

ZONING BOARD OF APPEALS
TOWN OF CANAAN
COLUMBIA COUNTY, NEW YORK
June 26, 2018

Present: David Cooper, Heather O'Grady, Pat Liddle, Jack Steffek, Sandy Haakonsen, Christy Ransford

Board Chair David Cooper opened the meeting at 7:00 with 7 people in the audience. There are three items on the agenda for this meeting – two files to consider, and one public hearing.

The May meeting minutes were approved as submitted.

7:02 – Public Hearing File #2018-4 for Nicole Schmitt-Burdick of 201 Goetz Road, East Chatham NY, Tax ID #48.-1-23.112.

David visited site and asked Nicole if the building site is going to be any bigger than what is currently there. Nicole stated the building would not be any bigger and that they may add siding to the building

David opened the floor to any questions. An abutter, Robert Alexander, asked if the driveway next to the wood shed would be the permanent driveway. Nicole stated that it would be the permanent driveway. When the house was purchased there was a gravel driveway, however, it was not suitable and a permit was requested to move the driveway to the side of the wood shed. Robert agreed with the driveway and had no further questions.

7:12 David made a motion to close the Public Hearing, with a so moved by Pat and a 2nd from Christy. All in favor.

Heather made a motion to approve the file. Christy with a 2nd.

The clerk polled the Board

David: Aye

Pat: Aye

Christy: Aye

Jack: Aye

Heather: Aye

All in favor.

7:14- Consideration of file #2018-5 which is an application submitted by Raymond & Bridget Cappel for property located at 365 Schillings Crossing Rd, Canaan, NY. Tax ID #49.-1-1.

David read the file. Application is for modification to the Special Use Permit for the private school.

Modification request includes:

- Current: Dorm-style housing unit - 14 guests
 - o Proposed: increase capacity to 24 guests (26 allowable by fire code)
- Teaching teepee added to site plan for teaching space (no approval needed (per BI))

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- Current: school operates 3 seasons (no winter).
 - o Proposed – 3 season: May- November: 50 max overnight guests (includes camping option: 26 guests max (approx. 13 tents) in forest; concealed from view of road
 - o Winter season: 24 max overnight guests. Use of Yogi House and Yoga Studio only – primarily for Yoga Teacher Training, weekend December-April, no camping
 - o 3x per year outdoor events: up to 150 daytime guests on weekend and holidays only (primarily for fundraising events)
- Current: Overnight facilities typically used Thursday – Sunday
 - o Proposed: all week but limited to 2x a week for teacher training
- Current: Hours of Operation 7am – 9pm
 - o Proposed: Same except Saturday only = 7am – 10pm
- Current: Septic Capacity – 14 overnight
 - o Proposed: increase capacity for 24 overnight guests, including increased capacity from 500 gallons to 1,000 gallons for Yogi House; Porta Potties (including required handicapped accessible) to be used in all events with over 24 guests plus septic will be pumped prior to events
- Current: Parking = 36 spaces
 - o Proposed: (1) fundraisers generally consist of people carpooling or taking train so no additional need of parking is anticipated but adding 10 new spots so new total is 46; (2) two designated handicapped parking spots (3) permission from The Tendai Buddhist Institute, ½ mile away, for 40 spots; permission from Josh Wood – neighbor’s property at 340 Schillings Crossing Rod – for 20 spots; permission from East Chatham Food Company for 25 spots
- Current: Existing lighting downcast
 - o Proposed: adding similar type lighting fixtures to exterior of yoga studio and house for safety reasons; parking area, if expanded

Heather asked how they will make sure that their guests are staying on the school property. Mitch Khosrova and Ray Cappo stated that behind the school is a steep hill that no one goes up. The woods surrounding the property are abandoned on one side and landlocked in the back. There are guides who do the tours and walks and outline the boundaries of the property. Ray also stated the students day is structured enough that there isn’t a lot of time to wander.

Jack asked how many tent sites. Mitch noted that there will be 13 tents. Ray stated that there are no set camp sites, they will recommend where the tents are set up.

David explained the process of notifying the abutters prior to the public hearing.

David entertained a motion to accept file as submitted, so moved from Pat and a 2nd from Christy. All in favor. Public hearing scheduled for 7/31/2018.

7:44- Consideration of file #2018-6 which is an application submitted by Bulent Yener for property located at 68 Pine Ridge Road, Canaan, NY. Tax ID#38.-1-10.200.

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David read the application which is for a Front Yard Setback Variance and a Side Yard Setback Variance for an already built 10x20' shed to be installed by a professional/commercial company (Shed Man of New Lebanon).

Jill Yener submitted updated maps. Initially the appellants thought they were on the property line and were asking for two variances. They were able to find the property line and discovered the shed is further away from the property line on the side and no longer need the Side Yard Setback Variance.

David read the Reasons for Appeal. David stated that the Reasons for Appeal should be updated to remove the Side Yard Setback Variance and only include information for the Front Yard Setback Variance.

David entertained a motion to accept the file on condition that the Reasons for Appeal are updated to remove the Side Yard Setback Variance, so moved from Sandy and a 2nd from Jack. All in favor. Pat recused from voting. Public hearing is scheduled for 7/31/2018.

Jack made a motion to adjourn with a 2nd from Sandy. All in favor.
8:15.

For the Board,

Jennifer Carmon
Clerk