

TOWN OF COPAKE
ZONING BOARD OF APPEALS
MINUTES
SPECIAL MEETING-JUNE 9, 2006

A special meeting of the Zoning Board of Appeals of the Town of Copake, NY, was held on Friday, June 9, 2006, at the Town Office, Copake, NY, and was called to order by Chairman Clark Simms at 5:00 p.m.

Board members Clark Simms, Julie McKenna and Frank Peteroy were present and Board members Stanley Gansowski and George Ashley were absent.

Chairman Simms reported the meeting was called for the purpose of expediting the application of GLENN GANZ, 2006-06, on his request for an area variance to build a deck.

Chairman Simms reported that he and Frank Peteroy previewed the property and noted the location of the septic system was a concern to them.

Mr. Simms said letters of approval were obtained by the applicant from four of the surrounding property owners and they are made a part of these Minutes by reference.

Mr. Ganz was present and said the septic consists of a 1,000 gallon concrete tank which he believes to be about four years old and he said it was put in by the prior owner.

Chairman Simms read the "conditions" which the Board should consider in making a determination in granting a variance, which is made a part of these Minutes by reference and attached hereto.

Chairman Simms said Mr. Ganz' s application came before the Board prior to the passage of Section 24 of the Zoning Ordinance, which he noted was passed by the Town Board the previous night. He said the goal, under the Ordinance, is 20% of lot coverage on an undersized lot, and suggested an alternative deck design since the proposed plan was more than 20%.

Julie McKenna questioned the location of the septic, which was discussed and indicated on the submitted drawings.

Mr. Ganz said the septic was located nine feet from the back wall and corner of the house.

Chairman Simms discussed a newly designed deck; however, Mr. Ganz said there is a hip roof off the back of the house and would not be a good idea for the deck in that location as the water run off would cause rot and mold.

Chairman Simms said the alternate design would not require a variance.

It was noted, however, that the alternate design would be covering the septic.

Changing the size of the deck was discussed and Mr. Ganz said the size most suitable would be 44 inches on the side and 10 feet in the back, and said he would put a railing on the deck straight up. He noted there was an existing 4 foot staircase on the side of the house.

Mr. Peteroy noted this was an open deck, and said it should never be enclosed.

Chairman Simms asked if there would be access to the deck from the back side, to which Mr. Ganz said he had not made plans for additional access, only off the side.

Mr. Peteroy said he was in favor of the 12 foot deck addition off the back provided it is not enclosed, as he said it already encroached on available space. He suggested that Mr. Ganz reconsider putting another staircase on the back side.

Julie asked if the back staircase would be in lieu of the side staircase.

Mr. Ganz said a concrete staircase already exists on the side and said he would be putting in a new staircase 36 inches wide between stringers.

Mr. Peteroy suggested 7 inch high risers instead of 8 inches.

Chairman Simms noted that George Ashley was unable to attend the meeting since he was out of town, and Stosh Gansowski would try to make it, if possible.

After further discussion, Frank Peteroy moved to approve the area variance for a 4 foot extension on the side of the house and approximately 17 feet 1 inch wide and 12 feet deep off the back of the house, and allow for a platform for stairs 3 feet wide at the northwest end, bringing the setbacks to 21 feet from the back property line and 6 feet 4 inches from the side property line. Further moved that there shall be no enclosure of the deck at any time.

Motion was seconded by Julie McKenna and unanimously carried.

NEW APPEALS:

2006-09 - An application was received from David and Marilyn Goldman for a variance to build a carport at their residence on Golf Course Road.

Chairman Simms moved to accept the application and schedule it for a public hearing on June 22nd, which was seconded by Julie McKenna and unanimously carried.

Frank Peteroy moved to adjourn at 6:00 p.m., seconded by Julie McKenna and unanimously carried.

Respectfully submitted,

Louise Miller, Recording Secretary

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Attachment

