

PRESENT: Brenda Colberg-DiMarco Chairperson, Terrance Wansley, Tanmay Gajjar and Margo Miller

CONTENT: Richard Mold (Area Variance), and Minutes.

There were three (3) people in the audience

Chairperson Colberg-DiMarco opened the meeting at 7:00 p.m. and then led the salute to the flag.

RICHARD MOLD

Area Variances

2019-008

183 North White Rock Road

Holmes, NY 12531

Grid Number: 134089-11-6856-00-046441

Mr. Richard Mold was present.

Chairperson Colberg-DiMarco said the property is located at 183 North White Rock Road in a Residential -3 Zoning District. Chairperson Colberg-DiMarco read the response from Dutchess County Planning, which indicated this application is a matter of local concern. This application is a Type II action, according to SEQRA; therefore, no action is necessary by the Board. A site inspection was held on November 23, 2019, Chairperson Colberg-DiMarco, Tanmay Gajjar, Terrance Wansley and Margaux Miller were in attendance.

Mrs. Miller read the area variance for §215-16 Bulk Regulation, setbacks required for a Front Yard. A Front yard setback requires a minimum of 75 feet, there is 37.5 feet available, and a variance of 37.5 feet is requested.

Mr. Mold explained an area variance is required to construct a 20' x 20' carport. Currently, Zarecki & Associates are finalizing the building plans. The carport is a simple design with shed roof, and provisions to enclose up to three walls.

Mr. Gajjar asked if Mr. Mold intends to pave the carport floor or will the floor remain gravel?

Mr. Mold responded that at some point in the future additional gravel would be installed to maintain a secure floor. He has no plans to pave the carport floor.

Chairperson Colberg-DiMarco read into the records a letter dated November 25, 2019, from George and Susan Brehm, located at 175 North White Rock Road in support of Mr. Mold area variance.

Chairperson Colberg-DiMarco opened the meeting to the Public

There were no more comments from the audience.

Chairperson Colberg-DiMarco closed the meeting to the public.

Mr. Wansley said the Zoning Board of Appeals in making its determination shall take into consideration the five factors the Board must weigh against the detriment to the health, safety, and welfare of the neighborhood or community.

Mr. Wansley read the first factor, whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance?

Mr. Wansley said no determinant will be created to nearby properties by construction of the proposed carport.

Chairperson Colberg DiMarco said the proposed carport is similar in appearance to nearby structures, keeping consistency with the character of the neighborhood. Mr. Mold cannot move the carport back due to the extreme rocky topography. Her main concern is if a car went through the carport it would go over the rocky cliff, therefore, she is suggesting bollards or a wall be constructed to ensure motorist pulling in safety.

Mr. Mold responded that he plans on constructing a back wall, as he agrees with Chairperson Colberg-DiMarco safety concerns.

Mr. Wansley read the second factor, whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance?

Mr. Gajjar said there are no other locations to construct a carport on the property.

Mr. Wansley read the third factor, is the variance substantial?

Mr. Wansley said the variance is substantial for the reason it is 50% of the allotted 75 feet. Nonetheless that does not preclude granting of the area variance.

Mrs. Miller said several buildings in the neighborhood are set close to the road.

Mr. Wansley read the fourth factor, will there be an adverse effect or impact on physical or environmental conditions in the neighborhood or district?

Mr. Wansley said there will be no negative impact to the neighborhood by the construction of a carport.

Mr. Wansley read the fifth factor, whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the Board of Appeals, but shall not necessarily preclude the granting of the area variance?

Mr. Wansley said the difficulty is self-created. The applicants choose to build

Chairperson Colberg-DiMarco said choosing to construct a carport does not preclude granting of the area variance.

Mr. Gajjar and Mrs. Miller concurred.

Following discussion, weighing all the factors, the consensus of the Board agreed with Mr. Wansley and then moved forward to grant the area variances.

Motion by Mrs. Miller to grant an area variance to Richard Mold in a Residential-3 Zoning District for §215-16 Bulk Regulation: The following setbacks are required for a Front Yard setback. A Front yard setback requires a minimum of 75 feet, there is 37.5 feet available, and a variance of 37.5 feet was granted.

Second by Mr. Wansley. Chairperson Colberg- DiMarco asked for discussion

Mr. Gajjar asked Mr. Mold if future plans are being considered to construct future buildings along the linear path.

Mr. Mold responded no.

All were in favor and the Motion carried.

MINUTES

Motion by Mrs. Miller to approve the Minutes of September 23, 2019 as read.

Second by Mr. Wansley. Chairperson Colberg-DiMarco asked for discussion.

All were in favor and the Motion carried.

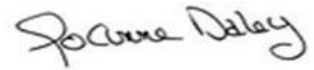
NEW BUSINESS

Chairperson Colberg DiMarco said the Board members are in receipt of the 2020 Zoning Board of Appeals schedule. Following review by the Board members, the 2020 ZBA schedule will be sent to the Town Board for the re-organizational meeting.

ADJOURNMENT

On a Motion by Mrs. Miller and seconded by Mr. Wansley to adjourn the meeting at 7:30 p.m. All were in favor, and the meeting was adjourned.

Respectfully submitted

A handwritten signature in black ink that reads "JoAnne Daley". The signature is written in a cursive, flowing style.

JoAnne Daley
Recording Secretary

non - approved minutes