

ZONING BOARD OF APPEALS
TOWN OF CANAAN
COLUMBIA COUNTY, NEW YORK

January 30, 2018

Present: David Cooper, Pat Liddle, Jack Steffek, Sandy Haakonsen, Christy Ransford

Board Chair David Cooper opened the meeting at 7:00 with 1 person in the audience. There is one item on the agenda for this meeting – Consideration of file #2018-1 (application for an Area Variance by Daniel Crellin, and represented by Andy Didio of Taconic Engineering.)

Motion made by Pat Liddle to accept the November minutes as submitted, with a 2nd from Jack Steffek.

David mentioned that he will not be able to attend the February meeting, so Pat Liddle will act as Chair.

7:02 Consideration of file #2018-1 Daniel Crellin, Queechy Lake Drive, Tax map ID #39.-1-38

Chairman Cooper read the file. The project proposes potential to construct a structure that is larger than the former residence footprint. The Variance is being sought for a Front Yard Setback of 55' rather than 75', which would allow for a new structure to be bigger than the original Footprint. (The original home was destroyed by a fire.) The property is zoned RA2.

David asked Andy Didio if he would provide a brief narrative for the file. David said that his understanding is that the Crellin family owns this parcel jointly, and it was a catastrophic loss due to a fire. The family is not in a hurry to rebuild, but would like the opportunity to market the property. They are not trying to increase the setback of the house that was destroyed, but that setback was non-conforming, and would be allowed to continue by right if they were building with exactly the same footprint. David asked Andy if the Crellin's were looking to not necessarily build, but to just preserve the right to keep the original Front Yard Setback. (The original had only one small non-conforming corner.) David stated that he thought they were trying to develop a parallel plane with the road that has the original setbacks. Andy said that was true, and that the other driving force on this is the two, year window to rebuild after the fire.

David said it would be helpful for the file to have a brief narrative about what they are trying to accomplish.

Sandy Haakonsen said it may be helpful in the narrative to state that the original house was a conforming use. David agreed and said the original use was conforming, and the only issue had been setbacks.

Chairman Cooper pointed out the various lines and setbacks on the map provided. He also pointed out the outline of the house as well as what is being represented as the reasonable building area. Andy Didio said the previous house had been around 56' feet from the center line of the road, and that they were asking for a 55' setback now, as they were just looking for a reasonable amount.

David asked if the well was still good, and Andy said presumably it is. He figured it would need to be shocked. David asked if the septic could be found, and Andy said that the septic lines were buried in the demolition.

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Pat Liddle asked what the distances were on various parts of the map, and Andy said he could use the scale to tell her approximately. Andy said they had drawn everything out to be reasonable. They figured why ask for way more than was needed. If the Area Variance was given, the buildable area on the map was around 3,000 square foot, and therefore if they wanted two stories, it could be around 6,000 square foot.

David said that precedence for the variance is determined by where the existing house was, as well as the DEC buffer. There is no request to vary any of the side yards.

Pat asked to see dimensions put on the map. She said it can just be something that Andy changes on one map and emails in. Andy said it was no trouble to do this. Pat also asked if the area would be staked. David said maybe some cones where the 55' mark is. Andy will do that also.

David asked if there were any other details needed besides for the narrative and dimensions. Sandy wanted to be clear that this variance is being sought for a potential buyer to build within a footprint depending on where the house really lies. David doesn't think it is a generic Front Yard Setback. He said he thinks they are here because they don't want to miss the window of opportunity. Up until August they could rebuild in kind. David thinks it is rational to ask for the setback to be parallel to the road.

David made a motion to accept the file and schedule the public hearing, with the condition that all documents are sent to the clerk before Friday. Pat with a 2nd. All in favor.

Chairman Cooper said that sadly the Board had lost its honorary 7th member. Vivian Vispo had always been at every meeting and it was comforting to see her. He said that it just didn't seem like a meeting without her. He mentioned that she was very supportive and a friend to all of the Board. The entire Board was in agreement.

David made a motion to adjourn with a a 2nd from Sandy. 8:00.

For the Board,

Heather O'Grady
Clerk