

**TOWN OF CHATHAM  
SEPTEMBER 26, 2008**

**FINAL COPY  
ZONING BOARD OF APPEALS**

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**Members Present:**

Adrian Ooms  
Robert Leary  
Kary Jablonka  
Mitchell Khosrova, Dep. Chair.  
Suzanne Williams  
JP Henkel  
Walt Simonsmeier-ZEO

**Members Absent:**

David Everett

**Public Present:**

Kyle Mitchison  
Janet Langlois  
John Manning  
Leonard Angerame  
George Vollmuth  
Colleen Safford  
Maureen Angerame  
Michael Behrens

The September 26, 2008, Zoning Board of Appeals meeting was called to order at 7:01PM by Deputy Chairman Mitchell Khosrova. The Pledge of Allegiance was recited. Kary Jablonka moved that the June meeting minutes be approved. This was seconded by JP Henkel and carried unanimously. Bob Leary moved and Kary Jablonka seconded that the August minutes be accepted. This carried.

**KYLE MITCHISON- REQUEST FOR AN AREA VARIANCE ON HIS LITTLE LAKE ROAD PROPERTY WHICH WILL PERMIT HIM TO SUBDIVIDE THE PROPERTY INFORMATIONAL**

Mr. Mitchison would like to separate his property into two pieces using the town line as the division point. He has been to the Planning Board, which seems to agree conceptually with this project, however, an area variance of just under an acre is needed since the portion of land in the Town of Chatham is just over 9 acres. An easement will be developed to access the portion of land in Kinderhook through the Chatham part. The clerk was asked to contact the Town Attorney for guidance as to whether this project needs to be sent to the County for comment. The Public Hearing is scheduled for the next meeting.

**COLLEEN SAFFORD AND JOHN MANNING- REQUEST FOR AN INTERPRETATION AS TO WHETHER THE BARN THEY ARE USING TO HOUSE DOGS TEMPORARILY CAN BE CONSIDERED A HOME OCCUPATION INFORMATIONAL**

The applicants reported that the barn is quite a distance from any neighbor. Pictures of the barn were provided to the Board members. The barn has an active building permit, as it was started in July, 2007, however before a Certificate of Occupancy is given, the ZEO needs to know the barn's usage, and referred this to the ZBA. The question was posed as to

how many dogs are there currently. Right now there are 3, one of which belongs to the applicant. On an average weekend there are 4 dogs present, although during some holidays, the average increases to 10 dogs. The most would be 15-18 dogs. These dogs tend to be small, apartment-sized animals. When there are dogs present, there is an enclosed area connected to the barn, and the animals are always supervised. They also spend time in the house. Ms. Safford mentioned that this property had previously had kennels. A question was posed to Mr. Simonsmeier as to why this was referred to the ZBA, as this seems to clearly fit in the definition of home business, and he stated that the definition of a home business is so vague that he doesn't wish to be the one to make a determination on a non-retail home business. A Public Hearing is set for next month.

**GEORGE VOLLMUTH-REQUEST FOR A CHANGE OF USE FOR THE OLD FIREHOUSE IN NORTH CHATHAM TO ALLOW IT TO BECOME THE HOME OF THE NORTH CHATHAM HISTORICAL SOCIETY INFORMATIONAL**

Mr. Vollmuth explained that he is in the process of renovating the old North Chatham Firehouse to an original state to become that of home to the North Chatham Historical Society. This is an existing non-conforming property on about ½ acre. Mr. Vollmuth feels that this will improve the property, and the area will be much less active than it was when it housed the Fire department. It will be a Public Building. Mitchell Khosrova wondered why he was not asking for a permit to use the space as a non-profit recreational use. Mr. Vollmuth said he would amend the application to indicate this. The site plan process with the Planning Board will be initiated with the October meeting. The Town Board stated that once the SEQRA determination is made, parking restrictions on that site will be removed. The Public Hearing will be held next month.

**MAUREEN ANGERAME-REQUEST FOR AN AREA VARIANCE ON HER PROPERTY ON FORD ROAD WHICH WOULD ALLOW A 2-LOT SUBDIVISION ON THAT PROPERTY INFORMATIONAL**

The applicant currently has a 27 acre piece of property that falls within three different zones—RL-1, RL-2 and RL-3. The intention is to carve out a 5-acre piece so she may build a smaller home, and sell the current house and the rest of the property. However, where she wishes to place the house is currently in primarily a 10-acre zone with a small piece falling within the 3 acre zone. She was questioned as to why she chose this part of the property, and it was explained that it is the best place geographically for it. When questioned as to why 10 acres isn't being considered, the response spoke to both the taxes on 10 acres as opposed

to 5 and the applicant's ability to take care of her property. The standards were reviewed, and the applicant was asked to take another look at the placement of the 5 acre piece of property, and come up with some reasons as to why this is best as opposed to another spot on the property, with the focus on the topography of the land. A Public Hearing will be set for next month.

Kary Jablonka moved and Robert Leary seconded that the meeting be adjourned. The meeting ended at 8:09PM.

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Mitchell Khosrova, Deputy Chairman

Respectfully submitted,

Marilyn Cohen, clerk