

****AGENDA****
TOWN OF BEEKMAN ZONING BOARD OF APPEALS MEETING
July 11, 2019
7:00 pm

REVIEW MINUTES: June 2019

ADJOURNED:

1. **O'Mara Family Farms, Inc.** – Area Variance
Proposed variance to NYS Town Law 280a
Rear of 796 and 798 Beekman Road
Poughquag
Grid # 6658-00-498395
Zone: R-45

Adjourned to August 1, 2019

PUBLIC HEARING:

1. **Norman Von Wettberg** – Variance
Proposed variance for front yard setback
Lot B, Buck Drive, Patricia Moore Subdivision
Poughquag
Grid # 6859-00-545147
Zone: R-135



TOWN OF
BEEKMAN
New York

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Town of Beekman Zoning Board of Appeals
Minutes of July 11, 2019

The Town of Beekman Zoning Board of Appeals met for their regularly scheduled meeting on Thursday, July 11, 2019 at the Beekman Town Hall.

The following members were present: Murray Johnson, Sarah Davis, Ciaran Bruen, and Maria Rodrigues. Faye Garito and Ed Powers were absent.

Also present was Secretary - Selene Haile.

Murray led the Pledge of Allegiance and noted the emergency exits.

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Norman Von Wettberg approached the Board. He stated he was present at the last meeting and the issue was whether there were any deed restrictions on the property.

He stated he has two letter from the Code Enforcement Officer in regard to the size of the house. He stated the minimum size house allowed in the area is 1000 square feet and this meets that requirement.

The applicant also provided a copy of the resolution dated January 9, 2006 which stated the lot will not be encumbered by the same deed restrictions as the other homes on Buck Drive. He stated he cannot provide the Board with a deed because that is created at the time of closing.

It was stated the proposed house is as follows:

Entry/Plant Room 18 x 18	324 square feet
Master Bedroom Wing 15 x 24	360 square feet
1st floor main section 30 x 32	960 square feet
2nd floor main section 30 x 32	960 square feet
Basement 30 x 32	<u>1300 square feet</u>
Total livable floor area	3924 square feet

According to Efrem Citarella - Code Enforcement Officer this would meet the 1000 square feet minimum for the zoning of this area and it would also meet the 3900 square feet size if there had been any promise or agreement made by the owner during the subdivision process.

Murray opened this to public comment.

Mr. Bellissimo (34 Buck Drive) said he didn't think the 1300 square foot basement should be included unless it was finished space.

Carmine Dosimo (Buck Drive) asked how unfinished basement space could be included in the livable floor plan space.

Nick Gaziroda (38 Buck Drive) said he agrees with his neighbors.

Doug Florance stated he was on the Zoning Board at the time this was subdivided and he doesn't remember any restrictions put on the property.

Murray stated the other issue from last month was whether the correct people were notified and she checked with the Zoning Office and the requirement is 200 feet which the applicant did do.

Murray made a motion to grant a 25' front yard variance for a new structure (house) which meets all the other requirements. As per the Zoning

Board Resolution dated January 9, 2006 - The new undeveloped lot will not be encumbered by the same deed restrictions as the other homes on

Buck Drive. Seconded by Maria. All in favor. Motion carried.

Maria made a motion that this application is a type II and no further SEQRA action is required. Seconded by Sarah. All in favor. Motion carried.

Findings:

There are no undesirable changes in the neighborhood. The variance puts the new house in line with the other properties on Buck Drive.

There is no alternative - if the home is placed at 100' it will be out of line with the other properties on Buck Drive.

The applicant will be using solar energy and this placement of the home will help with this.

The variance is not substantial and it is in line with the other homes.

There will be no adverse impact.

This is self-created but is not a large variance

All in favor.

Murray made a motion to close the Meeting. Seconded by Sarah. All in favor. Motion carried.

Meeting Adjourned.

Respectfully Submitted

Selene Haile

Secretary