the accurate dimensions for the variance rather than the 35 foot as indicated on their application OR have the architect come back with applicants and have him explain to us why the addition has to be where it is proposed. If the number is what Artie (only 10 feet away) says then leave the architect at home. All were in favor.

Applicant Deborah Bowen d/b/a Green River Inn 9 Nobletown Road (107.1-14) is requesting an area variance to expand her six guest rooms to seven guest rooms. Applicant presented maps, testimonies from her neighbors and pictures. Original property had four guest bedrooms plus one private bedroom which was serviced by a 1000 gallon septic tank and leach field. A wing was added in 2001 at which time a separate 1250 gal tank and another septic system/leach field for that addition was installed. Current use: six guest rooms and one personal bedroom. Application to increase by converting an existing alternative use room to 7 guest rooms and one personal bedroom. Dale Rowe, Columbia County Board of Health, has a letter from 1999 that stated that the 1250 gallon tank was adequate for the 2001 addition but architect needed to get back to DeRuzzio at Columbia County Department of Health regarding current application. Ed Ferratto, ZEO was expecting a letter today regarding Deborah's septic but it did not arrive in time for tonight's meeting. Only other issue is lot size. (Just under one acre) In 19 years there has been nothing but praise for Deborah's property. Even though Deborah is expanding her building size, she is not requesting increasing her building for her bedroom. A motion was made by Juanita O'Rourke to grant an area variance to increase applicant's guest bedrooms from six to seven with the condition that a letter from the Columbia County Board of Health approving the septic system to support the additional guest room is received by the ZBA. The motion was seconded by Rocco DeFronzo and all were in favor.

Informational hearing on Darryl Hudak regarding his current property 123 Taconic Creek Road (9.6 acres of which 2 acres are wetlands). Current home and barn footprint on small piece of property on one side of the road. Came before the board to talk about dividing the property and building another house. Considered building a house on the other side of the road and divide the property which would create an undersize lot as proposed. Craig: what he is looking for is a substantial area variance to create an undersized lot and the only reason has a prayer is because property is bisected by a road. BUT can split off some of property on other side of road (1.7 acres) (Not sure if it needs to be contiguous - need to approach planning board) Because the current lot was pre existing and can get the county to approve a septic system and meet required set backs you can build on it (1.32ac). Need to ask Dick Alford if a town road bisects the property it automatically creates two lots? Have similar situation in Green River where State Route 71 created two lots. Atty Alford was unsure regarding Route 71 so ZBA granted

an area variance.

Suggestion: applicant purchasing adjoining property from neighbors to create a three acre lot. Craig reviewed set back requirements for stream, property lines etc with applicant. Recommendation: Mr. Hudak will fill out an area variance application and submit it to the ZBA for consideration at the next scheduled meeting.

Mr. Hudak is going to further explore his options and will make application when he is more conclusive as to what his intentions are.

Minutes from May 2007 meeting were approved.

Motion was made to adjourn the meeting at 21:15. All were in favor

Respectfully submitted,
Juanita O'Rourke, Acting Temporary Secretary