

APPROVED May 28, 2019

**Village of Kinderhook
Zoning Board of Appeals
CONTINUATION OF PUBLIC HEARING
Minutes of April 22, 2019**

Present	K. Gray; D. Sullivan, Chair; J. Callahan; G. Seaman; W. Barford; R. Fitzsimmons, Village Attorney; G. Smith, CEO/ZEO
Also	Tina Lang; Daniel Dyksen; Kevin Gilrain
Absent	D. Flaherty, Liason
Public Hearing	7:05 PM Kevin Gilrain/Dan Dyksen Area Variance for Garage 3 Church Street 43.20-2-57 D. Sullivan opens public hearing. K. Gilrain, applicant talks about his application to add a 2 story garage/storage space to his property. They are living here fulltime now and have an apartment in CT and want to move all personal belonging to NY and not have to get a storage unit. The house does not have a basement or attic. Applicant and board discuss that this is being approved as a garage with storage and if it is going to be used for living space or an office, they have to come back and submit a new application. The applicant understands. The applicant confirms they are going to have climate control and lightning in the building. Per applicant Kim John (5 Church Street neighbor) is in agreeance with the structure as they met and there will be no windows on that side facing his yard. Board opens up for public comment and J. Callahan questions Tina Lang (1 Church Street) about her prior objection to the garage. She retracted her statement and is in agreeance as well. Public Hearing is closed.
Call to Order	7:22 PM D. Sullivan opens regular meeting.
Minutes	K. Gray made a motion to approve February 25, 2019 minutes; W. Barford seconded; all in favor.
Funds Remaining	\$868.27
Correspondence	Renee Shur letter in support of garage at 3 Church Street

Old Business

Kevin Gilrain/Dan Dyksen
Area Variance for Garage
3 Church Street 43.20-2-57

D. Sullivan reviews Findings & Decision with board. #1 Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties. All agree NO. #2 Whether benefit sought by applicant can be achieved by a feasible alternative to the variance. All agree NO. #3 Whether the requested variance is substantial. The board discusses what variance are required, they have the garage attached to the house by a walkway which is acceptable per Glenn as attached so there is only one variance required now, R. Fitzsimmons confirms it is up to the code enforcement office to determine and this is acceptable. All agree NO. #4 Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood. All agree NO. #5 Whether the alleged difficulty was self-created. All agree YES. Per R. Fitzsimmons states this does not affect application as most times this answer is yes and can still approve. D. Sullivan states that the benefit of the applicant DOES outweigh the detriment to the neighborhood and community. G. Seaman motions to accept; K. Gray seconds; all in favor. R. Fitzsimmons states they are exempt from SEQR and does not need to go in front of Planning Board. W. Barford motion to approve 2' side yard variance for the addition of a 2 story garage/storage building; G. Seaman seconds; all in favor.

New Business

Kristina Lang
Area Variance for Garage
1 Church Street 43.20-2-57

Tina, applicant speaks about her application, she owns house next to 3 Church Street and is trying to sell it, she wants the buyer to have the option to put up a garage so is going through the process now so she can sell with option to build a garage. She shows the board pictures of an attached covered car port, open on the sides verses a garage as the lot is smaller than the one next door. The board discusses and she would have to amend her application to a side yard variance. W. Barford motioned to accept application and set public hearing on Tuesday May 28, 2019 at 7 PM pending revised application is submitted; D. Sullivan seconds; all in favor.

Organizational

Letter from Jim Dunham, mayor appointing D. Sullivan as Chair for the next year. He accepts and J. Callahan is nominated as Vice Chair.

Next Meeting

May 28, 2019

Adjournment

7:50 PM G. Seaman moved to adjourn; J. Callahan seconded; all in favor.

Kristina Berger

Secretary to Zoning Board of Appeals