

November 25, 2014

UNAPPROVED
PINE PLAINS ZONING BOARD OF APPEALS MINUTES
TUESDAY, NOVEMBER 24, 2014
7:00 PM

IN ATTENDANCE: Scott Chase, Chairman
Mike O'Neill
Carl Baden

ABSENT: Bruce Pecorella
Margo Jackson
Wayne Frenzel, Alternate

ALSO PRESENT: Drew Weaver
Three members of the public

Scott Chase called the meeting to order at 7:10 pm with a quorum.

PUBLIC HEARING FOR JOHN ANDERSON: This is for a proposed area variance for the purpose of installing a swimming pool for property located at 73 Hammertown Road. John Anderson and Gary, a representative from the pool company, were in attendance. Chairman Chase opened the public hearing by reading the legal notice. The representative from the pool company gave a brief overview of the project. Chase asked if there was any public comment. O'Neill made a motion to close the public hearing at 7:15pm; second by Baden. All in favor. Motion passed. Chase stated a site plan was done on the property. He stated this is a relatively narrow lot so they are requesting setbacks reduced from 50 feet down to 41 feet on one side and reduced from 50 feet to 43 feet on the other side. Chase recommended a 40-foot setback on each side. The Board reviewed and revised a draft of a resolution. Chase asked if this had been submitted to the County for review. Proper stated no. Chase stated that would delay the final decision for a couple of weeks until the County review was received. Chase stated this needs to be sent to Dutchess County, as it is located on a State highway. Proper to submit forms to County tomorrow. Motion by O'Neill to grant the area variance by reducing the east and west side yard setbacks from 50 feet to 40 feet; second by Baden. All in favor. Motion carried. Proper will contact Anderson as soon as comments are received from the County.

PUBLIC HEARING FOR KEITH ELLIOT: This is for a proposed area variance for replacement of a home located at 543 Lake Road. Chase opened the public hearing at 7:25 by reading the legal

November 25, 2014

notice. Weaver gave a brief overview of the project. He stated the original house on the property was destroyed by fire last year and Zoning requires that the home be placed in the same location as the original home. The replacement home had less square footage than the original so it would be less non-conforming. The applicant did a survey on the property and found that the original home was on or over the property line. This prevented the replacement from being placed in the exact location as the original. The applicant at that point asked if the replacement could be moved back also as there were upgrades to the septic that needed to be done. Weaver agreed to all the changes in the new location of the home and when the house was set there were some questions as to why it happened. Weaver stated he allowed this to happen because it made a bad situation a little bit better but technically by law it was supposed to go back exactly where it was. Weaver stated a variance is now needed for the replacement home. Discussion followed. Motion by Baden to close the public hearing at 7:30 pm; second by O'Neill. All in favor. Motion carried. The Board reviewed and revised a draft resolution. Motion by O'Neill to grant the area variance and to allow the replacement home to be moved from the original home site and situated 12 feet to the rear and 2 feet to the south; second by Baden. All in favor. Motion passed.

Motion by O'Neill to accept the minutes of October 2014; second by Baden. All in favor. Motion carried.

Chase stated that he felt it would be better to meet at 7:00 pm during the winter hours instead of 7:30 pm. Discussion followed. It was decided to change the start date from 7:30pm to 7:00 pm for the months of November through March. Proper will advertise the change.

Motion by O'Neill to adjourn; second by Baden. All in favor. Motion carried.

Respectfully submitted by:

Nancy E. Proper
Secretary

Scott Chase
Chairman