

ZONING BOARD OF APPEALS
TOWN OF CANAAN
COLUMBIA COUNTY, NEW YORK
September 24, 2019

Present: David Cooper, Jack Steffek, Pat Liddle, Heather O'Grady
Absent: Craig Dillon, Sandy Haakonsen

Chairman Cooper opened the meeting at 7:00 p.m. with one person in the audience.
There is one file for consideration on the agenda which is 2019-4 for Bridget Vasquez

Pat made a motion to accept the May minutes as submitted with a 2nd from Jack. All in favor

7:01: Consideration of file #2019-4 – David read the narrative written by the appellant, Bridget Vasquez of 97 Luke Hill Road, Canaan, Tax ID# 50.1-1.34 for an area variance to replace an existing structure using the same footprint. Chairman Cooper said that this appellant had come before the board in 2005 for this project and it had been approved for an area variance for side yard setbacks. He then read the application.

Chairman Cooper pointed out the map that was approved in 2005 as well as a copy of the meeting minutes from 2005. He then asked James McNamee who is the legal representative for Bridget Vasquez what the difference is from the old application to the new one. James stated that the previous projected project was going to put the house closer to the back bank of the property, which could cause runoff. They want to scale it back but still move the back porch. James pointed out the overhanging porches and said that as opposed to the previous approval the back of the house would not be as close to the property line.

Board member Pat Liddle asked if they were looking to make the building come out further than it is now and the answer was yes, they are trying to use the existing maximum diameter. Pat then stated that this was not going to be built in the same footprint as the 2005 approved site. James stated that they wanted to make the depth 42' including the porch, whereas last time they asked for 50'. The width of the house will be 6' wider. All in all, the house will be smaller.

Pat asked if there was currently a foundation and James said it is on pillars. They are planning it to be a poured foundation with a slab.

Board member Jack Steffek asked how far one of the corners would be from the chain link fence and the answer was that it was marked off, but they own three feet beyond the fence.

David said he had been trying to determine why the code officer had denied this but now he was understanding it better because it is not exactly the same footprint. He read a letter that he had written to town attorney, Andrew Howard who had said that if the Board sees this to be in the same footprint as approved in file 2005-1 then it may not have to have a public hearing. David went on to say that the problem is that this is different than the existing footprint. The question is, is this close enough to what we originally approved to go with. James said Bridget wanted to keep the look of the lake the same and the old plans would make the house stick out like a sore thumb. By doing what we are trying to do it will

basically keep the same look. David said he feels that the issue is, does the board feel comfortable signing off on it.

Pat Said that she feels we need a public hearing, and David said now, comparing the old plans with the new ones that he agrees.

David asked James if the septic from the old file was ever upgraded and the answer was no. It will be looked at now.

David made a motion to accept the file with so moved from Pat and a 2nd from Jack. All in favor. The hearing will be on October 29th. David wants James to really define the dimensions of the proposed structure.

Jack asked if the porches would remain the same and the answer was yes.

Pat said James needs to put dimensions in ***as well as elevation views of the exterior of the house. David pointed out that when you put the old and new map together you can see that the new structure comes out further than was previously approved. The critical point is that if the property line wasn't triangular in shape it would be easier to say you were staying in the footprint. James said that they were expanding further on the opposite side of the original plan. They are making it smaller on one side and larger on the other from what was originally approved. James will put all dimensions on the new map and do an overlay of the old and new project.

David explained the process of notifying abutters, and asked that James gets all information to the board at least fifteen days prior to the meeting. This includes dimensions of the structure, side yard setbacks and an overlay.

David made a motion to adjourn the meeting with a second by Heather.

Meeting adjourned 7:47.

For the Board,
Heather O'Grady

Change from draft*** as well as elevation views of the exterior of the house