

**TOWN OF AMENIA
ZONING BOARD OF APPEALS
MAY 10, 2006**

PRESENT: Chairman Rudy Eschbach
Norm Cayea
Judy Velletri
Katie Loughlin

ABSENT: David Rosenberg

The meeting was called to order at 7:00 P.M. by Chairman Rudy Eschbach.

**PUBLIC HEARING – BROKEN HORSESHOE – APPEAL #2006D – AREA VARIANCE,
BENSON HILL ROAD, WASSAIC, NY**

The Public Hearing notice was read. Harry Bly representing Donald Flood was sworn in by Chairman Eschbach. Mr. Bly stated the building was at least 150 years old and presented photos of the building that used to be the old Sackett Farm to the Board. Since Zoning states that a principal structure be on the property before an accessory structure, Mr. Flood seeks the variance to save this building until the primary structure is built.

Martin F. Grossman was sworn in by Chairman Eschbach. His main concern was regarding the surveying markers. Mr. Bly stated that Mr. Grossman and his surveyor could meet with him and go over any concerns regarding the survey. Mr. Grossman would like a letter certifying that the markers as described in the boundary description for the subdivision are correct.

Mr. Bly stated the need for a variance on the front lot of 11.4' and rear line 8.7' variance.

John Cavallo, Martin Grossman and Jackie Dedrick had questions regarding Broken Horseshoe property, however Chairman Eschbach stated these were questions that should be addressed by the Planning Board. Chairman Eschbach asked if there were any public comments regarding this variance. There were none.

MOTION TO CLOSE THE PUBLIC HEARING was made by Katie Loughlin, seconded by Judy Velletri.

VOTE TAKEN – ALL IN FAVOR

The Zoning Board of Appeals went into Executive Session. All the Board members agreed that there did not seem to be any problems with the variance.

MOTION TO GRANT THE VARIANCES AS REQUESTED BY THE APPLICANT was made by Katie Loughlin, seconded by Judy Velletri

VOTE TAKEN – ALL IN FAVOR

PUBLIC HEARING - SCOTT MILL – APPEAL #2006E, FRONT YARD VARIANCE, LAKE AMENIA ROAD, AMENIA, NY

The Public Hearing was not opened, as no representatives were there to present the case.

MOTION TO ACCEPT THE FINDINGS OF FACT FOR MID HUDSON CONSTRUCTION, INC., APPEAL #2006C was made by Norm Cayea, seconded by Judy Velletri.

VOTE TAKEN – ALL IN FAVOR

OTHER BUSINESS –

In discussing the minutes of the April 19, 2006 meeting, Katie Loughlin mentioned she would like to have the minutes amended to reflect the fact Mr. Reilly stated he had not been informed of all the information and the issue of the violation did not have an impact on the property, as the adjoining property was sold.

MOTION TO ACCEPT THE MINUTES OF APRIL 19, 2006 AS AMENDED was made by Judy Velletri, seconded by Norm Cayea.

VOTE TAKEN – ALL IN FAVOR - Katie Loughlin – recused.

MOTION TO ADJOURN THE MEETING was made by Katie Loughlin, seconded by Judy Velletri.

VOTE TAKEN – ALL IN FAVOR

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 on May 10, 2006 and are not to be construed as the final official minutes until so approved

6/14/06 Approved as read

_____ Approved with: deletions, corrections and additions.

Town of Amenia
Zoning Board of Appeals

Findings of Fact and Resolution

Date of Hearing: May 10, 2006
Appeal Nr: 2006D
Applicant: Donald A. Flood II
Address: PO Box 201, Patterson, NY 12563
Property Location: Benson Rd, Wassaic, NY 12592
Tax Grid Nr: 132000-7165-00-400616-00
Zoning District: RM
Action requested: Front yard and rear yard variance from Schedule II of the Amenia Zoning Law (Zoning Schedule of Area, Bulk, Height, and Coverage Controls) pursuant to Article VIII, Section 121-38(B), Subsections (1), (2), and (3).

WHEREAS, Mr. Donald A. Flood, represented by Mr. Harry Bly, requested a front yard variance and rear yard variance to provide relief from the minimum front and rear yard dimension requirement

WHEREAS, The Amenia Zoning Board of Appeals conducted a public hearing on May 10, 2006 about which timely public notice appeared in the appropriate newspapers, all neighbors within 500 feet received notice, and

WHEREAS, the ZBA reviewed the application and the applicable provisions of Article VIII, Section 121-38 (B), Subsections (1), (2), and (3) and determined that:

1. The applicant wishes to retain an existing old barn as a temporary accessory use building until such time as a principal structure is erected. When the principal structure is completed the barn will revert to an accessory use structure.
2. The barn is located on a 3.30 acre lot as part of a subdivision known as Broken Horseshoe Properties.
3. The front of the barn is 38.6 feet from the proposed private road with a schedule requirement of 80 feet minimum requiring a variance of 41.4 feet.
4. The rear of the barn is 31.3 feet from an adjoining property with a minimum requirement of 50 feet requiring a variance of 18.7 feet.

WHEREAS no objections to retaining the barn and the request for the variances were voiced by any immediately adjacent property owners all of whom had received notification of the meeting, and

WHEREAS the Board determined that the issuance of the variances to the Zoning Ordinance are warranted because:

