

ZONING BOARD OF APPEALS
TOWN OF CANAAN
COLUMBIA COUNTY, NEW YORK
November 28, 2017

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

Chairman Cooper opened the meeting at 6:55 p.m. with two people in the audience.

There are two items on the agenda: Deliberation of file #**2017-7** for a Ground Mount Solar Array for Malcolm Drummond, and a Public Hearing for file #**2017-9** for an Exempt Subdivision for David Patzwahl and Brian Lossow.

6:58 Chairman Cooper began with **Deliberation of File #-2017-7**

David said that although he missed the Public Hearing he had reviewed the file and felt comfortable participating in the deliberation. He suggested that this is a modest array that is somewhat screened by its location. He was encouraged that there would be no land clearing and no trees would be cut, because the overlay for SEQR shows this property is part of the long-eared bat hibernaculum.

David suggested that the file is accepted as submitted but there should be a note stating that the Appellant need to contact the Chief of the Canaan Protective Fire Company and let him know the specifics of the Solar Array. This may be done in person or by registered mail. Pat suggested that David add the address of P.O. Box 207, Canaan, NY for the Fire Company.

David mentioned that Bill Wallace is taking the initiative of compiling a list of all residents that have solar. Bill said he is making the list so that if there is a fire, they are aware of whether the solar is on the roof or in the yard. As a safety factor, the Fire Company needs to know.

David made a motion to approve the Solar Project as submitted. Pat with the 2nd.

The clerk polled the Board.

David: Yes

Pat: Yes

Bill: Yes

Christy: Yes

Jack: Yes

All in favor. 7:03

Chairman Cooper asked if anyone had any changes to the draft minutes for October and Pat made a motion to accept with the 2nd from Christy. There was a change made for two numbers that were reversed in the draft. Where the acreage amount was mentioned the second time in draft minutes, one parcel should have read 1.96 acres, instead of 1.69. This change was brought about electronically.

7:04 **Public Hearing** for File #**2017-9**, for an Exempt Subdivision for a parcel owned by David Patzwahl and Brian Lossow. The parcel is located at 25 Queechy Lake Drive, **Tax ID #50.1-2-3.200**.

David Read the Public Notice, and Mr. Patzwahl turned in his receipts as well as his Notice to Abutters, which Chairman Cooper read.

David asked if Mr. Patzwahl had anything to add, which he did not. Pat asked if anyone had contacted him, and he said no, but he had personally reached out to the closest abutters.

David asked if he was planning on utilizing the driveway that went next to the Leal's property, and he said that primarily they wanted to use the driveway that enters onto Queechy Lake Drive. The Right of Way is grassy and could get mushy. If there was a fire or another emergency the other entrance is better. David pointed out that this Right of Way is in the deed, and Mr. Patzwahl said he knew that and the reason he let everyone know that it was there was because the Planning Board had pointed out the deficiencies in the Queechy Lake Drive access. David said the width is conforming enough on the Right of Way.

Bill mentioned that there was another old building in the back of the property, and Mr. Patzwahl said that it was part of an old camp. He said there is a septic for it, but no well. Bill asked if there was a reason why when they divided they weren't going to give one parcel the conforming 2 acres, and Mr. Patzwahl said that this was the way it was surveyed by the prior owners, and one of the owners had paid for a septic while the other didn't. He said that Dan Russell had surveyed it and he thinks he did it that way because the property goes up a very steep incline. He doesn't really want to have another survey done for .04 of an acre.

Bill said he doesn't think the Setbacks are a major thing. David said the road is usable, and everyone seems to use it with no troubles. He said of all the times he has been there no one hassled him.

David pointed out that this lot was typical of the other camp like lots surrounding the lake, with the exception that this one was a little bigger.

Bill asked to make a request that if this goes through that Mr. Patzwahl has the different properties labeled stop #1 , stop #2 etc. for distinction purposes in case of emergency. Mr. Patzwahl has already been working on this with 911. David said that a lot of issues will be resolved with this subdivision.

David told Mr. Patzwahl that he would have to go back to the Planning Board, because the Zoning Board was really only approving the Non- Conforming lots with the Non-Conforming Setbacks, and the Non-Conforming Right of Way, which has the net effect of approving the Exempt Subdivision, but we can't stamp the maps or anything like that.

No one had any other questions, and David made a motion to close the hearing. Christy with the 2nd.

7:23 Deliberation: Bill stated that approving this would clean up some of the mess up there, and both parcels would already have separate wells and septic. David said in terms of zoning, this would make one dwelling per lot. He is encouraged by the fact that the lots would be identifiable in case of an emergency call. This will make everyone's life easier and safer.

Chairman Cooper made a motion to approve the file as submitted with a 2nd from Bill.

The clerk polled the Board.

David: Yes

Pat: Yes

Bill: Yes
Christy: Yes
Jack: Yes
All in favor 7:28.

Mr. Patzwahl gave the clerk his \$25.00 fee.

Chairman Cooper asked Pat Liddle if she would be willing to lead the December meeting if there was one, because he would be out of town, and Pat agreed.

David then asked the Board to keep looking for a new clerk, as the present clerk would like to be a member of the Board.

Pat made a motion to adjourn, with a 2nd by Christy. All in favor. 7:34.

For the Board,
Heather O'Grady
Clerk