ZONING BOARD OF APPEALS
TOWN OF CANAAN
COLUMBIA COUNTY, NEW YORK
October 27, 2015
1

Present: David Cooper, Pat Liddle, Sandy Haakonsen, Christy Ransford
Absent: Bill Wallace, John Stelling

Board Chair David Cooper opened the meeting at 7:05 with 4 people in the audience. There are two items on the agenda for this meeting – public hearing on file # 2015-3 (application for Special Permit by Bemiss Properties LLC) and an information update on file # 2014-4 (application for a Special Permit by TM-APG LLC), which we had agreed to continue until there was a site plan in place.

The public hearing for file #2015-3 was opened at 7:10 p.m. David read the public notice. David advised the board he had completed Part 2 of the SEQR and would be going over it. David read the response from the Columbia County Planning Board. Marcy Bemiss submitted her proof of mailing of the notice to the abutters.

The Bemisses have engaged Consulting Engineer Pat Prendergast, who distributed prepared site plans. They had attended the October meeting of the Canaan Planning Board and will be going back in November with requested adjustments to the plan. They have met with the Columbia County Health Department and have done some tests for well and septic. There will be bathrooms on site. They have met with NYS Department of Transportation (DOT) regarding proposed curbing for the driveway and DOT approval is pending. David noted the driveway entrance covers both their property and the neighboring property. The driveway goes onto the neighboring property. The Bemiss' attorney has legal paperwork for this, and they submitted a letter for our file from David and Jean Weller of Garden Magic Inc., DBA Country Caretaker granting the easement.

David noted that the applicants are putting in radiant heat in the cement floor. To avoid later disruptive work they want to put in a floor drainage system now. The waste water floor drain would flow to an oil/water separator → a storage tank which would be pumped out and removed when full.

David read Part 2 of the SEQR as he had completed it. This is an allowed use within the zoning with a special permit. All responses to questions in Part 2 were negative. This is basically a large private garage for their personal equipment in a commercial zone. This is a relatively small project. The building will be insulated. There are no public water supply or waste water treatment there. This is not an area of archeological importance. They will be washing their trucks there. David read his completed SEQR Part 3 narrative. Motion by Pat Liddle with 2nd by Christy Ransford to approve Parts 2 and 3 of the SEQR. All in favor.

David read the letter received from the Columbia County Planning Board.

There were no other questions from the Board. Motion by Sandy Haakonsen with 2nd by Pat Liddle to close the hearing. All in favor. Hearing closed at 7:40 p.m. David advised that the board has 60 days to make a decision, but we need an approved site plan from the Canaan Planning Board. If the Planning Board approves the site plan at their regular meeting on November 16th, we will consider whether to hold a special meeting or wait until our regular meeting on November 24th. We will provide SEQR Parts 2 and 3 to the Planning Board. With a valid site plan we can act with a simple majority.

The Board next took up the update for file #2014-4, TM-APG LLC (Tree-mendous). Mr. Gerhardt Komenda had contacted David to say Consulting Engineer Pat Prendergast would be presenting an updated site plan for our information. They now plan to build pole barns for the work areas in which they peel logs, treat with linseed oil, cut and drill. They will bring the updated site plan to the Planning Board at their next meeting. They would improve the driveway entrance per NYS DOT requirements. There are no major problems. David said the only major change is the pole barns.

David asked the Board if there were any reason to reopen the hearing. There is no change to the use. The pole barns do not alter the use as initially applied for. The Planning Board has to approve the site plan, which as prepared by Mr. Prendergast is now complete. Motion by David Cooper with 2nd by Pat Liddle not to rehear file #2014-4 by TM-APG LLC (Tree-mendous). All in favor. We will deliberate as soon as we have an approved site plan.

Motion by Pat Liddle with 2nd by Christy Ransford to adjourn. All in favor. Adjourned at 8:01 p.m.

For the Board,

Julie Alexander
Clerk