

April 26, 2011

**PINE PLAINS ZONING BOARD OF APPEALS MINUTES  
APRIL 26, 2011**

**IN ATTENDANCE:** Scott Chase, Chairman  
Jane Waters  
Margo Jackson  
Michael O'Neill, Alternate

**ABSENT:** Bruce Pecorella  
Steve Patterson  
Kathleen Augustine, Alternate

**ALSO PRESENT:** Rosemary Lyons-Chase  
Drew Weaver

Chairman Chase opened the meeting at 7:30 PM.

**JOSE QUIJADA:** The applicant was not present at the meeting. This was to be a preliminary discussion of an area variance application. The Board had a short discussion on the application. Weaver stated that the applicant wishes to construct a garage on the property. Waters questioned why the applicant gave "septic tank on other side-looks better" as the reason for the appeal on his application. Weaver stated that he told the applicant that he needed to make the Board understand why he needs this appeal and can't place the garage somewhere else and the septic tank has nothing to do with it. Chase asked where the septic system is located. Weaver stated he didn't know. Short discussion followed. Waters stated that this is in the Rural District so the side yard he would need is much bigger. Chase stated he couldn't make any decision without a site visit to the property. O'Neill asked what size garage he is asking for. Weaver stated it is a two-car garage. Chase stated he feels the applicant needs to draw that to scale on the survey map. Chase stated the garage will be bigger than the house. Chase advised Weaver that the garage needs to be staked out so the Board can see exactly where he is proposing to place it. Waters stated that his application should be written in such a way that he is actually asking to build a garage because that is not what he is asking for on the application. Weaver stated the Board may want to modify the application a bit to include a line that asks for nature of project. Waters and Chase agreed. Chase stated a project summary line could be added at the beginning of the application. Chase asked if the application fee was received. Proper stated no. Chase stated the application is not complete and thinks that if the applicant submits the application fee, the Board could schedule a site inspection and a hearing if the Board is comfortable with that. The Board had a short discussion on the size of the garage. The Board was not sure what size the applicant was asking for. Weaver stated that since the applicant is not present, he would feel more comfortable if the Board had a chance to speak with him before the public hearing. Waters agreed. The Board made no action on the application. Chase asked Weaver and Proper to be in touch with the applicant and explain to him that he needs to be present at the next meeting for the preliminary discussion. Chase also stated that the applicant should submit a written paragraph of what he wants to do to attach to the application and the fees should be

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submitted on or before the next meeting. Weaver stated he would contact the applicant's son and Proper will send a letter to the applicant explaining what the Board needs to continue.

**OTHER BUSINESS:** Waters stated she would like to discuss the Bishop variance on Bean River Road from the point of view of what the Board might do differently in the future. Waters stated that the mobile home is up and they did it at a rather difficult time weather wise. She stated the platform that they had to build up for the house is just concrete rubble that is spilling down the hill instead of it being constructed in such a way that there is a wall that they could then easily plant some trees and bushes in front of. Chase stated they probably needed a retaining wall because the pad that the building is sitting on is being undermined by erosion but this is not the Board's requirement. Waters asked if screening of that would be. Weaver stated that the County will not let them do anything with that yet. He stated it has gotten very complicated. He stated they put in a temporary driveway to get the mobile home in there and now they want to keep it. He stated the County advised them they have to hand in a new plan and Weaver just received it yesterday. He stated the County requires a work permit for them to do that so the County told them not to do anything. The approval for the driveway may influence the work to be done along the road and it is not finished. Waters asked what they intend to do in front of the house. Weaver stated they are hoping to bring the County ditch up and that would give them a better benchmark to start their grade. Weaver stated they do have an engineer to do all of this for them. Weaver stated the County felt that they were backdoored on the project. Waters stated the Board knew it would be close to the road and up fairly high but how will it look in terms of screening, etc. Weaver stated if the Board had to do it all over again, they probably should have had the engineer's plan before. Waters stated the Board can't hold them to anything they didn't require them to do. Weaver stated that he advised the County Highway Dept. that the project went to the County Planning but apparently the two departments don't communicate. Weaver stated if we notify County Planning we are not going to notify every department individually because they don't have intercommunication. Waters asked if the Board should notify County Highway. Weaver stated it is up to the Board. Chase stated the State is the same way. Waters stated the Planning Board does deal with County with regard to driveways. Proper stated if the applicant didn't say anything to the Board about changing the driveway they wouldn't know it was going to be changed so it wouldn't be submitted to County Highway. Chase stated people who are potentially going to be involved need to be notified because it is better for them to find out before and not afterward.

Waters made a motion to approve the March 22, 2011 minutes; second by O'Neill. All in favor. Motion passed.

Jackson advised that she will not be available for the May 24 meeting. O'Neill advised that he will not be available to substitute as he will be out of town.

Waters made a motion to adjourn at 8:50 PM; second by Jackson. All in favor. Motion passed.

Respectfully submitted by:

Nancy E. Proper  
Secretary

Scott Chase  
Chairman