

Minutes
Town of New Scotland
Zoning Board of Appeals
Notice of Meeting
April 26, 2016
7:00 PM

Zoning Board Members:

Robert Johnson, *Chairman*,
Steve Crookes, Lance Moore, Heather Dolin, Edie Abrams

Lori Saba, Planning Board Secretary, Jeremy Cramer, Building Inspector
Jeffrey Baker, Zoning Board Attorney, Dave Hansen, Town Engineer (Stantec Engineering)

Public Hearing:

- 1) **Variance Application # 511:** Application Submitted by Todd Jackson requesting relief from Article II, Section 190-13 (B) and Article XIII, section 190-99 of the Town of New Scotland's Zoning Law to allow for an accessory structure to be constructed within the front setback on a parcel. The parcel is located within the "MDR" district at 532 Font Grove Road. The parcel is owned by Todd Jackson, is identified as New Scotland Tax parcel id # 73.-1-23. The "MDR" district has a front setback of 40 feet. This request is for 25 feet of relief to allow for structure to be located 15 feet from the property line. Accessory structures require a 10 foot setback from the dwelling. The applicant is seeking 3 feet of relief to construct the garage within 7 feet from the house.

Planning Board sent along a favorable response to the ZBA.

Mr. Moore motioned to open the meeting to the public and Ms. Dolin seconded the motion. No public comments.

The applicant presented another plan from his original plan that was presented at the last meeting. Ms. Abrams and Mr. Moore both preferred the first drawing compared to the second drawing.

Mr. Moore moved to close the public hearing and Ms. Abrams seconded the motion; all in favor; motion so carried.

Ms. Abrams moved to approve variance application #511 and Mr. Moore seconded the motion; all in favor; motion so carried with the following condition:

- Architecturally designed garage doors consistent with the house design to be reviewed by the building inspector upon building permit application. A colored or wooden door with trim; may have windows if you like.

Mr. Moore moved to approve area variance #511 and Ms. Abrams seconded the motion; all in favor; motion so carried.

Regular Meeting:

New Business:

- 1) **Variance Application # 512:** Application submitted by Cynthia Elliot on behalf of Hudson Valley Italian Rest. Inc. requesting relief from Article II, Section 190-16 (B) of the Town of New Scotland Zoning law to allow for a cooler attached to the new restaurant to be constructed 3 feet inside the rear set back to allow for it to be located 27 feet from the side property line and 17.5 feet of relief to allow for a 13 foot wide foyer to be constructed 12.5 feet from the property line facing Railroad Ave. The

proposed site is located on a corner lot with two front and two rear setbacks, owned by Hudson Valley Italian Restaurant Inc., is located in the Commercial Hamlet District of Fuera Bush at 1368 Indian Fields Road, and is identified as New Scotland tax parcel id # 107.2-2-54.

Mr. Moore moved to send variance application #512 to the Planning Board and Mr. Crookes seconded the motion; all in favor motion so carried.

Mr. Moore moved to have a public hearing scheduled for the May 17, 2016 Zoning Board meeting and Mr. Crookes seconded the motion; all in favor; motion so carried.

- 2) Discussion/Action re: Proposed Local Law B of 2016, amending zoning law by adding definition: "Agricultural Supply Facility"

Mr. Johnson recommended that the committee send comments to him by Sunday.

- 3) Discussion/Action re: Proposed Local Law C of 2016, amending sections of Chapter 190 of the zoning law

Mr. Johnson recommended that the committee send comments to him by Sunday.

- 4) Discussion/Action minutes of March 22, 2016. Mr. Moore moved to approve the March 22, 2016 minutes and Mr. Crookes seconded the motion; all in favor; motion so carried.

Motion to adjourn: Mr. Moore moved to adjourn and Ms. Dolin seconded the motion; all in favor; motion so carried.

Respectfully submitted,

Lori Saba