

**Town of Kinderhook
Zoning Board of Appeals
May 2, 2013**

Minutes

Approved June 27, 2013

The Meeting of the Town of Kinderhook Zoning Board of Appeals was held on Thursday, May 2, 2013 beginning at 7:00pm at the Kinderhook Town Hall, 4 Church Street, Niverville, NY with Chairman John McManus presiding. The meeting was called to order by the Chairman and the Roll was taken by the Secretary.

1. Call Roll

Present:

John McManus, Chairman
Andrew Howard, Attorney
Greg Allen
Peter Bujanow
Nataly Dee, Secretary

Excused:

Keith St. John

Absent:

None

B. Correspondence

1. Review of outstanding Minutes:
March 1, 2012
December 6, 2012

The situation regarding the unapproved outstanding minutes was explained to the members of the Board. Due to changes on the Board there are currently not enough members who were in attendance at the meetings in questions to pass a motion to approve the minutes. The minutes will be filed as unapproved.

A Motion to file the March, 2012 Minutes as unapproved was made by Mr. Bujanow. Motion seconded by Mr. Allen. All in favor; Motion carried.

2. Amendments to the Code were distributed.
3. Newly appointed members of the Board were welcomed.
4. The resignation of Steve Hotaling was recognized.

New Business:

1. Peter Defiglio – 56 Hawley Road, Niverville, NY: Application for an Area Variance on two sides of the property.

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Mr. Defiglio addressed the Board. He explained the nature of his proposed project and provided drawings of his property for the Board. Mr. Defiglio would like to erect a 20' x 24' storage shed in the far corner of the rear of his property. He indicated that there is a fence and a row of bushes at the rear of his property. He is asking that the set back of the shed be 13' from the rear property line and 6' from the side property line. Because of the location of the septic and dry-well, it is not possible to bring the shed any closer to the front of the property. The lot is ¼ acre and it is a conforming parcel. Mr. Defiglio indicated that he has spoken with his neighbors regarding his project, and reported that they are in favor. The shed will be of stick built construction.

The Board reviewed the setbacks in the Code, which are 35' in the rear and 25' on side. The Board recommended that the applicant takes some pictures of the project and also of the neighborhood to help illustrate how this project is consistent with the character of the neighborhood. They also recommended that Mr. Defiglio attend the Planning Boards meeting to present his project to that Board. The Planning Board will need to waive the 45 day period prior to a hearing as required in the Code.

A Motion to refer the application to the Planning Board and set the Public Hearing for 7:05pm on Thursday, June 6, 2013, was made by Mr. Bujanow. Motion seconded by Mr. Allen. All in favor. Motion carried; Hearing set.

Old Business:

None

Other:

Liaisons

Public Comments

None

A Motion to adjourn was made by Mr. Bujanow. Motion seconded by Greg Allen. All in favor. Motion carried; meeting adjourned at 7:20pm.

Respectfully submitted,

Nataly Dee, Secretary