

**TOWN OF AMENIA  
ZONING BOARD OF APPEALS  
July 13, 2005**

PRESENT: Harry Clark, Chairman  
Rudy Eschbach  
Katie Loughlin  
John Quinn

ABSENT: Norman Cayea

Chairman Harry Clark opened the meeting at 7:05 P.M.

Roll Call was taken

**PUBLIC HEARING** - All notices for the two public hearings have gone out to the newspapers and to neighbors within 500 feet for these cases. Harry Clark opened the Public Hearing for:

**Joseph C. Loughlin – Wassaic, NY – Special Use Permit and a Hardship/Use Variance – 2005B**  
- Katie Loughlin recused.

Joseph C. Loughlin and Katie Loughlin were sworn in. Was a farmer for over 50 years. Is now out of the dairy business but has a Fruit and Vegetable business as well as renting out his land. Wants to turn the barn into two apartments due to high taxes, insurance and fixed income. The outside of the barn will remain the same with the addition of windows and dormers.

Apt #1 – Downstairs – approximately 1000 square feet with two bedrooms, 2 baths, computer/dining room, eat in kitchen and living room – 5 rooms

Apt #2 – Upstairs – approximately 1000 square feet with two bedrooms, 1 bath, eat in kitchen, and living room. Upstairs dormers needed to be added. This apartment will be used in the same manner regarding part time help for part of the cost for rent.

The downstairs apartment was completed in 2003 with BOH approval for the septic. The electrician has made his final inspection. Secured Building Permit. There are 3 current occupants in the downstairs apartment who work part time on the Fruit and Vegetable Business in exchange for part of the rent of their apartment. There was no CO given for the downstairs apartment due to the fact that the Loughlins had not applied for Agricultural Exemption it was under different rules and regulations. An Agricultural Exemption allows one to do more things than Zoning allows in RM district.

Nancy Brusie told the Zoning Board that the Building Permit for the Apartment #1 downstairs was issued by Don Smith and the Agricultural Exemption was checked off. However, this Ag Exemption must be renewed every year and it was not in place at that time.

Apartment #1 needs the Hardship Variance. Apartment #2 needs the Special Use Permit.

Rudy Eschbach asked: will they be available to the general public or for only those who will work part time on the farm. Mr. Loughlin replied those who work part time on the farm.

No comments from the floor.

MOTION TO GRANT HARDSHIP VARIANCE FOR DOWNSTAIRS APARTMENT #1 SO A CERTIFICATE OF OCCUPANCY CAN BE ISSUED was made by Harry Clark, seconded by John Quinn.

ROLL CALL TAKEN – ALL IN FAVOR

MOTION TO GRANT A SPECIAL USE PERMIT FOR APARTMENT #2 was made by Harry Clark, seconded by John Quinn

ROLL CALL TAKEN – ALL IN FAVOR

Mark Reilly, Attorney representing Mr. O'Brien a neighbor arrived thinking the Public Hearing was at 7:30 P.M. Harry Clark summarized for Mr. Reilly what had taken place so far in the meeting. After hearing Mr. Clark, Mr. Reilly asked to defer the decision for the Public Hearing until August. The Board felt that Mr. O'Brien had plenty of time to look this over matter and come forth. Mr. Clark urged Mr. Loughlin to contact Mr. O'Brien to clear up any concerns.

Ms. Loughlin joined the Board.

Harry Clark opened the Public Hearing for:

**Victoria Perotti – Amenia, NY –Area Front and Side Yard Variances –**

Harry Bly, 19 Linden Lane, Millbrook, N.Y. was sworn in. He is representing Victoria Perotti. She is seeking to divide a 2-acre parcel into 2-1 acre lots.

Lot 1A: She is asking for a front yard variance on this lot of 7 tenths of a foot for the front yard and 4 tenths of a foot on the side yard. Average width of rear and front yard required is 200' – 184' actual. House exists on this lot.

Lot 2A: New lot. Variance requested for 60' front and rear line due to the average of 141' also variance on front line width required 125' it is actually 86'. Limited by layout of the lot.

No comments from the floor.

MOTION TO GRANT THE VARIANCES AS REQUESTED was made by Rudy Eschbach, seconded by Katie Loughlin

ROLL CALL TAKEN – ALL IN FAVOR

MOTION TO APPROVE THE MINUTES OF JUNE 8, 2005 was made by Rudy Eschbach, seconded by Katie Loughlin.

ALL IN FAVOR – MOTION CARRIED

MOTION TO CLOSE THE HEARING was made by Katie Loughlin, seconded by Rudy Eschbach

ALL IN FAVOR - MOTION CARRIED

The next Zoning Board of Appeals meeting will be held on Tuesday, August 23, 2005 at 7:00 P.M.

TROUTBECK, LLC – LEEDSVILLE ROAD, AMENIA, NY. – DISCUSSION

Richard Renna representing Troutbeck presented the Zoning Board copies of the Application to be on the agenda for next month.

Harry Clark brought up the subject that he lives on Troutbeck property and is a good friend of Bob Skipsted. Mr. Clark felt he could be totally objective in this case however wanted to know how the board felt. John Quinn felt Mr. Clark is essential and could be totally objective. Rudy Eschbach felt that also and if an issue is raised regarding this, the Board felt they could defend it. Katie Loughlin felt it should not be an issue at all.

Nancy Brusie – Regarding the Barbara Bishop property. She has changed from a 2 story to a 1 story ranch house. Footprint will be 2’ smaller. She is having problems with her neighbors so wants to do the right thing. Rudy Eschbach felt that she should appear before the Board to amend the resolution that was passed.

The Old Chateau property – they are displaying antiques only. They are not selling them.

Meeting was adjourned at 8:45 P.M.

Respectfully submitted,

Susan M. Metcalfe  
Zoning Board of Appeals Secretary

The foregoing represents unapproved minutes of the Town of Amenia Zoning Board of Appeals from a meeting held on July 13, 2005 and are not to be construed as the final official minutes until so approved.

       x        Approved as Read

       Approved with: deletions, corrections and additions