
Members Present:

David Everett, Chairman
Mike Hart
Kary Jablonka
Adrian Ooms (7:16PM)
Suzanne Williams
Mitchell Khosrova(7:18PM)

Members Absent:

Robert Leary

Public Present:

Arlene Levinson Paul M. Freeman, Esq.
Donna M. Russell Stephanie Boshart
Dave Boshart

The June 22, 2006 Zoning Board of Appeals meeting was called to order by Chairman David Everett at 7:08 PM. The Pledge of Allegiance was recited. Mike Hart moved, and Kary Jablonka seconded that the amended meeting minutes from the previous meeting be adopted. This carried.

J. ROBERT PORT- REQUEST FOR A SPECIAL USE PERMIT IN ORDER TO HAVE AN IN-LAW APARTMENT WITHIN HOME ON RT. 203

The requested letter from the County Planning Board was presented to the Board stating that they have no objections to this project. Atty. Freeman reported that he sent a FOIL request to the Department of Health and met with Dale Rowe regarding the septic on this property. He learned that the septic had been overbuilt for a one family dwelling, because at one time there was a possibility that condominiums would be built on this site. That is why there is an easement from NIMO. Mr. Rowe also had done the on-site inspection. The Short Form SEQRA application, which shows no adverse effects to the following: air quality, surface or groundwater quality or quantity, noise levels, existing traffic patterns, solid waste production or disposal, potential for erosion, drainage or flooding problems was reviewed. Also, there are no aesthetic, agricultural, archaeological, historic, or other natural or cultural resources or community or neighborhood character concerns. There are no significant effects to vegetation or fauna, fish, shellfish or wildlife species, significant habitats or threatened or long or short-term effects identified. Since this is the case, David Everett moved that there is no significant adverse environmental impact with this project, and should be accepted. This was seconded by Mike Hart and approved unanimously. Kary Jablonka moved that the Zoning Board of Appeals grant the requested Special Use Permit. This was seconded by Mike Hart and approved unanimously.

STEPHANIE AND DAVID BOSHART-REQUEST FOR AN AREA VARIANCE ON PROPERTY ON RT. 17 PUBLIC HEARING

Postal receipts were turned in. The Public Hearing opened at 7:16 PM. Mr. Boshart reviewed this project. The intention is to build an addition to this home in place of a dilapidated porch. This structure would be 40' from the center of the road, necessitating a variance. Mike Hart stated that he believes in having properties surveyed. Although

there are no encroachments in this particular case, some projects could cause conflicts later in time. He said that the Board should take the stand that surveys are required in all cases. Mike Hart moved that the area variance request be approved. Adrian Ooms seconded the motion and it carried unanimously.

ANNA RUSSELL-REQUEST FOR A SPECIAL USE PERMIT TO OPERATE A SMALL GIFT SHOP ON RT. 295.

This gift shop would be located on the Ed Hoe property on the corner of Albany Tpk. and 295. Ms. Russell would be renting what was the print shop, which closed this past September. Suzanne Williams questioned the parking availability, as she recalled that there was only parking available for his building, and that once the other businesses closed (print shop and liquor store), they would not be rented again. Mike Hart questioned the water and sewer situation, as there is one well and one septic system for all. Ms. Russell responded that there would be running water access 24/7. She presented a letter from Mr. Hoe indicating this. There was a question of its being considered a neighborhood community facility, and there is already a shop across the street (Classic Country). Ms. Russell stated that they would be dealing with different product. A better idea of the site plan, particularly as it relates to parking, traffic and egress is needed. Ray Jurkowski, the engineer who worked on this property, will be contacted and requested to look at this again and report to the Board. There was some discussion as to whether this would not be considered a non-conforming use. The Board also requested that the clerk send a letter to Mr. Hoe asking him to come to the Public Hearing, which will be set for the next meeting, or to provide his agent with the information needed to look at this entire piece of property holistically. According to the calculations made at the meeting, 4 parking places would be required for this shop, so the question is where the 4 places are located. Ms. Russell was also asked to provide the section in the proposed lease as it relates to the parking situation. For his business, a parking variance had been granted, and what spots remained were to be used in his business.

Mr. Khosrova asked for an update on the Tri-Village project. There will be a draft of the variance at the next meeting.

The meeting was adjourned at 8:40 PM.

David Everett

Respectfully submitted,

Marilyn Cohen, clerk