

Town of Rockland Zoning Board of Appeals  
Regular Meeting  
August 16, 2011

Chairman Shultz called the meeting to order at 7 :30pm with the pledge to the flag. Members present: Sheila Shultz, Allen O'Keefe, Louis D' Andrea, Sara Madison and Jeff Christensen. Also present were Charles Irace, Code Enforcement Officer for the Town, as well as Paul and Melissa Dauch.

A packet of material was mailed to all board members including the minutes from the October 12<sup>th</sup> meeting. On a motion by Allen, seconded by Jeff the minutes were accepted as presented.

**Announcements:** The Comprehensive Master Plan has been reviewed and was adopted by the Town Board on October 7, 2010.

**Old Business:** A revised area variance application was received from Mr. & Mrs. Paul Dauch on July 21, 2011. All board members have had a chance to review the materials submitted and visit the site in question. The proposed garage drawings were drafted by Dave Tucker, but stamped and signed by Glenn Smith on July 1, 2011 (copies distributed to ZBA members, however, did not bear the certification seal).

The Dauches would like to tear down and remove the old garage then build a new structure on the site. The proposed garage would be 4' longer than the old, going out the back.

This Board's job is to try and accommodate land owners needs within the Town code parameters as much as possible. Discussion followed.

**Retaining Wall:**

Mr. Dauch will be speaking with a contractor for ideas and pricing on how to stabilize the rear of the property, such as sinking piers and backfilling with stone. Lou described some of the elements in developing a bulkhead. There is approximately 10' of slope behind the proposed building.

Mr. Dauch expects to use the existing soil as well as bring in more if necessary to fill behind the garage. He would like to maintain the current grade ( from the road) to keep water from running into the building.

Building a stable retaining wall would be a substantial cost to consider.

The drainage line empties out the back beyond the slope.

Would a contractor need engineering plans to build a stable wall, as suggested by the Chairman?

There is the possibility of coming forward with the new structure without disturbing the rear of the property as proposed by Allen. The idea was not previously considered by Mr. Dauch, but he supported the concept. Attaching the garage to the house was not an acceptable option for Mrs. Dauch.

### Structure:

·The new structure must be built of a fire retardant material.  
·Footings and gravel base would be put in for the new structure.  
·The old structure is situated only 8" from the property line; The Chairman reviewed the boundaries of the 1995 survey with Jim Severing on August 3<sup>rd</sup>, and he said that the southeasterly corner of the garage is .7 ft from the property line with the eaves hanging on the line. It would be possible to locate the new garage closer to the house or reduce its width which would allow more room along the property line. Mr. Dauch was interested in the former, but not the latter concept.

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The position of the new structure would be straightened as well.

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There is good line of site when exiting the driveway.

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The driveway is approximately 30' in length.

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Mr. Dauch would like to install a rear opening door as well for snow removal.

### Conclusions:

·Unforeseen cost factors usually de-rail a project. By moving the new structure forward 4' instead of back, finances would be saved by not disturbing the soil and having to re-stabilize with a retaining wall.

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Clearly defining the property lines before any construction begins allows the Dauches to meet the variance specifications. The lines must be confirmed by a licensed surveyor.

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Before a public hearing is set, the Dauches will contact a surveyor and provide the Board with certification of the boundary lines, physical flags on the line and a revised site drawing. Information must be sent to the County Planning Department and the DEC as the property is within the Catskill Park. Neighbors within 500' must be notified as well as the mortgagee.

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After the Dauches departed, the Board had a general discussion on this case. There is no problem granting this variance if the Dauches provide the necessary information.

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Jeff made a motion to declare the application incomplete at this time, Lou seconded and all were in agreement.

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There being no new business before the Board, Sarah made a motion to adjourn, Lou seconded and all were in favor. The meeting adjourned at 9 pm.

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Respectfully submitted,  
Rose Mary Hankins, ZBA Secretary