

ZONING BOARD OF APPEALS
TOWN OF CANAAN
COLUMBIA COUNTY, NEW YORK
January 26, 2016

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

Chairman Cooper opened the meeting at 7:00 p.m. with three people in the audience. Motion made by Pat Liddle with 2nd by Sandy Haakonsen to accept the December minutes as submitted. All in favor.

There is one public hearing on the agenda and one file to consider. David read the legal notice for the public hearing on file #2015-6, Indrajit Bardhan who is being represented by Jay McEwan.

David asked if there was anything to add to the file and Jay McEwan said that he had changed the variance to 20 feet, to which David stated that this information is on the updated map that Jay had submitted. David asked if there were any questions from the board and Pat Liddle asked what is the rationale behind the garage being put where proposed instead of on a different area? Jay explained that the Bardhans were planning on building an art studio sometime in the future on the other reasonable area of property. Jay also explained that they don't want the garage to block the view from the solarium. Pat Liddle asked to see the map so she could understand where the garage was going. David pointed out the boundary lines on the map for the parcels that represent both Canaan and New Lebanon. Christy Ransford then asked what was behind the hedgerow on the map and Jay told her that it was all woods. Pat Liddle asked if the Bardhans were going to need another variance to put up the art studio? Jay stated that he had spoken to the Bardhans about this and they would not need another variance. Pat stated that was a good thing as she would probably not go along with that.

Audience member Jerry Grant then said that he would like to see the map, as he is an abutter to the property. David showed him the map and pointed out both the garden shed and where the proposed garage was to be built. Jerry stated that is was fine. David asked him if he had any other questions and Jerry replied he did not "It's just empty space." David said that the purpose of side yard setbacks is to control density, especially within 5-acre zoning. If one landowner encroaches within the setback, he is effectively encroaching on his neighbor. However, this lot is huge. The back will not be subdivided because it is not suitable.

David asked if there was anything else to discuss? John Stelling made a motion to close with 2nd by Pat Liddle. The hearing closed at 7:17

Deliberation on file #2015-6 David asked if there was any discussion? Is there any reason not to accept? Pat Liddle made the motion to approve the file as submitted with a 2nd by Christy Ransford. The clerk polled the board:

David Cooper:	Yes
Pat Liddle:	Yes
Sandy Haakonsen:	Yes
Christy Ransford:	Yes
John Stelling:	Yes

Approved unanimously.

Consideration of file **2016-1** for **Milos Nebesar**, 1548 County Route 5, **Tax ID 49.1-1-9** started at 7:19 with David reading the file. The file is for a 10' side yard area variance to build an unfinished garage. The property is very steep and wooded, so this is really the only location to build. David noted that this is a corner lot and as such must take setback from two roads. David said that this is a listed type II action deemed to have insignificant environmental impact.

Milos submitted a photo of the proposed garage to the board. Pat Liddle asked how tall the garage would be and Milos stated that it would be 18' high. Pat asked if that was the peak and Milos replied yes it was. David mentioned that significant fill had been brought in and Milos agreed that they had been filling in for quite some time to get a flat area. David asked if there was any additional information and Milos said that the proposed garage was 40' from the center of Gifford road.

David then asked if the board could accept the file without condition. Sandy Haakenson said that the Tax ID# was missing. The clerk gave David the file with the tax ID number and he read it to the board. Pat Liddle then asked if there was a foundation for the garage or if it was going to be a slab, and Milos told her it was a slab. Pat Liddle moved to accept with a 2nd from Christy Ransford. All in favor.

Motion by Pat Liddle to adjourn with a 2nd by Christy Ransford. Adjourned at 7:35.

For the Board,

Heather O'Grady,
Clerk