

ZONING BOARD OF APPEALS

TOWN OF CANAAN

COLUMBIA COUNTY, NEW YORK

February 23, 2016

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

Chairman Cooper opened the meeting at 7:00 p.m. with four people in the audience. David asked if the January minutes had been approved electronically, and the clerk told him yes they were.

There is one public hearing and one file to consider.

At 7:01 David read the legal notice for the public hearing on file **2016-1**, for Milos Nebesar. David stated that the file was a listed type II for SEQR and deemed to not have significant environmental impact. Mr. Nebesar then turned in his proof of mailing and his \$25.00 fee for the Area Variance. David asked if Mr. Nebesar had anything to add, to which he replied "no". David mentioned that the property was a corner lot and that was the issue. He then asked the board if they would like to speak and no one did. David asked how long there had been fill being brought in for the garage and Mr. Nebesar responded that it had been about four years. David then asked when the building would begin if the board approved? Milos said he thought maybe May with weather permitting. David stated that there were no issues with entrance or egress. He asked if there were any other questions, to which Bill Wallace said that with the slope of the land, Milos had done all he could to push back as far as he could. David made a motion to close, with "so moved" by Bill Wallace and a 2nd by Pat Liddle. All in favor. 7:06

Deliberation of file 2016-1: David said that all was conforming and completely compatible with a safe entrance and egress. Motion made by Bill Wallace to accept the file as is with a 2nd by Pat Liddle. The clerk polled the board:

David Cooper-Yes

Pat Liddle- Yes

Bill Wallace-Yes

Sandy Haakonsen-Yes

Christy Ransford- Yes

John Stelling-yes

Approved unanimously 7:08

Consideration of file **2016-2**, Gutches Lumber, 106 Flints Crossing Road, **Tax ID#70.0-1-11.21** began at 7:09. David asked audience member John Kie if he was at the meeting to represent Gutches Lumber, and he replied that he was not there to represent anyone but was in fact the owner of the property that Gutches Lumber was looking to expand on and acquire.

David read the file at 7:10 and stated that this file was for a Special Permit for commercial use to expand the business in a C2 zone. The company now operates on the lot next to this, which is Tax ID 70.0-1-11.22. They are looking to establish an approximately 2.5 acre gravel surfaced storage yard along with storm water management facilities. Andy Didio of Taconic Engineering is representing the appellant. The board looked at the first map provided by Andy Didio which showed the existing setbacks and log site as well as an existing residential location and storage containers. The wooded areas of land were also represented. The second map showed the proposed log and gravel storage areas along with potential storm water areas.

David asked Andy Didio if he could provide a narrative of what was being proposed? Andy had a narrative with him and provided it to the members of the board. David then asked Andy if he could please get a copy of the permit that was originally denied by ZEO/ Lee Heim. David asked the board if anything else was missing and Bill Wallace asked to have the dimensions of the proposed storage areas. He also asked that since there was a house on the property and was residential would it be changed to commercial? David thought that even though it was residential it could also have another use, but would check with the town attorney to clarify. Andy Didio said that he would look to the board for any restrictions. Andy Didio said the thinking had been to maybe use the residence as an incentive for out of town workers to come and run the yard as well as possibly housing an office, but nothing was set in stone. Bill Wallace stated that it would clearly be commercial if there was an office on location.

David looked at the old file from 2012 when Gutches Lumber first came before the board to see what issues there had been. One of the items was that Highway Supervisor Bernie Myers had been concerned with the road. John Kie stated that when there is dirt deposited on the roads someone always sweeps it off. He also stated that his experience with Gutches Lumber has been a good one, and they make good neighbors. Bill Wallace noted that on the map it looked like Gutches Lumber was looking to make improvements to the road. Andy Didio said that they would like to, and will look to Bernie for that. David said that Bernie had good input on the first file.

Bill Wallace asked if there were going to be setback variance issues and David didn't think so but would look into it.

Pat Liddle asked whether DEC needed look at the potential storm water areas in regard to how close they will be to Flat Brook? Pat then asked that Andy provide actual distances on the map. Andy said they were having a survey done so they would provide that information.

David suggested the board accept the file as long as the board is provided with the dimensions of the storage facilities and gravel storage along with distances to/from surrounding areas. David explained that they need to contact abutters and that the board can't make a decision until a site-plan is finished. He said that the Board can ask for an extension if need be.

David made a motion to conditionally accept the file with a 2nd by Bill Wallace. All in favor.

David said the hearing would be the last Tuesday in March, which is the 29th. He then asked if there was anything else? Andy said he would bring full size maps to the hearing. He asked how many and David said just one full size. Andy said he would make the other eight maps 11"x17". David asked if there was anything else? Motion made to adjourn. So moved by Sandy Haakonsen with a 2nd by Christy Ransford. Meeting adjourned at 7:40.

Heather O'Grady, Clerk.