

Nelson Gage, Zoning Board Chair  
Chris Parslow, Town Planner  
Carol Sowycz, Clerk  
Torres Bakner, Attorney  
athan Lack, Vice Chair Member



Link Pettit, Board Member  
Daniel Boggs, Board Member  
Matthew Ganster, Board Member  
Charles Leoni, Board Member  
Caitlin Mattos, Board member

**Town of Duanesburg  
Zoning Board of Appeals  
April 18, 2023**

**AGENDA ITEMS MAY BE ADDED, DELETED, OR ORDER CHANGED WITHOUT NOTICE**

The Town of Duanesburg is offering the public the ability to attend the ZBA meeting via Zoom if participants cannot attend in person.

**Join Zoom Meeting**

**Meeting ID:** 825 2590 5610

**Passcode:** 262480

**Dial in by Phone:** 1-646-558-8656

**Meeting ID:** 825 2590 5610

**Passcode:** 262480

**INTRODUCTION BY CHAIRPERSON NELSON GAGE:**

**OPEN FORUM**

**PUBLIC HEARINGS:**

**#23-02 Govel, George:** SBL# 68.00-1-24.1, (R-2) located at 3000 Western Turnpike  
Is seeking an area variance to under section 8.2(6) of the Town of Duanesburg  
Zoning Ordinance.

**Comments:** \_\_\_\_\_

Approved: Yes \_\_\_\_\_ No: \_\_\_\_\_

**#23-03 Bushnell, Elizabeth:** SBL#35.06-5-26, (Lake 1) located at 383 Spring Road  
is seeking a use variance under section 7.1.6(2) of the Town of Duanesburg Zoning  
Ordinance.

**Comments:** \_\_\_\_\_

Approved: Yes \_\_\_\_\_ No: \_\_\_\_\_

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**#23-08 Wren, Patrick:** SBL:53.00-1-18, (R-2) located at 9866 Western Turnpike,  
Delanson NY 12053 is seeking an area variance under Section 5.7.1 of the Town of  
Duanesburg Zoning Ordinance.

**Comments:** \_\_\_\_\_

Nelson Gage, Zoning Board Chair  
Chris Parslow, Town Planner  
Carol Sowycz, Clerk  
Teresa Bakner, Attorney  
Nathan Lack, Vice Chair Member



Link Pettit, Board Member  
Daniel Boggs, Board Member  
Matthew Ganster, Board Member  
Charles Leoni, Board Member  
Caitlin Mattos, Board member

**#23-05 Stealey, Tricia:** SBL#68.00-1-9.12, (C-1) located at 3215 Western Turnpike, is seeking a side yard variance under Section 11.6(2) of the Town of Duanesburg Zoning Ordinance.

Comments: \_\_\_\_\_  
\_\_\_\_\_

**OTHER:**

None

**ZONING BOARD MEETING MINUTES:**

March 21, 2023

Approved: Yes \_\_\_\_\_ No: \_\_\_\_\_

Comments: \_\_\_\_\_

**ADJOURNMENT**

**VARIANCE APPLICATION  
TOWN OF DUANESBURG  
ZONING BOARD OF APPEALS**

Revised 03/5/15

Date: 2/14/2023 Zoning District R-2 Type of Variance  
SBL# 68.00 - 1-24.1 ☐ Use Variance ☒ Area Variance  
Phone #: 518-424-7273

Applicant's Name: George Govel

Applicant's Address: 3000 Western Tpke  
Duanesburg, NY 12056

Property Owner Name(if different): \_\_\_\_\_

Property Address (if different): \_\_\_\_\_

Property Owner's Signature \_\_\_\_\_  
(Signature of owner indicates they have reviewed the proposal and give their permission)

Proposal: (Brief description of request)

Planning to build 30' x 50' x 14' building for private garage (repair/storage of personal vehicles and belongings). Ideal location to minimize exposure to curb view and impact to yard is placing building to north of northeast corner of driveway, along eastern property line. Requesting approval to place building 15' from eastern property line (border with Ostrander).

A copy of this notarized application and the accompanying information must be submitted to the Planning and Zoning Department for approval before being placed on the ZBA agenda. Twelve **(15)** copies of this application must be **reviewed** and filed at least **10** days prior to the next ZBA meeting.

**REQUIRED INFORMATION:**

- Copy of the property deed
- Location map showing the location of the property with
  - A) Name of applicant and SBL#
  - B) North arrow, Street and if applicable the lake shore ~
  - C) Adjoining property owners names with location of wells and septic systems within 100ft of the adjoining property boundaries
- Property map to scale
  - A) Name of applicant and SBL#
  - B) North arrow, Location of any structures currently on the property with dimensions of the structures and distances to the property boundaries
  - C) Location of proposed structure, dimensions and intended use; Distances from the proposed structure to the property boundaries
  - D) Location of well and septic system; Any easements or right of ways and any other geographic or environmental characteristics of the property which may have a bearing on the Board's decision

I certify that all the information submitted is true and accurate to the best of my knowledge.

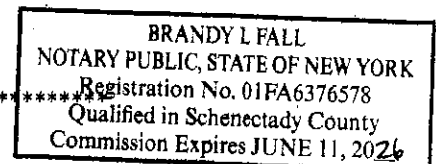
Applicant

2/28/23  
Date

State of New York, county of Schenectady sworn this 28<sup>th</sup> day of February 2023 Notary Public

\*\*\*\*\* (For Office use only) \*\*\*\*\*

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_  
Fee \_\_\_\_\_ Date \_\_\_\_\_ Check# \_\_\_\_\_ Rec'd By \_\_\_\_\_  
Hearing Date \_\_\_\_\_ Approved: YES NO Approval Date \_\_\_\_\_



Conditions of approval: A permit must be obtained within 6 months of approval of this application and all other aspects of the Zoning Ordinance must be followed or the approval becomes null and void.

Other Conditions include: \_\_\_\_\_

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
(ZBA Chairperson)

ROUTE 20

N 78° 04' 21" E  
200'

S 07° 50' 00" E

500

WELL X

LOT 2  
Lands n/w of

LEACH  
FIELD  
2.32' 00"

S 07° 50' 00" E

LOT 1

Lands n/w of

LEACH  
FIELD  
2.32' 00"

1.04' 00"  
NEW GRAD  
663.20'

AREA = 2.71 ACRES

POND

Prop. Property Line  
Total  
183.79'

373.59'

189.80'

N 74° 46' 48" E

1119.05'

046'

N 74° 46' 48" E

3000 Western Turnpike

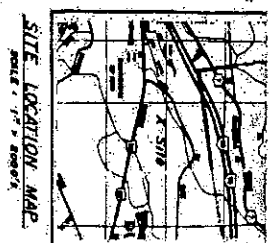
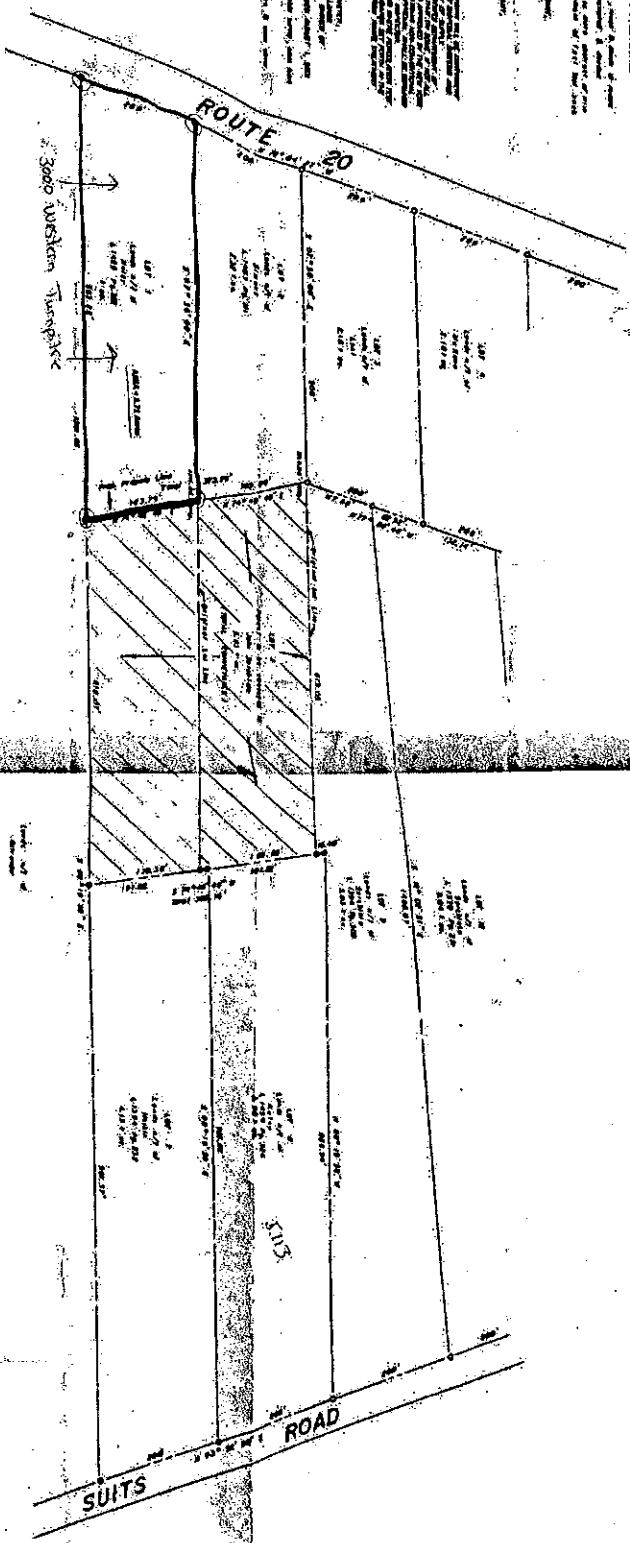
350'

80'

1301.65

1211.04'

23



<p>MAP SHOWING LANDS TO BE CONVERTED TO JOHN D. SANCHEZ</p>	
<p>APPLICANT: JOHN D. SANCHEZ</p>	<p>DATE: 10/1/73</p>
<p>PROJECT: JOHN D. SANCHEZ</p>	<p>SCALE: 1" = 100'</p>
<p>PROJECT NO.: 100-100-001</p>	<p>DATE: 10/1/73</p>

# *Notes*

Handwriting practice lines consisting of multiple sets of horizontal lines for writing practice.

VARIANCE APPLICATION  
TOWN OF DUANESBURG  
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: 2-27-23 Zoning District Lake 1 Type of Variance  
☐ Use Variance ☒ Area Variance  
SBL# 35.06-5-26 Phone #: 518-225-3346 Email: camarol+1970@yahoo.com

Applicant's Name: Elizabeth Bushnell

Applicant's Address: 383 Spring Rd.  
Delanson N.Y. 12053

Property Owner Name(if different): \_\_\_\_\_

Property Address (if different): \_\_\_\_\_

Property Owner's Signature \_\_\_\_\_  
(Signature of owner indicates they have reviewed the proposal and give their permission)

Proposal: (Brief description of request)  
attached garage w/ upstairs storage

A copy of this notarized application and the accompanying information must be submitted to the Planning and Zoning Department for approval before being placed on the ZBA agenda. Eight (8) copies of this application must be reviewed and filed at least 10 days prior to the next ZBA meeting.

**REQUIRED INFORMATION:**

- Copy of the property deed  
Location map showing the location of the property with
- A) Name of applicant and SBL#
  - B) North arrow; Street and if applicable the lake shore
  - C) Adjoining property owners names with location of wells and septic systems within 100ft of the adjoining property boundaries
- Property map to scale
- A) Name of applicant and SBL#
  - B) North arrow; Location of any structures currently on the property with dimensions of the structures and distances to the property boundaries
  - C) Location of proposed structure, dimensions and intended use; Distances from the proposed structure to the property boundaries
  - D) Location of well and septic system; Any easements or right of ways and any other geographic or environmental characteristics of the property which may have a bearing on the Board's decision

I certify that all the information submitted is true and accurate to the best of my knowledge.

Elizabeth Bushnell  
Applicant

02-27-23  
Date

JENNIFER M. HOWE  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01HO6351801  
Qualified in Schenectady County  
My Commission Expires 12-12-2024

State of New York, county of Schenectady sworn this 27th day of February 2023 Notary Public

\*\*\*\*\* (For Office use only) \*\*\*\*\*

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_  
Fee \_\_\_\_\_ Date \_\_\_\_\_ Check# \_\_\_\_\_ Rec'd By \_\_\_\_\_  
Hearing Date \_\_\_\_\_ Approved: YES NO Approval Date \_\_\_\_\_

Conditions of approval: A permit must be obtained within 6 months of approval of this application and all other aspects of the Zoning Ordinance must be followed or the approval becomes null and void.

Other Conditions include: \_\_\_\_\_

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
(ZBA Chairperson)

## TOWN OF DUANESBURG

Application# \_\_\_\_\_

## Agricultural Data Statement

Date: 2-27-23

Instructions: Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review and approval would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

Applicant	Owner if Different from Applicant
Name: <u>Elizabeth Bushnell</u>	Name: _____
Address: <u>383 Spring Rd.</u>	_____
<u>Delanson NY 12053</u>	_____

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance;  
Area Variance; Subdivision Approval (circle one or more)
2. Description of proposed project:  
attached garage w/ 2<sup>nd</sup> floor storage
3. Location of project: Address: 383 Spring Rd. Delanson NY 12053  
Tax Map Number (TMP) 35.06-5-26
4. Is this parcel within an Agricultural District? YES NO (Check with your local
5. If YES, Agricultural District Number \_\_\_\_\_ assessor if you do not know.)
6. Is this parcel actively farmed? YES NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO

Elizabeth Bushnell  
Signature of Applicant

\_\_\_\_\_  
Signature of Owner (if other than applicant)

Reviewed by: \_\_\_\_\_

Dale R. Warner

Date \_\_\_\_\_

Revised 4/4/17

## FARM NOTE

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.



**BARGAIN AND SALE DEED - NEW YORK STATE**

THIS INDENTURE, made this 11<sup>th</sup> day of July, 2013, between Shaun Donovan,  
Secretary of the U. S. Department of Housing and Urban Development, 451 7<sup>th</sup> St.  
SW, Washington, DC 20410.

*Party of the First Part, and*

Elizabeth Teneyck residing at 1556 Vley Road, Scotia, NY 12302

*Party of the Second Part*

WITNESSETH, that the Party of the First Part, in consideration of One Hundred and Sixty-Eight Thousand Ninety-Five and 00/100 Dollars (\$168,095.00), lawful money of the United States of America, paid by the Party of the Second Part, does hereby grant and release unto the Party of the Second Part, and to the heirs, distributees and assigns of the Party of the Second Part, forever

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Duanesburgh,  
County of Schenectady and State of New York.

**Schedule "A" attached**

TAX ACCOUNT NUMBER 35.06-5-26  
PROPERTY ADDRESS 383 Spring Road, Delanson, NY 12053  
TAX MAILING ADDRESS:

BEING THE SAME PROPERTY as acquired by the Party of the First Part pursuant to the provisions of the National Housing Act, as amended (12 USC 1701 et seq.) and the Department of Housing and Urban Development Act (42 U.S.C. 3531).

TOGETHER WITH the appurtenances and all the estate and rights of the Party of the First Part in and to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the Party of the Second Part, and to the heirs, distributees and assigns of said Party of the Second Part, forever.

SUBJECT TO ALL covenants, restrictions, reservations, easements, conditions and rights appearing of record; and SUBJECT to any state of facts an accurate survey would show.

AND THE Party of the First Part covenants that the Party of the First Part has not done or suffered anything whereby the said premises have been incumbered in any way whatsoever.

THE Party of the First Part, in compliance with Section 13 of the Lien Law of the State of New York will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement; and that said Party of the First Part will apply the same first to the payment of the cost of improvement before using any part of the total of the same for any other purpose.

**BARGAIN AND SALE DEED**  
**PAGE 2**

IN WITNESS WHEREOF, the undersigned has set his / her hand as a principal of Cityside - HHN on behalf of said Secretary of the U. S. Department of Housing and Urban Development, pursuant to a Redlegation of authority dated July 18, 2005, HUD Docket # FR-4837-D-57, published in 70 F.R. 43171 (7/26/05).

By: Shaun Donovan, Secretary of the U. S.  
Department of Housing and Urban Development  
By: Cityside - HHN, pursuant to a Delegation of  
Authority

By:   
(Title) CM/Alternate Project Manager

Kate F. Connor  
Printed Name

STATE OF NEW HAMPSHIRE )  
COUNTY OF HILLSBOROUGH ) ss.

On the 11<sup>th</sup> day of July, 2013, before me, the undersigned, personally appeared Kate F Connor, personally known to me or proved to me on the basis of satisfactory evidence to be the individual(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their capacity(ies), that by his/her/their signature(s) on the instrument, the individual(s), or the person on behalf of whom the individual(s) acted, executed the instrument.

  
Notary Public

DEBRA ROWLAND, Notary Public  
My Commission Expires April 14, 2015

Stamp or Seal:

My Commission Expires:

**BARGAIN AND SALE DEED**  
HUD to Elizabeth A Teneyck  
Dated July 2013

The effective date of transfer (Closing Date) is the 17<sup>th</sup> day of July, 2013.

Record & Return to:



## SCHEDULE A - LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Duaneburgh, County of Schenectady, State of New York, and known as Lot No. 25 on a map of building lots belonging to Albert A. VanBuren et al, dated August 14, 1919 and filed in the Schenectady County Clerk's Office, said lot is more particularly described as follows:

COMMENCING at a point on the southern side of Maria Pond, where the easterly line of Lot No. 24 as designated on said map intersects, and running

Thence southerly along the last mentioned line about one hundred seventy-five (175) feet to the northern margin of a right of way as designated on said map as "right of way",

Thence easterly along the said right of way, sixty (60) feet to a point where the westerly line of Lot No. 26 intersects, and running

Thence northerly along the last mentioned line about one hundred sixty seven (167) feet to the highwater line of Maria Pond,

Thence westerly along the highwater line of Maria Pond about sixty (60) feet to the point or place of beginning.

Granting and conveying to the party of the second part the right of ingress and egress over the said right of way as designated on said map.

Res 383 Spring Rd, Delanson  
371 - 372449



Application for Building Permit  
TOWN OF DUANESBURG  
5853 Western Turnpike  
Duanesburg, NY 12056

Building Department  
518-895-2040

APPLICATION IS HEREBY MADE to the Building Department for the issuance of a Building Permit. The Applicant or Owner agrees to comply with all applicable laws, ordinances, regulations and all conditions expressed on this application which are part of these requirements, and will allow all inspections as required. A BUILDING PERMIT IS REQUIRED BEFORE commencing construction or other improvement, removal, relocation, or demolition of any building or structure (including barns, farm residences and other structure) and BEFORE the installation of heating equipment or LP Gas and wood burning devices. Undertaking activity that requires a building permit prior to obtaining such permit is prohibited. Once obtained the Building Permit must be made visible from the street or road.

Date February 27<sup>th</sup> 2023  
Applicant's Name Elizabeth Bushnell  
Applicant is (Check one or more): ☒ Owner ☐ Agent  
☐ Engineer/Architect ☐ Contractor ☐ Other (Specify):  
Address: 383 Spring Rd.  
Delanson NY Zip 12053  
Email camarol197@yahoo.com Phone 518-225-8346  
Owner's Name Elizabeth Bushnell  
Address: 383 Spring Rd.  
Delanson NY Zip 12053  
Email camarol197@yahoo.com Phone 518-225-8346  
Property Location of Proposed Construction \_\_\_\_\_  
Municipality \_\_\_\_\_

Wages are being paid for performance of work ☐ yes ☒ no  
If yes, provide proof of Workers Compensation:  
(Form C-105.2 or CE-200 for Sole Proprietor)

If a Sanitation Permit is required, it must be obtained prior to issuance of a building permit.

Sanitation Permit # \_\_\_\_\_  
Conventional \_\_\_\_\_ Alternative \_\_\_\_\_  
Sewer District \_\_\_\_\_ Date of Issuance \_\_\_\_\_

Permit# \_\_\_\_\_  
Tax Map # 035.06

BUILDING SET BACKS: Please Attach Plot Plan

Zoning District L-1 Lot Size 60'x180'  
Front Yard Depth \_\_\_\_\_ Feet  
Right Side Yard Width 8'6" Feet  
Left Side Yard Width 23'8" Feet  
Rear Yard Depth 14' Feet  
Bldg. Height 27 Feet 2 Stories

Floor Area 1680 Sq. Ft.  
Proposed Building Size \_\_\_\_\_  
Proposed Addition Size 28x30  
Existing Use of Property driveway + yard  
Explain Proposed Use garage + storage

Water Supply: ☐ Municipal water supply ☐ New Well  
☒ Existing Well

Estimated Cost \$ 100K - 125K

NOTE: Inspections by Building Department are required at the following schedule (You must call for inspections)

1. Footing Inspection, prior to pouring concrete
  2. Foundation Inspection, prior to pouring concrete
  3. Foundation Inspection, LP or gas prior to backfilling.
  4. Framing Inspection, rough plumbing, rough electrical, rough HVAC.
  5. Insulation Inspection, prior to enclosing any walls.
  6. Final Inspection, when all work has been completed.
- Construction work not in compliance with code provisions shall be required to remain exposed until it has been brought into compliance with the code, been reinspected, and been found satisfactory as completed.

NO BUILDING SHALL BE OCCUPIED OR USED IN WHOLE OR IN PART FOR ANY PURPOSE WHATSOEVER UNTIL A CERTIFICATE OF OCCUPANCY HAS BEEN GRANTED BY THE BUILDING DEPARTMENT.

Note: THIS BUILDING PERMIT EXPIRES  
ONE (1) YEAR FROM DATE OF ISSUANCE.

Elizabeth Bushnell  
Signature of Owner, Applicant or Agent

(For Office Use Only)

The above application is hereby (approved) or (disapproved) and permission (granted) or (denied) for the construction, reconstruction or alteration of a building, accessory structure or other work as declared above.  
Reason for refusal of permit:

\_\_\_\_\_ per section \_\_\_\_\_ of the Town of Duanesburg Zoning Ordinance.

Building & Sanitation Inspector

Date

Fee (includes certificate of occupancy)

\$ \_\_\_\_\_ ☐ Cash ☐ Check # \_\_\_\_\_ Date Pd. \_\_\_\_\_

THREE sets of stamped construction documents must be submitted with application.

# Affidavit of Exemption to Show Specific Proof of Workers' Compensation Insurance Coverage for a 1, 2, 3 or 4 Family, Owner-occupied Residence

**\*\*This form cannot be used to waive the workers' compensation rights or obligations of any party.\*\***

**Under penalty of perjury**, I certify that I am the owner of the 1, 2, 3 or 4 family, **owner-occupied** residence (including condominiums) listed on the building permit that I am applying for, and I am not required to show specific proof of workers' compensation insurance coverage for such residence because (please check the appropriate box):

- ☒ I am performing all the work for which the building permit was issued.
- ☐ I am not hiring, paying or compensating in any way, the individual(s) that is(are) performing all the work for which the building permit was issued or helping me perform such work.
- ☐ I have a homeowners insurance policy that is currently in effect and covers the property listed on the attached building permit AND am hiring or paying individuals a total of less than 40 hours per week (aggregate hours for all paid individuals on the jobsite) for which the building permit was issued.

I also agree to either:

- ◆ acquire appropriate workers' compensation coverage and provide appropriate proof of that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if I need to hire or pay individuals a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit, or if appropriate, file a WC/DB-100 exemption form; OR
- ◆ have the general contractor, performing the work on the 1, 2, 3 or 4 family, **owner-occupied** residence (including condominiums) listed on the building permit that I am applying for, provide appropriate proof of workers' compensation coverage or proof of exemption from that coverage on forms approved by the Chair of the NYS Workers' Compensation Board to the government entity issuing the building permit if the project takes a total of 40 hours or more per week (aggregate hours for all paid individuals on the jobsite) for work indicated on the building permit.

Myra Bushnell  
(Signature of Homeowner)

Feb. 27<sup>th</sup> 2023  
(Date Signed)

Elizabeth Bushnell  
(Homeowner's Name Printed)

Home Telephone Number \_\_\_\_\_

Property Address that requires the building permit:

383 Spring Rd.  
Delanson, NY 12053  
\_\_\_\_\_  
\_\_\_\_\_

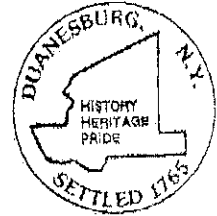
SWORN TO BEFORE ME THIS \_\_\_\_\_ DAY

OF \_\_\_\_\_

\_\_\_\_\_  
(COUNTY CLERK OR NOTARY PUBLIC)

# Town of Duanesburg

Schenectady County



Dale R. Warner,

Building Inspector,  
Code Enforcement Officer,  
Town Planner

**Revision of Plans:** Town Resolution # 162-84 "Amendments, if any, to the application or to the plans and specifications accompanying the same shall be filed with the Code Enforcement Officer prior to the commencement of such change of work."

**Section 3305 of the Building Code of New York State:**

Sanitary facilities shall be provided during construction, remodeling or demolition activities.

**EPA'S (Environmental Protection Agency) Renovation Repair and Painting Rule (RRP):**

Under EPA Law any home constructed prior to 1978 being renovated states that the contractor must be certified in lead removal. Please see the EPA's website at EPA.gov/Lead

**Local Law No. 07 of the Year 2006 Section 5**

Work site prior to the issuance of a Building Permit. Must be marked for building location.

**Highway Work Permit:** Any work, including construction or disturbance in Highway Right of Way

1. NYS DOT- Paul Korowajczyk, P.E – 393-0863
2. County of Schenectady – Angelo Melillo – 356-5340 ext.233
3. Town of Duanesburg — William Reed 895-2772

**911 Address:** Mark Storti – Schenectady County – 386-2225

**Electrical Inspections:** All Electrical Inspections must be conducted by any of the following;  
(See Reverse)

**Energy Certificate:** A certificate shall be completed by the builder or licensed design professional listing the predominant R-values of All components of the structure. See section 401.3 of the ECCC of NYS.

**Energy Code- Mandatory-** Air leakage Test (Blower Door) cannot exceed 3 air changes per hour.

**Portable Fire Extinguisher:** Structures under construction, alteration or demolition shall be provided with not less than one approved portable fire extinguisher at each stairway on all floor levels where combustible materials have accumulated, in every storage and construction shed, and where special hazards exist including the use of flammable and combustible liquids. (Section 1415.1 of the 2010 Fire Code of NYS)

**Inspection of Gas Piping Installations:** Any installation of gas piping and vent installations and gas-fired appliances must be inspected under section 1203.3(b)(2)(v) of the Uniform Code: Minimum Standards for Administration and Enforcement including underground and rough-ins.

**Certificate of Occupancy:** Where a building permit is required no building hereafter erected or relocated, and no addition to or structural alteration of any building, shall be used or occupied for any purpose until, a Certificate of Occupancy has been issued by the Code Enforcement Officer. As a condition of the final receipt of a certificate of occupancy or certificate of completion, a sign or symbol designed and approved by the Code Council shall be affixed to any electric box attached to the exterior of the structure.

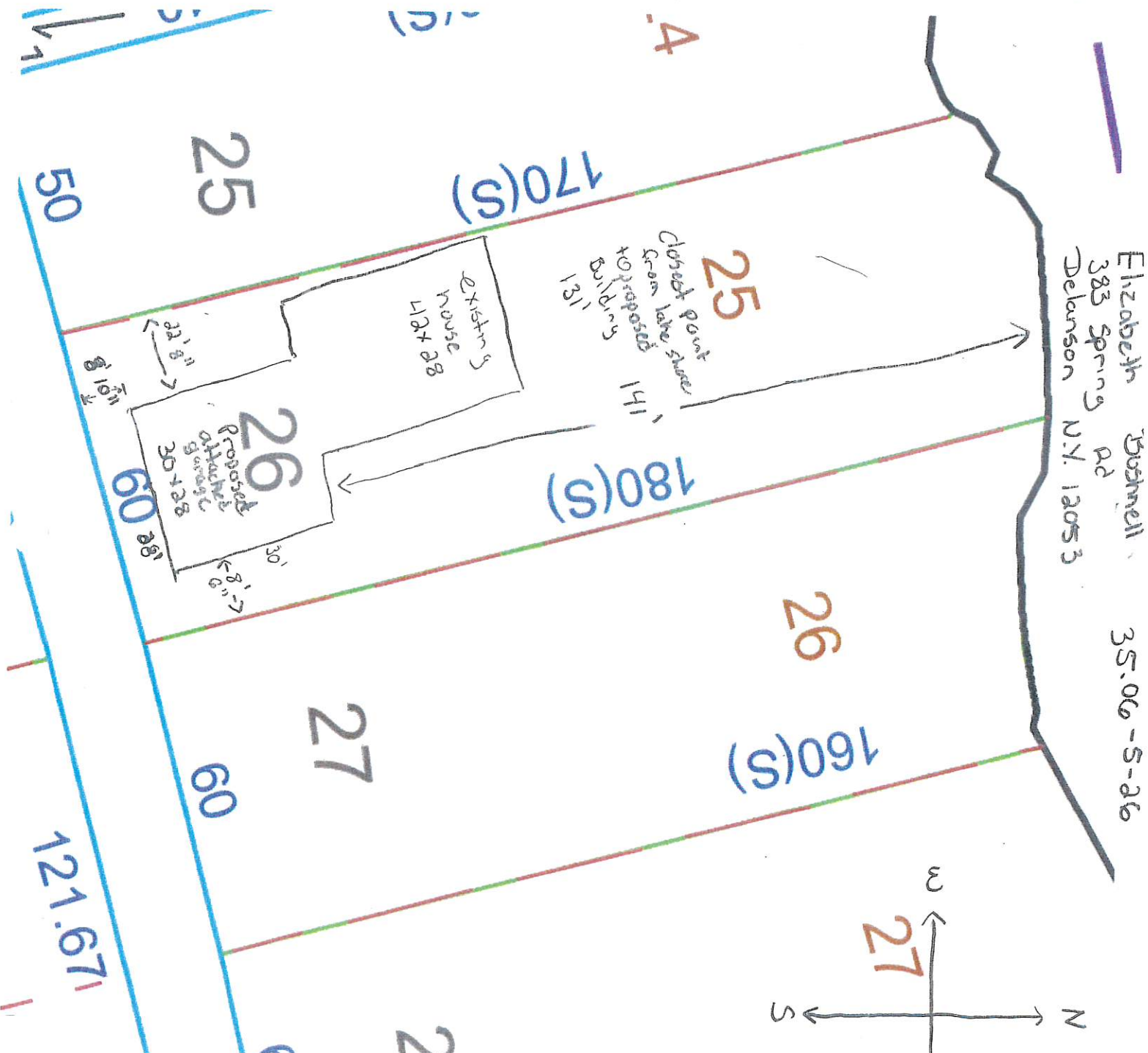
*Lynett Buscill*  
(Owner, Applicant, or Agents Signature)

2-27-23  
(Date)

[illegible]

35.06-5-26

A hand-drawn compass rose with four arrows pointing North (N), South (S), East (E), and West (W). The number 27 is written in red in the North-West quadrant.





# *Notes*

Lined area for writing notes.

VARIANCE APPLICATION  
TOWN OF DUANESBURG  
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: 2/22/23 Zoning District R2 Type of Variance ☐ Use Variance ☒ Area Variance  
SBL# 53.00-1-18 Phone #: 518-657-9150 Email: pwren9866@gmail.com

Applicant's Name: Patrick Wren

Applicant's Address: 9866 Western Turnpike  
Delanson NY 12053

MAR 03 2023

Property Owner Name(if different): \_\_\_\_\_

Property Address (if different): \_\_\_\_\_

Property Owner's Signature \_\_\_\_\_

(Signature of owner indicates they have reviewed the proposal and give their permission)

Proposal: (Brief description of request)

To build a fence higher than 6' to screen my property from  
the activity at the car wash bordering my property.

A copy of this notarized application and the accompanying information must be submitted to the Planning and Zoning Department for approval before being placed on the ZBA agenda. Eight (8) copies of this application must be reviewed and filed at least 10 days prior to the next ZBA meeting.

**REQUIRED INFORMATION:**

- Copy of the property deed
- Location map showing the location of the property with
  - A) Name of applicant and SBL#
  - B) North arrow; Street and if applicable the lake shore
  - C) Adjoining property owners names with location of wells and septic systems within 100ft of the adjoining property boundaries
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  - B) North arrow; Location of any structures currently on the property with dimensions of the structures and distances to the property boundaries
  - C) Location of proposed structure, dimensions and intended use; Distances from the proposed structure to the property boundaries
  - D) Location of well and septic system; Any easements or right of ways and any other geographic or environmental characteristics of the property which may have a bearing on the Board's decision

I certify that all the information submitted is true and accurate to the best of my knowledge.

Patrick Wren  
Applicant

3/3/23  
Date

State of New York, county of Schenectady sworn this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_. Notary Public

\*\*\*\*\* (For Office use only) \*\*\*\*\*

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_  
Fee \_\_\_\_\_ Date \_\_\_\_\_ Check# \_\_\_\_\_ Rec'd By \_\_\_\_\_  
Hearing Date \_\_\_\_\_ Approved: YES NO Approval Date \_\_\_\_\_

Conditions of approval: A permit must be obtained within 6 months of approval of this application and all other aspects of the Zoning Ordinance must be followed or the approval becomes null and void.

Other Conditions include: \_\_\_\_\_

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
(ZBA Chairperson)

## TOWN OF DUANESBURG

Application# \_\_\_\_\_

## Agricultural Data Statement

Date: \_\_\_\_\_

Instructions: Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review and approval would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

Applicant	Owner if Different from Applicant
Name: _____	Name: _____
Address: _____	_____
_____	_____

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance;  
Area Variance; Subdivision Approval (circle one or more)
2. Description of proposed project:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

3. Location of project: Address: \_\_\_\_\_

Tax Map Number (TMP) \_\_\_\_\_

4. Is this parcel within an Agricultural District? YES NO (Check with your local  
 5. If YES, Agricultural District Number \_\_\_\_\_ assessor if you do not know.)  
 6. Is this parcel actively farmed? YES NO  
 7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: <u>Thomas</u>	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? <u>YES</u> NO	Is this parcel actively farmed? YES NO
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO

\_\_\_\_\_  
 Signature of Applicant

\_\_\_\_\_  
 Signature of Owner (if other than applicant)

Reviewed by: \_\_\_\_\_

Dale R. Warner

\_\_\_\_\_  
 Date

Revised 4/4/17

## FARM NOTE

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

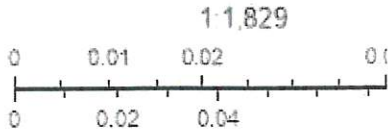


Untitled Map



February 22, 2023

-  Override 1
-  Parcels



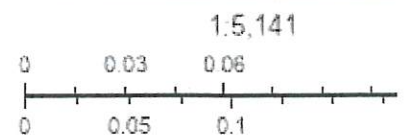


# Untitled Map



February 22, 2023

 Override 1  
 Parcels





## ZONING COORDINATION REFERRAL

**SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING**  
Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP.

Received \_\_\_\_\_  
Case No. \_\_\_\_\_  
Returned \_\_\_\_\_

**FROM:** ☐ Legislative Body  
☐ Zoning Board of Appeals  
☒ Planning Board

Municipality:  
Town of Duanesburg

**TO:** Schenectady County Department of Economic Development and Planning  
Schaffer Heights, 107 Nott Terrace, Suite 303  
Schenectady, NY 12308

(tel.) 386-2225  
(fax) 382-5539

**ACTION:** ☐ Zoning Code/Law Amendment  
☐ Zoning Map Amendment  
☐ Subdivision Review  
☐ Site Plan Review

☐ Special Permit  
☐ Use Variance  
☒ Area Variance  
☐ Other (specify) \_\_\_\_\_

**PUBLIC HEARING OR MEETING DATE:** March 16th, 2023

**SUBJECT:** #23-08 Wren, Patrick: SBL#53.00-1-18,(R-2) located at 9866 Western Turnpike, Delanson NY 12053 is seeking an area variance under Section 5.7.1 of the Town of Duanesburg Zoning Ordinance.

**REQUIRED ENCLOSURES:**

1. Public hearing notice & copy of the application.
2. Map of property affected. (Including Tax Map I.D. number if available)
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:
  - ☐ the boundary of any city, village or town;
  - ☐ the boundary of any existing or proposed County or State park or other recreation area;
  - ☒ the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
  - ☐ the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
  - ☐ the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
  - ☐ the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

### SUBMITTED BY:

Name: Carol Sowycz

Title: Planning/Zoning Clerk

Address: 5853 Western Turnpike Duanesburg, NY 12056

E-mail: csowycz@duanesburg.net

Phone: (518) 895-2040

Date:

4/6/2023

Signature











# *Notes*

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VARIANCE APPLICATION  
TOWN OF DUANESBURG  
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: 4/6/23 Zoning District C-1 Type of Variance ☐ Use Variance ☒ Area Variance  
SBL# 68.00-1-9.12 Phone #: 518-209-4480 Email: Staleytricia@yahoo.com

Applicant's Name: Tricia Stealey

Applicant's Address: 3215 Western Turnpike  
Duanesburg, NY 12056

Property Owner Name(if different): \_\_\_\_\_

Property Address (if different): \_\_\_\_\_

Property Owner's Signature Tricia Stealey  
(Signature of owner indicates they have reviewed the proposal and give their permission)

Proposal: (Brief description of request)

Setting Foundation over setback line. Side Yard Variance

A copy of this notarized application and the accompanying information must be submitted to the Planning and Zoning Department for approval before being placed on the ZBA agenda. Eight (8) copies of this application must be reviewed and filed at least 10 days prior to the next ZBA meeting.

**REQUIRED INFORMATION:**

- Copy of the property deed
- Location map showing the location of the property with
  - A) Name of applicant and SBL#
  - B) North arrow; Street and if applicable the lake shore
  - C) Adjoining property owners names with location of wells and septic systems within 100ft of the adjoining property boundaries
- Property map to scale
  - A) Name of applicant and SBL#
  - B) North arrow; Location of any structures currently on the property with dimensions of the structures and distances to the property boundaries
  - C) Location of proposed structure, dimensions and intended use; Distances from the proposed structure to the property boundaries
  - D) Location of well and septic system; Any easements or right of ways and any other geographic or environmental characteristics of the property which may have a bearing on the Board's decision

I certify that all the information submitted is true and accurate to the best of my knowledge.

Tricia Stealey  
Applicant

4/6/2023  
Date

State of New York, county of Schenectady sworn this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_. Notary Public

\*\*\*\*\* (For Office use only) \*\*\*\*\*

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_  
Fee \_\_\_\_\_ Date \_\_\_\_\_ Check# \_\_\_\_\_ Rec'd By \_\_\_\_\_  
Hearing Date \_\_\_\_\_ Approved: YES NO Approval Date \_\_\_\_\_

Conditions of approval: A permit must be obtained within 6 months of approval of this application and all other aspects of the Zoning Ordinance must be followed or the approval becomes null and void.

Other Conditions include: \_\_\_\_\_

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
(ZBA Chairperson)

## TOWN OF DUANESBURG

Application# \_\_\_\_\_

## Agricultural Data Statement

Date: April 6, 2023

Instructions: Per § 305-a of the New York State Agriculture and Markets Law, any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review and approval would occur on property within a New York State Certified Agricultural District containing a farm operation or property with boundaries within 500 feet of a farm operation located in an Agricultural District shall include an Agricultural Data Statement.

Applicant	Owner if Different from Applicant
Name: <u>Tricia Stealey</u>	Name: _____
Address: <u>3215 Western Turnpike</u>	_____
<u>Duanesburg, NY 12056</u>	_____

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)

2. Description of proposed project:

New Modular w/ Foundation

3. Location of project: Address: \_\_\_\_\_

Tax Map Number (TMP) \_\_\_\_\_

4. Is this parcel within an Agricultural District? YES NO (Check with your local assessor if you do not know.)
5. If YES, Agricultural District Number \_\_\_\_\_
6. Is this parcel actively farmed? YES NO
7. List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO

Tricia Stealey  
Signature of Applicant

\_\_\_\_\_  
Signature of Owner (if other than applicant)

Reviewed by: \_\_\_\_\_

Dale R. Warner

\_\_\_\_\_  
Date

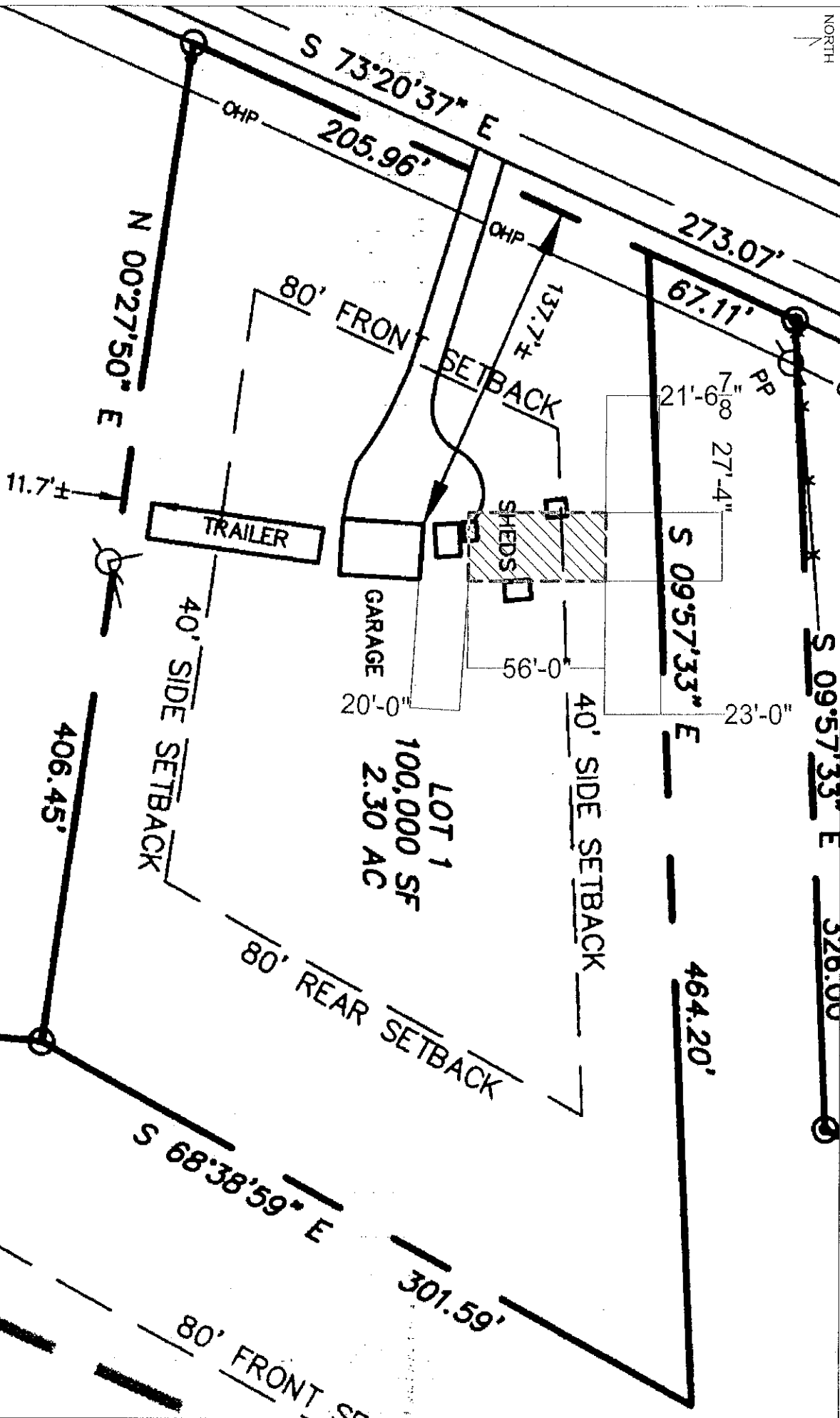
Revised 4/4/17

## FARM NOTE

Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts unless it can be shown that the public health or safety is threatened.

NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

NORTH



DRAWING NAME

NO.	DATE	REVISIONS	DATE	BY	DATE
1					
2					
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PROJECT	DATE	BY	DATE
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# Notes

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Nelson Gage, Chairperson  
Chris Parslow, Town Planner  
Carol Sowycz, Clerk  
Teresa Bakner, Board Attorney



TOWN OF DUANESBURG  
SCHENECTADY COUNTY

Jonathan Lack, Vice Chairperson  
Link Pettit, Board Member  
Daniel Boggs, Board Member  
Matthew Ganster, Board Member  
Charles Leoni, Board Member  
Caitlin Mattos, Board Member

Town of Duanesburg  
Zoning Board Minutes  
March 21<sup>st</sup>, 2023  
**Draft Copy**

**MEMBERS PRESENT:** Nelson Gage- Chairperson, Matthew Ganster, Charles Leoni, Caitlin Mattos.

**INTRODUCTION:**

Chairperson Gage opened the meeting at 7:00 pm. Chairperson Gage welcomed everyone to tonight's meeting. Chairperson Gage introduces Chris Parslow, the new Building Inspector, Code Enforcement, Town Planner and Carol Sowycz, Planning & Zoning Clerk as well as new Board Member Caitlin Mattos.

**OPEN FORUM:**

Chairperson Gage opened the open forum at 7:01 pm.

Lynne Bruning located at 13388 Duanesburg Rd (**Please See Attachment**)

Chairperson Gage closed the open forum.

**PUBLIC HEARINGS:**

**#22-11 McKinley/Proctor:** SBL# 68.00-3-30.111, (C-1) located at 1896 Western Turnpike is seeking a side yard variance under section 11.6(2) of the Town of Duanesburg Zoning Ordinance. Deanna Proctor has provided the board with a new survey map showing where the lot lines of the property are located, as the map that was provided at a prior meeting was not accurate. Chairperson Gage ask the applicant:

- Is Route 20 considered the front of the property?
- Is this parcel zoned commercial?

Deanna Proctor states yes to both questions. Chairperson Gage states that an area variance and two side yard variances are needed. The zoning board can do this as a whole package and they don't need to do one meeting per variance.

**Gage/Ganster** made a motion to open the public hearing regarding the three variances that they identified.

Gage aye, Ganster aye, Leoni aye, Mattos aye. **Approved**

No public comment was made.

**Gage/Leoni** made a motion to close the public hearing.

Gage aye, Leoni aye, Ganster aye, Mattos aye. **Approved.**

**Gage/Leoni** made a motion to grant Proctor/McKinley, 1896 Western Turnpike, SBL#68.00-3-30-111 an east side yard variance of 22 feet, a west side yard variance of 18 feet, and an area variance of 7,653 square feet.

Gage aye, Leoni aye, Ganster aye, Mattos aye. **Approved.**

**New Business:**

**#23-02 Govel, George:** SBL# 68.00-1-24.1, (R-2) located at 3000 Western Turnpike Is seeking an area variance under section 8.2(6) of the Town of Duanesburg Zoning Ordinance. Mr. Govel states that the line in question is on the eastern side of his property. His intention is to build a 30x50 feet garage for vehicles, etc. He is asking to build 15 feet from the eastern border, which is where the variance comes in. The bordering property is owned by the Ostrander family, which is woods in that area, towards the back its open fields, so there is no building or structure on that side. The variance is essentially that he would prefer to build 15 feet from the property line. Chairperson Gage asked what the distance between the proposed building and the corner of the house is. Mr. Govel says approximately 65 feet. He explains why he wants to put the structure in that location, needing access to the rear of the property without going through the yard. Chairperson Gage states that this lot line variance is an exempt type 2 action and no further action is required.

**Ganster/Leoni** make a motion to set a public hearing on April 18, 7:00PM for George Govel, 3000 Western Turnpike, Duanesburg, SBL#68.00-1-14.1 seeking a 20 feet side yard variance under section 8.26 of the Town of Duanesburg Zoning ordinance.

Ganster aye, Leoni aye, Mattos aye, Gage aye. **Approved.**

**#23-03 Bushnell, Elizabeth:** SBL#35.06-5-26, (Lake 1) located at 383 Spring Road is seeking a area variance under section 7.1.6(2) of the Town of Duanesburg Zoning Ordinance. Mr. Bushnell is representing his wife and himself. Mr. Bushnell states that their property is located on Mariaville Lake. He wants to build an attached garage with storage above it. Chairperson Gage states that this property is a preexisting undersized lot and therefore they would have to prorate the setbacks. He asked the resident to draw something out other than the map that was given to the board showing the dimensions and property lines that would be more precise than what was provided. ZBA determines that the lot line variances are an exempt type 2 action and no SEQRA is required.

**Ganster/Gage** make a motion to set a public hearing, April 18<sup>th</sup>, 2023 at 7:00 P.M. for Elizabeth Bushnell on Spring Road Delanson, SBL# 35.06-5-26 seeking a side & front area variances.

Ganster/ aye, Gage aye, Leoni aye, Mattos aye. **Approved.**

**Minutes Approval** – January 17, 2023

Leoni/Ganster make a motion to approve January 17, 2023 Zoning Board minutes at 8:22 PM.

Leoni aye, Ganster aye, Mattos aye, Gage aye. **Approved.**

**Mattos/Ganster** makes a motion to adjourn the meeting. 8:22PM.

Mattos aye, Ganster aye, Gage aye, Leoni aye.