

**Town of Kinderhook  
Zoning Board of Appeals  
3211 Church Street  
Valatie, NY 12184  
July 2, 2020**

Draft

**Minutes**

The Town of Kinderhook Zoning Board of Appeals met on Thursday, July 2, 2020, at 7:00pm at the Kinderhook Town Hall, 3211 Church Street, Valatie, NY. The Chairman called the meeting to order and the secretary called the roll.

**A. Roll Call**

Present

James Hogencamp, Chair  
Regina Rose  
Walt Simonsmeier  
Lorne Dawes  
Andy Howard, Attorney  
Nataly Dee Jones, Secretary

Excused

Timothy Stever

Absent

None

Also in Attendance

Mr. Voss

**B. Correspondence**

1. Review of Minutes: June 6, 2020.

Mr. Simonsmeier made a motion to approve the minutes as drafted. Ms. Rose seconded the motion. Motion carried.

**C. Public Hearings**

1. 7:02 PM - Leonard, Dean, 932 Route 28, Valatie - Area Variance: Side Yard Setback for Garage;

Mr. Holliday offered his internet hotspot as there was no power in the Town Hall.

The notice as it appeared in the newspaper of record was read by the secretary.

Mr. Hogencamp made a motion to open the public hearing. Mr. Dawes seconded the motion. All in favor. Motion carried. Hearing opened.

Mr. Leonard was invited to address the board and present his application. He stated that he would like to rebuild the existing garage with a slightly larger footprint. He is seeking a 4' side yard setback variance. It was noted that the lot is a pre-existing non-conforming lot. The existing garage is 16' from the property line; Mr. Leonard would like to extend that by an additional 4'.

Mr. Cleland, neighbor asked about potential noise and the use of the garage. Mr. Leonard stated that it is for personal use, hobbies and tool equipment and would not be use in a business operation.

Email received and letter on file from Mr. Lewis, neighbor, stating that he has no objection to the proposal (read by the secretary and on file).

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Mr. Hogencamp made a motion to close the public hearing. Mr. Simonsmeier seconded the motion. All in favor. Motion carried.

Mr. Simonsmeier made a motion to approve the variance application as submitted. Additionally, he noted that it is consistent with the neighborhood, meets all requirements of the State, and noted that it is an undersized lot. Mr. Hogencamp seconded the motion, again noting that the use is not be a business enterprise, but only personal use. All in favor. Motion carried. Application approved.

2. 7:10 PM - Holliday, Thomas, 53 West Shore Drive, Valatie - Area Variance for the construction of a detached garage;

Mr. Hogencamp made a motion to open the public hearing noting that the notice had been read. Mr. Dawes seconded the motion. All in favor. Motion carried.

Mr. Holliday addressed the board and reviewed the application for the board. They propose to erect a detached garage on their property and are seeking a 12' side yard setback variance. Mr. Holliday made a lengthy and detailed presentation to the board at the previous meeting at which time pictures of the property were submitted and reviewed.

There was no public in attendance who wished to address the board. A letter was submitted from Mr. Thorsey, neighbor, stating he has no objection to the proposal (read by the secretary and on file). Another letter received from Mr. Miller also in support of the proposal (read by the secretary and on file).

Mr. Hogencamp made a motion to close the public hearing. Mr. Dawes seconded the motion. All in favor. Motion carried.

Mr. Dawes made a motion to approve the variance application as submitted. Mr. Simonsmeier seconded the motion. All in favor. Motion carried.

#### **D. Old Business**

1. None;

#### **E. New Business**

1. Smith, John, 80 Joyce Street, Valatie - Area Variance Rear Yard Setback for the construction of a shed.

Mr. Smith addressed the board and explained the location and topography of his property. He explained the purpose and location of the shed on the property, noting use for the storage of yard equipment and tools. The board reviewed the design specifications of the structure and photographs of the property (on file). He stated that the structure is 12'x20', proposed to be 13' from the property line. Additionally, he noted that the property line has a line on spruce trees that shield view from the neighbors. He addressed that due to the shape of the property, this is the only viable location for the shed. He also addressed the soil conditions on the property. Mr. Smith noted that not only has he talked to the neighbors about the project, they have been helping him.

Mr. Hogencamp made a motion to set a public hearing for August 6, 2020 at 7:00pm. Mr. Dawes seconded the motion. All in favor. Motion carried.

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**G. Liaisons**

1. Village Planning Boards: nothing to report.
2. Town Board: Noting to report.

**H. Other**

1. Public Comment: None.

Mr. Dawes made a motion to adjourn the meeting. Mr. Hogencamp seconded the motion. All in favor. Motion carried. Meeting adjourned at 7:38pm.

Respectfully submitted,

Nataly D. Jones, Secretary to the Board