Town of Canaan
Zoning Board of Appeals Regular Meeting Minutes – **UNAPPROVED**
March 25, 2025

Present:	David Cooper, Chair
	Craig Dillon
	Patricia Liddle
	Heather O'Grady
	Spee Braun
	Kevin Mulholland

Absent:

Others Present: Audience: Margaret Norway, Zoning Board of Appeals Clerk; Jennifer Capala, Applicant; Ginny Nightingale, Town Board Liaison; Audience 2

I. Meeting Called to Order
- Chair called the Regular Meeting of the ZBA to order at 7:00 PM.

II. Minutes Review/Approval
- The minutes of the November 2024 meeting were approved by a motion made by Patricia and seconded by Spee. The vote carried, as follows:

David Cooper	Aye
Patricia Liddle	Aye
Heather O'Grady	Aye
Craig Dillon	Aye
Spee Braun	Aye
Kevin Mulholland	Aye

Motion carries.

III. Appeal Case #2025-001, Side Yard Setback Variance to the Zoning Ordinance for a 10' x 16' storage shed, Jennifer Capala, 232 County Route 24, East Chatham, Tax ID 68.-1-49.

- Chairman Cooper has a familiar history with the Applicant's property and recuses himself from the meeting; Craig will chair the remainder of the meeting.
- Craig introduces the Applicant to the Board and inquires if there are any questions, to which there were no pertinent questions.
- Craig points out the shoreline on the property and requests an amendment to the submitted SEQR; Heather checks Item 14, "Shoreline," on the submitted SEQR and Applicant initials the change.
- Craig states application must be referred to the County Planning Board because a town line is involved and because the property is on a county road.
- General discussion occurs among the Board about town lines; Patricia notes the property line extends into Austerlitz and questions if they (Austerlitz) will need to get involved. Craig states

that a courtesy notification is standard in these instances, and that a courtesy notification should be sent to the Town of Austerlitz.

- Heather has a question about the location of the septic and well; Applicant marks these items on the map submitted with her application.
- Craig discusses the criteria for an area variance and provides a printed copy to the Applicant and informs her that the ZBA is required by New York State Law to give the minimum variance necessary. Craig suggests to Applicant to find an alternative location than what is currently proposed prior to the public hearing on April 29th, 2025.
- Applicant questions the requirement and Heather cites the final page of the "Guidelines for Applicants" document found in the "Preliminary Info" section of the Zoning Board of Appeals page located on the Town of Canaan website.
- Craig proposes the acceptance of the application with the two (2) changes noted herein regarding acknowledgment of the shoreline in the SEQR and clearly marked location of the well and septic. Heather makes a motion to accept and is seconded by Patricia, and the vote carried, as follows:

David Cooper	(recused)
Patricia Liddle	Aye
Heather O'Grady	Aye
Craig Dillon	Aye
Spee Braun	Aye
Kevin Mulholland	Aye

- Discussion continues about the application: Heather informs Applicant that she will need to notify abutters fifteen (15) days prior to the public hearing in writing with proof of mailing, or by talking in person with said abutters and obtaining their signature affirming they are notified of the date and time of the public hearing.
- Margaret, ZBA clerk, will send to Applicant the criteria via email and mailed hard copy.
- Heather returns the $25 check to the Applicant with instructions to provide the same at the Public Hearing.
- Discourse continues about the Application. Patricia asks if DEC needs to be notified due to proximity of shoreline. Craig states he will look into the matter and discover if DEC notification and approval is required. Applicant will be updated when an answer can be provided.
- Applicant mentions anecdotal history of the existing shed flooding, though she has not witnessed this herself, and general discussion occurs about relocating the proposed site of the desired structure.

IV. Meeting Adjourned

- Meeting was adjourned at 7:28 PM, motion by Craig and seconded by Heather, all in favor.

Submitted by Margaret Norway, ZBA Clerk