

Nelson Gage, Zoning Board Chair
Chris Parslow, Town Planner
Carol Sowycz, Clerk
Teresa Bakner, Attorney
Jonathan 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
July 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:

#23-11 Gervasio, Peter: SBL#34.00-2-24, (R-2) located at 2503 Batter St. is seeking a front yard variance under Section#8.6.1 of the Town of Duanesburg Zoning Ordinance.

Comments: _____

#23-10 Bartoszek, Stephen: SBL# 65.00-1-31-132, (R-2) located at 690 Gage Road Is seeking a side yard variance under Section# 8.6.1 of the Town of Duanesburg Zoning Ordinance.

Comments: _____

#23-12 Bollentin, Robert: SBL#67.04-1-21, (R) located at 604 Duane Lake Road is seeking a front yard and side yard variance under section 7.2.6(1) & 7.2.6(2) of the Town of Duanesburg Zoning Ordinance.

Comments: _____

NEW BUSINESS:

#23-13 Attanasio, Nichols: SBL#68.00-2-43, (C-1) located at 430 Schoharie Turnpike is seeking a side yard variance under Section #8.6.1 of the Town of Duanesburg Zoning Ordinance.

Comments: _____

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



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

OLD BUSINESS:

None

OTHER:

None

ZONING BOARD MEETING MINUTES:

June 20, 2023

Approved: Yes _____ No: _____

Comments: _____

ADJOURNMENT

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



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

TOWN OF DUANESBURG
SCHENECTADY COUNTY

NOTICE OF PUBLIC HEARING

LEGAL NOTICE NOTICE OF PUBLIC HEARING ZONING BOARD TOWN OF DUANESBURG

PLEASE TAKE NOTICE, THAT THE ZONING BOARD OF APPEALS FOR THE TOWN OF DUANESBURG, WILL MEET IN THE TOWN BOARD ROOM LOCATED DOWNSTAIRS AT THE TOWN HALL IN THE TOWN OF DUANESBURG, 5853 WESTERN TURNPIKE, ON **July 18, 2023**, AT **7:00 PM** FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE APPLICATION OF:

#23-11 Gervasio, Peter: SBL#34.00-2-24, (R-2) located at 2503 Batter St. is seeking a front yard variance under Section#8.6.1 of the Town of Duaneburg Zoning Ordinance.

BY ORDER OF THE CHAIRPERSON
ZONING BOARD
TOWN OF DUANESBURG
CHAIRPERSON

Town of Duaneburg is also providing the meeting via zoom if you are unable to attend in person:

Join Zoom Meeting:
Meeting ID: 825 2590 5610
Passcode: 262480
Dial in by Phone: 1-646-558-8656

Town Hall • 5853 Western Turnpike • Duaneburg, NY 12056 • (518) 895-8920

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

ORIGINAL

Front yard
Variance

Date: 6/9/2023 Zoning District 02-R2 Type of Variance
 Use Variance Area Variance
SBL# 34-00-2-24 Phone #: 518 588-6358 Email: gerivfaye@gmail.com

Applicant's Name: Peter & Faye GERVASIO

Applicant's Address: 2503 Batten St
Pattersonville NY 12137

Property Owner Name(if different): N/A

Property Address (if different): N/A

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

Proposal: (Brief description of request)
Need a variance to have a 24'x24' garage built on left side of
PROPERTY. OUR WELL AND WELL LINES STOP US FROM GOING BACK ANY
FURTHER AND THERE IS A STEEP SLOPE THAT CONTINUES AFTER WELL

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.

Peter Gervasio 6/12/2023
Applicant Date

State of New York, county of Schenectady sworn this 12th day of June 2023

JENNIFER M. HOWE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01H08351801
Qualified in Schenectady County
My Commission Expires 12-12-2024

***** (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)

Agricultural Data Statement

Date: 6/9/2023

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>Peter Gerardo</u>	Name: _____
Address: <u>2503 BATER ST PATERSONVILLE NY</u>	_____

- Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance Subdivision Approval (circle one or more)
- Description of proposed project:
HAVE A 24' X 24' GARAGE BUILT ON PROPERTY.
- Location of project: Address: 2503 BATER ST
Tax Map Number (TMP) 34.00-2-24
- Is this parcel within an Agricultural District? YES NO (Check with your local
- If YES, Agricultural District Number 22 assessor if you do not know.)
- Is this parcel actively farmed? YES NO
- List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary. NONE

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

Peter Gerardo
Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: Christopher Parslow

Date

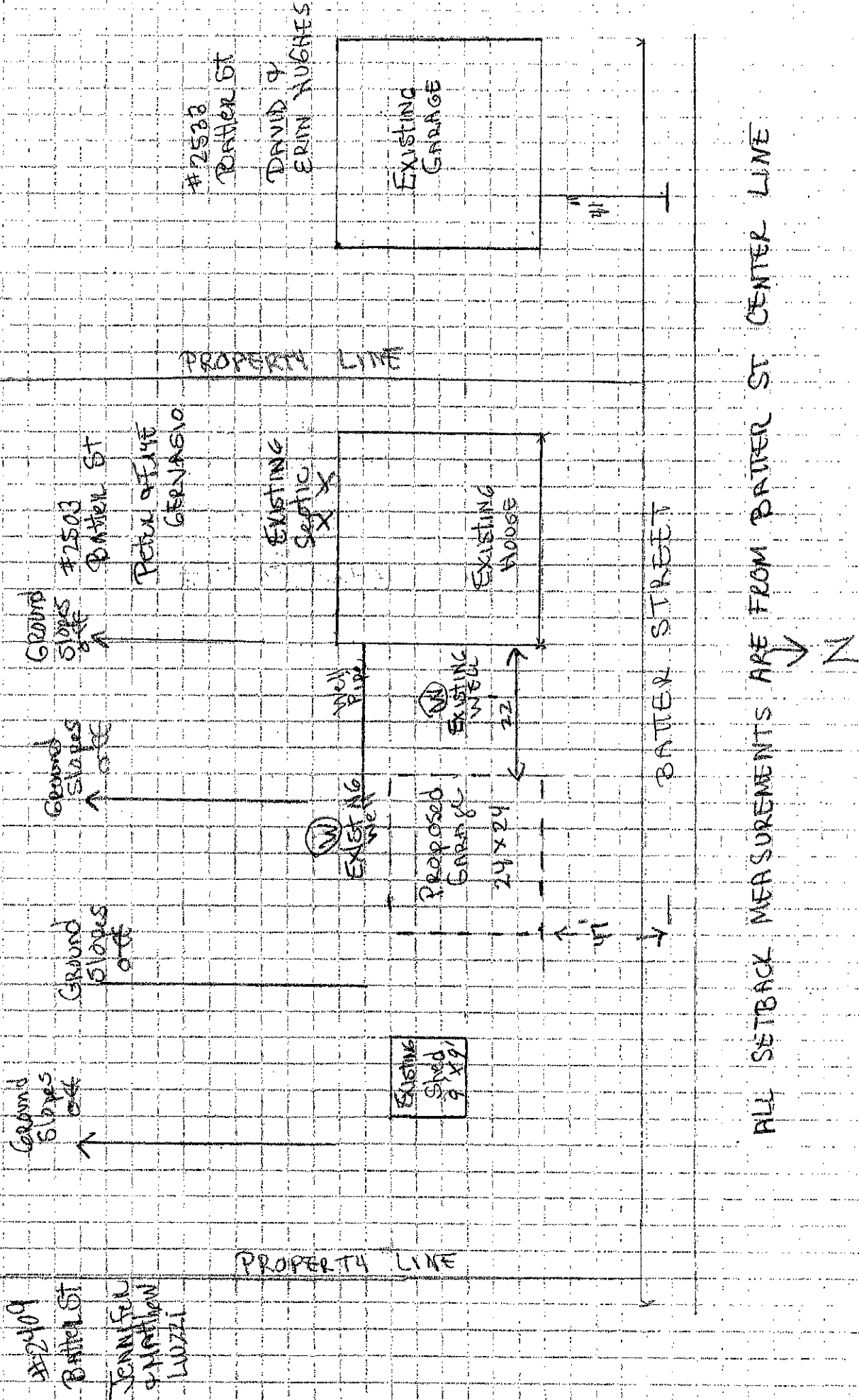
Revised 6/6/23

FARM NOTE

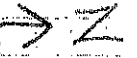
Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts 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.

CONVINO
2503 BATTER STREET
SEL 34-00-2-24



ALL SETBACK MEASUREMENTS ARE FROM BATTER ST CENTER LINE



WARRANTY DEED

THIS INDENTURE Made the 29th day of December 2020

BETWEEN

MATTHEW HARPER, residing at 2503 Batter Street, Pattersonville, NY 12137, party of the first part,

and

MATTHEW JOSEPH LIUZZI & JENNIFER LEIGH LIUZZI, his wife, residing at 2409 Batter Street, Pattersonville, NY 12137, parties of the second part,

and

PETER ROGER GERVASIO, Jr. and FAYE LEE GERVASIO, his wife, residing at 2409 Batter Street, Pattersonville, NY 12137, parties of the third part,

WITNESSETH that the party of the first part, in consideration of ONE & 00/100 (\$1.00) DOLLAR lawful money of the United States, and other good and valuable consideration, paid by the parties of the second part, does hereby grant and release unto the parties of the second part, their heirs and assigns forever,

All that piece or parcel of property situate in the Town of Duanesburg, County of Schenectady, State of New York being more particularly described on Schedule "A" attached hereto and made a part hereof.

The parties of the third part are granted the right to the exclusive use and occupancy of the premises described above, during their lifetime. Said life use shall be personal to the parties of the third part and shall not be subject to assignment or lease. The parties of the third part are to pay for all maintenance and repairs, water and sewer charges, insurance charges and taxes relating to said premises.

Being the premises conveyed to MATTHEW HARPER by deed dated June 29, 2004 and recorded in the Schenectady County Clerk's Office on October 8, 2004 in Liber 1689 of Deeds at Page 857.

SUBJECT to all enforceable covenants, boundary agreements, restrictions, and easements of record, if any.

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 parties of the

second part, their heirs and assigns forever.

AND said party of the first part, covenants as follows:

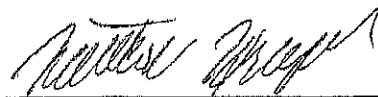
FIRST, that the parties of the second part shall quietly enjoy the said premises;

SECOND, that said party of the first part will forever WARRANT the title to said premises, and

THIRD, that in compliance with Sec. 13 of the Lien Law, the grantor 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 will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the party of the first part has set her hand and seal on the day and year first above written.

IN PRESENCE OF

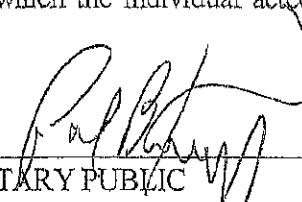


Matthew Harper

L.S.

STATE OF NEW YORK)
COUNTY OF Albany) ss.:

On this 20th day of December 2021, before me, the undersigned, personally appeared MATTHEW HARPER personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same in his capacity and that by his signature on said instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.


NOTARY PUBLIC

PAUL B. KNAPP
Notary Public, State of New York
No. 02KN4886101
Qualified in Albany County
Commission Expires Mar. 10, 2022

R&R to:

SCHEDULE A - DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND, with buildings thereon situate, in the Town of Duanesburg, County of Schenectady, and State of New York, on the Southerly side of the highway known as Batter Street, bounded and described as follows: Beginning at a point on the Southerly side of Batter Street at the division line of the lands of John J. Lincourt and Josephine Faith Lincourt, his wife, and the lands of one David Hughes and running thence Southerly along the said division line of the above lands a distance of 408 feet more or less to the corner of a brick wall; thence Westerly along the lands of David Hughes a distance of 237 feet more or less along said stone wall to a point which is the end of said stone wall; thence Northerly and parallel with the first above mentioned course a distance of 343 feet more or less to the Southerly side of Batter Street which course is the boundary line between the lands of Lincourt and one Grace Smith; thence Easterly along the Southerly margin of Batter Street a distance of 233 feet more or less to the point or place of beginning, containing about 2 acres of land, more or less.

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 Special Permit
 Zoning Map Amendment Use Variance
 Subdivision Review Area Variance
 Site Plan Review Other (specify) _____

PUBLIC HEARING OR MEETING DATE: October 19, 2017

SUBJECT: Gervasio, Peter; SBL#34.00-2-24, (R-2) located at 2503 Batter St. is seeking a front Yard variance under Section #8.6.(1) of the Town of Duanesburg Subdivision 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

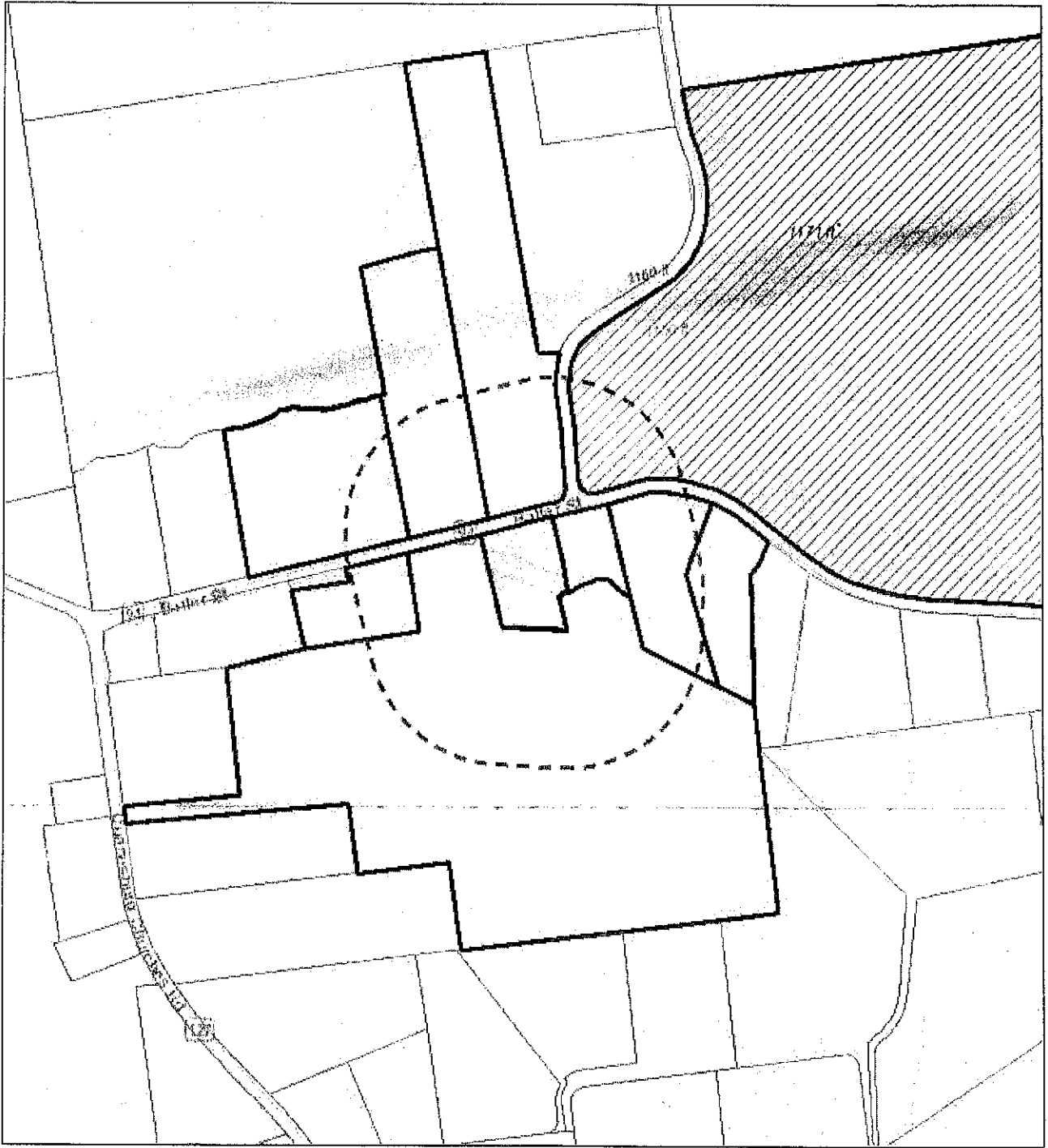

Signature

Date: 6-12-2023

RECEIVED
JUN 12 2023

ORIGINAL

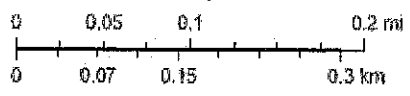
Untitled Map



June 12, 2023

1:8,425

- Override 1 Parcels
- Override 1 AG Districts
- Override 1



Esri, Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, iVIGOR, METI, NABA, EPA, USDA

No Author
This map and information is provided as is. We make no warranties or guarantees, expressed or implied.

Nelson Gage, Zoning Board Chair
Chris Parslow, Town Planner
Carol Sowycz, Clerk
Terresa Bakner, Attorney



Jonathan Lack, Vice Chair Member
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TOWN OF DUANESBURG
SCHENECTADY COUNTY

NOTICE OF PUBLIC HEARING

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING
ZONING BOARD
TOWN OF DUANESBURG**

PLEASE TAKE NOTICE, THAT THE ZONING BOARD OF APPEALS FOR THE TOWN OF
DUANESBURG, WILL MEET IN THE TOWN BOARD ROOM LOCATED DOWNSTAIRS
AT THE TOWN HALL IN THE TOWN
OF DUANESBURG, 5853 WESTERN TURNPIKE, ON **July 18, 2023**, AT
7:00 PM FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE
APPLICATION OF:

#23-10 Bartoszek, Stephen: SBL# 65.00-1-31-132, (R-2) located at 690 Gage Road
Is seeking a side yard variance under Section# 8.6.1 of the Town of Duaneburg
Zoning Ordinance.

BY ORDER OF THE CHAIRPERSON
ZONING BOARD
TOWN OF DUANESBURG
CHAIRPERSON

Town of Duaneburg is also providing the meeting via zoom if you are unable to attend
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Passcode: 262480
Dial in by Phone: 1-646-558-8656

Town Hall • 5853 Western Turnpike • Duaneburg, NY 12056 • (518) 895-8920

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

Revised 03/5/15

ORIGINAL

Date: _____ Zoning District R-2

SBL# 65.00-1-31.132

Type of Variance
 Use Variance Area Variance

Phone #: (315) 525-3725

Applicant's Name: Stephen Bartoszek

Applicant's Address: 690 Gage Road
Delanson, NY 12053

RECEIVED
MAY 12 2023

Original

Property Owner Name(if different): _____

Property Address (if different): _____

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

Proposal: (Brief description of request)
Request to build 24'x40' pole barn 15' from property line

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.

[Signature]
Applicant

5/11/2023
Date

Katie L. Wall
KATIE L. WALL
Notary Public, State of New York
Reg. #01WA6253406
Appointed in Oneida County
My Commission Expires 12/19/2023

State of New York, county of Schenectady sworn this 11th day of May 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)

ORIGINAL

TOWN OF DUANESBURG

Application# 23.10

Agricultural Data Statement

Date: 6/8/2023

Instructions: This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

Applicant	Owner if Different from Applicant
Name: <u>STEPHEN BARTOSZEK</u> Address: <u>690 GAGE ROAD</u> <u>DELANSON, NY 12053</u>	Name: _____ _____ _____

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:
24'x40' POLE BARN
3. Location of project: Address: 690 GAGE ROAD DELANSON, NY 12053
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: _____ ADDRESS: _____ Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO
NAME: _____ ADDRESS: _____ Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO

[Signature]
Signature of Applicant

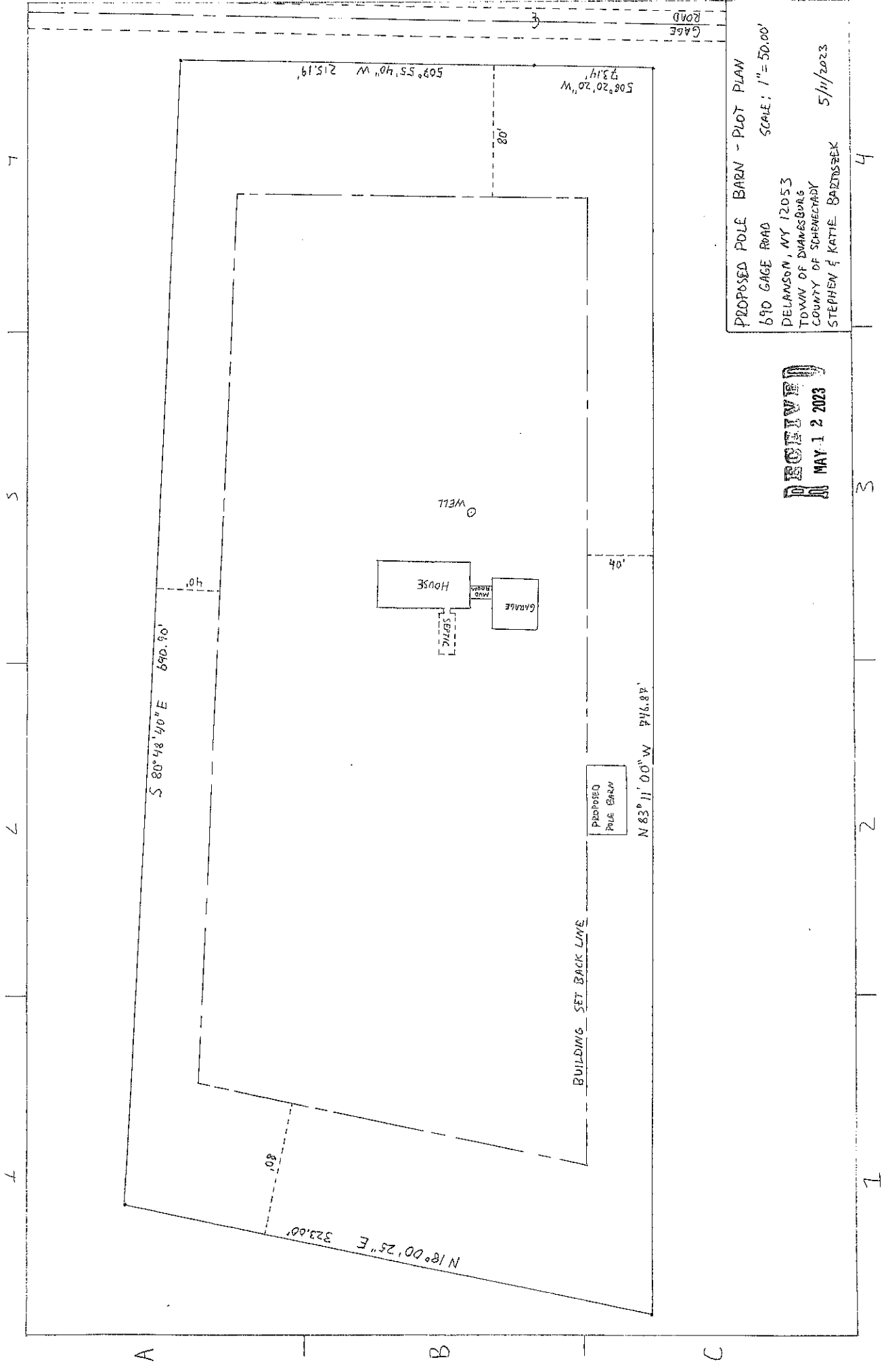
Signature of Owner (if other than applicant)

Reviewed by: Dale R. Warner

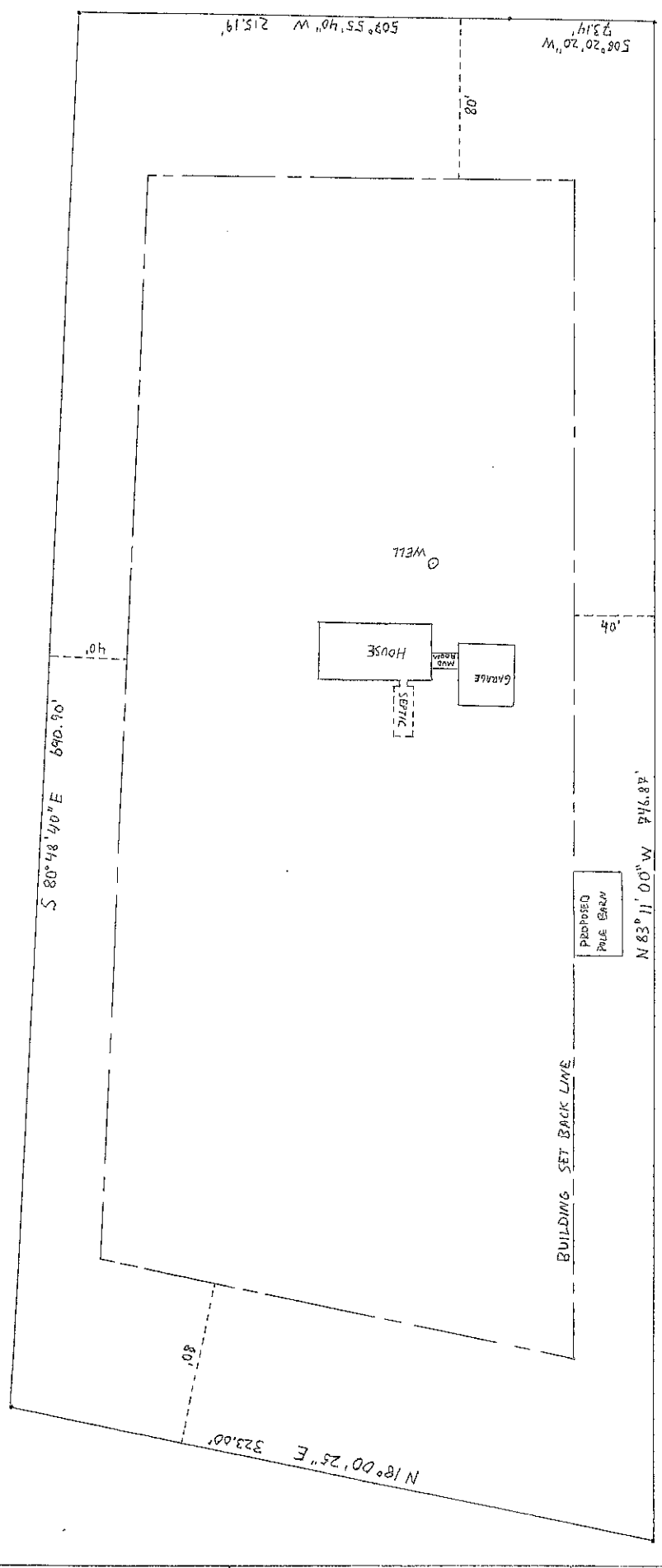
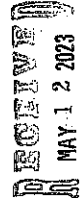
Date

Revised 6/30/08

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.



PROPOSED POLE BARN - PLOT PLAN
 690 GAGE ROAD
 DELANSON, NY 12053
 TOWN OF SHARPSBURG
 COUNTY OF SCHENECTADY
 SCALE: 1" = 50.00'
 5/11/2023
 STEPHEN & KATIE BARTSBEK



Nelson Gage, Zoning Board Chair
Chris Parslow, Town Planner
Carol Sowycz, Clerk
Terresa Bakner, Attorney



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Matthew Ganster, Board Member
Charles Leoni, Board Member
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TOWN OF DUANESBURG
SCHENECTADY COUNTY

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#23-12 Bollentin, Robert: SBL#67.04-1-21, (R) located at 604 Duane Lake Road is
seeking a front yard and side yard variance under section 7.2.6(1) & 7.2.6(2) of the
Town of Duaneburg Zoning Ordinance.

BY ORDER OF THE CHAIRPERSON
ZONING BOARD
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CHAIRPERSON

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Town Hall • 5853 Western Turnpike • Duaneburg, NY 12056 • (518) 895-8920

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

Revised 02/01/15

RECEIVED
JUN 13 2023

ORIGINAL

Date: 6-9-23 Zoning District L-1 Type of Variance
 Use Variance Area Variance
SBL# 67.04-1-21 Phone # (518) 470-0057 Email: bbollentin@hotmail.com

Applicant's Name: ROBERT & SUSAN BOLLENTIN

Applicant's Address: 604 DUANE LAKE RD.
DUANESBURG NY 12056

Property Owner Name(if different): _____

Property Address (if different): _____

Property Owner's Signature Robert Bollentin Susan Bollentin
(Signature of owner indicates they have reviewed the proposal and give their permission)

Proposal: (Brief description of request)
24' x 24' GARAGE (2 CAR) LOCATED ON S.E. CORNER of parcel
approximately 12' IN FROM ROAD AND 12' IN FROM 624 DUANE LAKE RD.

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
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 - A) Name of applicant and SBL#
 - B) North arrow; Street and if applicable the lake shore
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 - 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.

Robert Bollentin
Applicant

6/10/23
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)



Agricultural Data Statement

Date: 6-12-23

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>Robert + Susan Bollestin</u> Address: <u>604 DUANE LAKE RD.</u> <u>DUANESBURG, NY 12056</u>	Name: _____ _____ _____

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:
24'x24' 2 CAR GARAGE
3. Location of project: Address: 604 DUANE LAKE RD DUANESBURG NY 12056
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: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO
NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO

Robert Bollestin
Signature of Applicant

Robert Bollestin
Signature of Owner (if other than applicant)

Reviewed by: Christopher Parslow

Date: _____

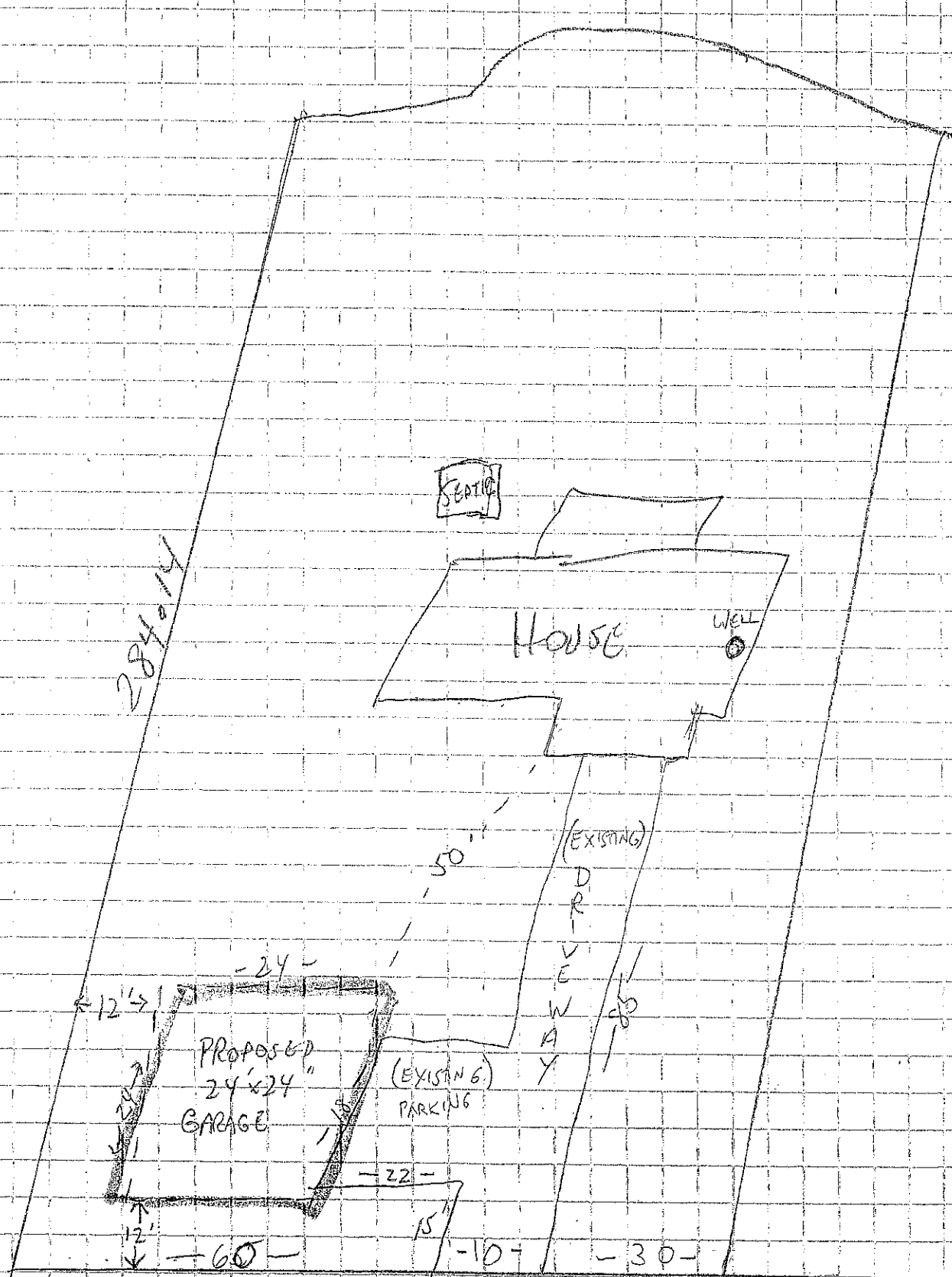
Revised 6/6/23

FARM NOTE

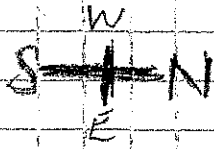
Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts 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.

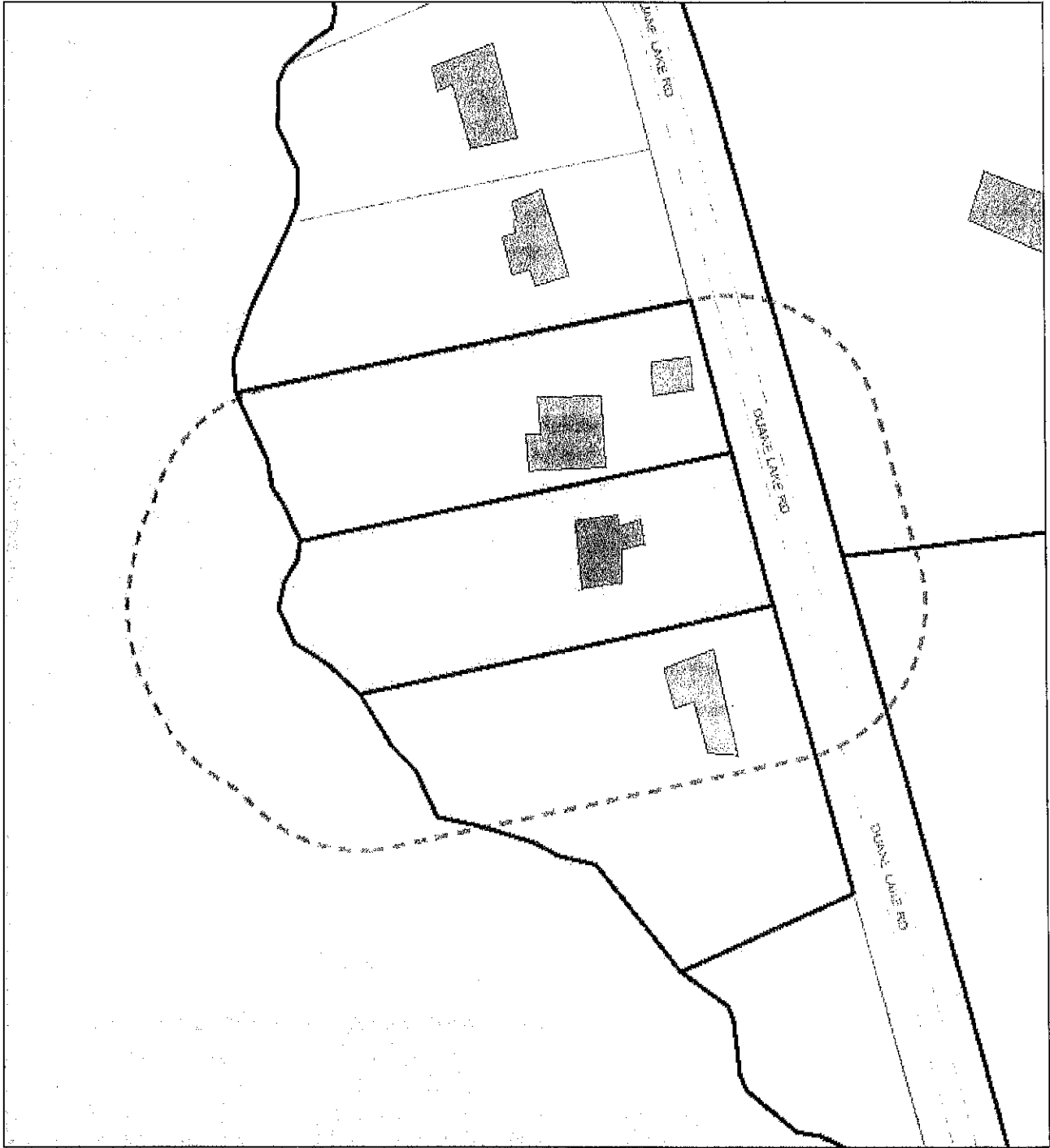
LAKE



DUANE LAKE RD





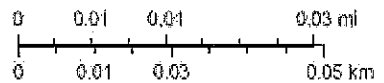
Untitled Map



June 22, 2023

1:1,497

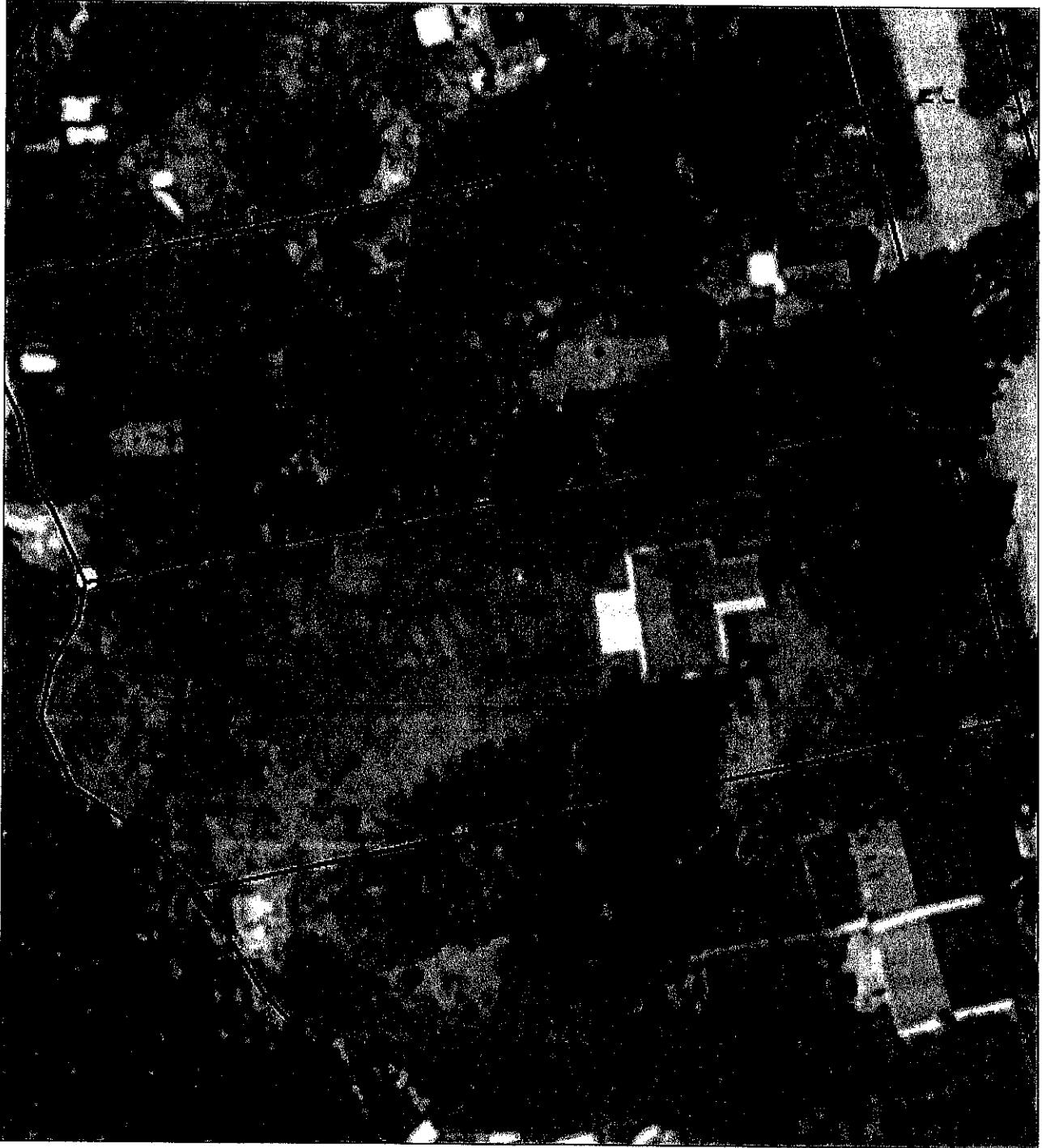
- Override 1  Parcels
- Override 1  Building Footprints
- Override 1



Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

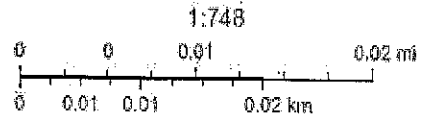
No Author
This map and information is provided as is. We make no warranties or guarantees, expressed or implied.

Untitled Map



June 22, 2023

- Override 1
- ▨ Override 1
- ▭ Override 1
- ▭ Parcels
- ▭ Override 1



New York State, Maxar, Microsoft

No Author
This map and information is provided as is. We make no warranties or guarantees, expressed or implied.

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: 6/9/23 Zoning District _____ Type of Variance
 Use Variance Area Variance
 SBL# 68.00-2-43 Phone #: 518-810-5650
518-414-1404
 Applicant's Name: Nicholas Attanasio
 Applicant's Address: 430 Schoharie Turnpike
Duanesburg, NY 12056
 Property Owner Name (if different): Nicholas Attanasio
 Property Address (if different): 430 Schoharie Turnpike Duanesburg, NY 12056
 Property Owner's Signature N.A. Attanasio
 (Signature of owner indicates they have reviewed the proposal and give their permission)
 Proposal: (Brief description of request) Install 28x40 2 steel Garage on
property (28'6") off property line

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.

N.A. Attanasio
Applicant

6/15/23
Date

Justin M. Peabody
Notary Public

State of New York, county of Schenectady sworn this 15 day of June 2023.
Rensselaer Notary Public

Justin M. Peabody
Notary Public, State of New York
Qualified in Albany County
No. 01PE6403513
Commission Expires January 27, 2024

***** (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: 6/15/23

Instructions: This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

Applicant	Owner if Different from Applicant
Name: <u>Nicholas Attanasio</u> Address: <u>430 Schoharie Tpke</u> <u>Duanesburg, NY 12056</u>	Name: <u>Nicholas Attanasio</u> <u>430 Schoharie Tpke</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:
Build a 28x40 Garage (2 car)
28' off property line
Need 40'
3. Location of project: Address: 430 Schoharie Tpke Duanesburg NY 12056
Tax Map Number (TMP) 68-00-2-43
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>NONE</u> ADDRESS: _____ Is this parcel actively farmed? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NAME: <u>NONE</u> ADDRESS: _____ Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO
NAME: <u>NONE</u> ADDRESS: _____ Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO	NAME: <u>NONE</u> ADDRESS: _____ Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO

Nich Attanasio
Signature of Applicant

Nich Attanasio
Signature of Owner (if other than applicant)

Reviewed by: _____
Dale R. Warner

Date

Revised 6/30/08

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.

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: _____

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: _____

SUBJECT: #23-13 Attanasio, Nichols: SBL#68.00-2-43, (C-1) located at 430 Schoharie Turnpike is seeking a side yard variance under Section #8.6.1 of the Town of Duanesburg Zoning Ordinance.

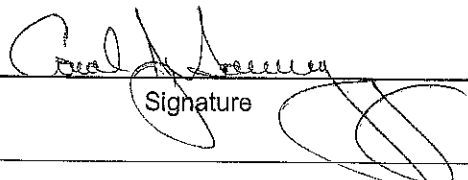
REQUIRED ENCLOSURES:

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 NY12056
E-mail: csowycz@duanesburg.net Phone: (518)895-2040

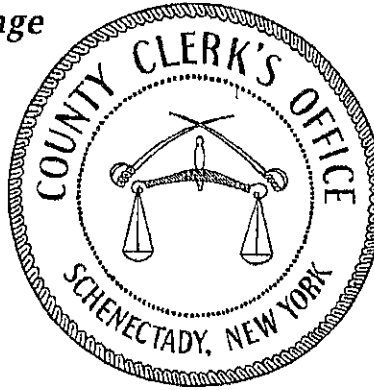

Signature _____ Date: 07/12/2023



80
255
60 00

Schenectady County Endorsement Page

JOHN J. WOODWARD
Schenectady County Clerk
620 State Street
Schenectady, NY 12305



Document Type Warranty Deed

From Party Sam Donadio

To Party Nicholas Attanasio

RETURN TO Kathleen Tashjian Esq.

101 Mohawk Ave.

Scotia, N.Y. 12302

RECORDED
07/01/2015 12:15:08 PM
County Clerk
JOHN J. WOODWARD
SCHENECTADY COUNTY, NY

Book/Page: DEED/1917/581
Total Pages: 4
Receipt No: 823088
Doc No: 2015-2351
Inst Num: 201529645

NY REALTY TRANSFER TAX \$80.00
NY LAND SUR \$4.75
NY E & A FEES \$241.00
NY LAND COMP SUR \$14.25
CO GENERAL REVENUE \$45.00
CO LAND SUR \$0.25
CO E & A FEES \$9.00
CO LAND COMP SUR \$0.75
TOTAL PAID \$395.00
INV: 823088 USER: GMS

ATTENTION: If the R & R (Record and Return to) on the cover page is different from the one on the document, the document will be returned to the one on the cover page.

NOTICE: This endorsement page constitutes the Clerk's endorsement in accordance with Local Law #7 of 1996-DO NOT DETACH-This page becomes part of the document. Upon recording, this document becomes a public record-Please refrain from using personal identifying information that should not be disclosed to the public.

RECEIVED
\$ 80.00
REAL ESTATE
JUL 01, 2015
SCHENECTADY COUNTY
3598

Please be advised that General Business Law Section 399-dd(6) states as follows:

No person may file any document available for public inspection with any state agency, political subdivision, or in any court of this state that contains a social security account number of any person, unless such other person is a dependent child, or has consented to such filing, except as required by federal or state law or regulation, or by court rule.

It further states that under General Business Law Section 399-dd(7) that the NYS Attorney General's Office may take action against you for any violation of General Business Law Section 399-dd.

RECORD & RETURN TO:
DEAN RIGGI, ESQ.
101 Mohawk Avenue, Scotia, NY 12302

WARRANTY DEED

THIS INDENTURE, made the 1st day of July, 2015,

BETWEEN

SAM DONADIO, residing at 231 South Wescott Road, Schenectady, New York 12306,
party of the first part, *and*

NICHOLAS ATTANSIO, residing at 2133 Robinwood Avenue, Schenectady, New York 12306,
party of the second part,

WITNESSETH, that the party of the first part, in consideration of One Dollar (\$1.00) lawful money of the United States, and other good and valuable consideration, does hereby grant and release unto the party of the second part, his heirs and assigns forever,

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate, lying and being in the Town of Duaneburg, County of Schenectady and State of New York, more particularly described as follows: Lot No. Six (6) in the Subdivision Plan - Phase 1 Deer Cliff Subdivision, made by Ivan Zdrahal Associates, dated May 1, 1998 and filed in the Schenectady County Clerk's Office on May 4, 1989 in Cabinet H as Map Nos. 246 and 247.

A more modern description is **SCHEDULE A ATTACHED AND MADE A PART OF THIS DEED**.

Subject to any existing right of way and easements, and any and all existing restrictions, conditions and covenants of record.

BEING the same premises conveyed by the County of Schenectady, New York to Sam Donadio by Quit Claim Deeds dated December 11, 2002 and recorded in the Schenectady County Clerk's Office on December 12, 2002 in Book 1640 of Deeds at Page 147.

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, his heirs and assigns forever.

R.P.T.S.A.
TAX MAP IDENT#
68.00
BLK 2
LOT 43
D SEC

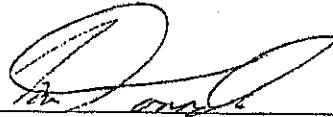
AND the said party of the first part covenant as follows:

FIRST, that the party of the second part shall quietly enjoy the said premises;

SECOND, that said party of the first part will forever WARRANT the title to said premises.

THIRD, that, in Compliance with Sec. 13 of the Lien Law, the grantor 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 will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, the party of the first part has hereunto set his hand and seal the day and year first above written.



L.S.

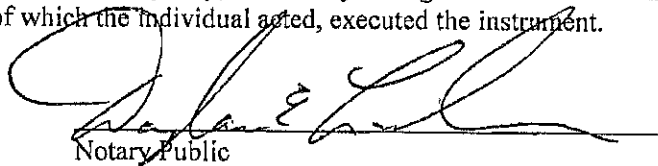
SAM DONADIO

STATE OF NEW YORK :

SS:

MONTGOMERY COUNTY :

On this 15th day of July, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared, SAM DONADIO, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.


Notary Public

DOUGLAS E. LANDON
Notary Public, State of New York
Qualified in Montgomery County
No. 4962688
Commission Expires February 26, 2018

SCHEDULE A

DESCRIPTION 5.01 ACRE PARCEL

ALL THAT PIECE OR PARCEL OF LAND LOCATED WITHIN THE TOWN OF DUANESBURG, COUNTY OF SCHENECTADY, AND STATE OF NEW. SAID PARCEL LYING ON THE NORTHERLY SIDE OF SCHOHARIE TURNPIKE AND BEING APPROXIMATELY 1715' SOUTHWESTERLY OF THE INTERSECTION OF ROUTE 20 - WESTERN TURNPIKE AND THE SCHOHARIE TURNPIKE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY SIDE OF THE SCHOHARIE TURNPIKE WITH THE DIVISION LINE OF THE HEREIN DESCRIBED PARCEL ON THE WEST AND LANDS OF GUTHINGER (L. 1605, P. 693) ON THE EAST. SAID POINT ALSO BEING SOUTH 11°50' 56" EAST, A DISTANCE OF 4.56" FROM AN EXISTING CAPPED IRON ROD. THENCE: ALONG THE NORTHERLY SIDE OF THE SCHOHARIE TURNPIKE THE FOLLOWING 2 COURSES AND DISTANCES:

1. SOUTH 60°40' 11" WEST, A DISTANCE OF 66.77' TO A POINT OF CURVATURE,
2. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2475.00' AND ARC LENGTH OF 135.77' (CH = 135.76', SOUTH 62°14' 47" WEST)

TO THE POINT OF INTERSECTION OF THE NORTHERLY SIDE OF SCHOHARIE TURNPIKE WITH THE DIVISION LINE OF THE HEREIN DESCRIBED PARCEL ON THE EAST AND LANDS OF PERSING (L. 1739, P. 824) ON THE WEST. THENCE: ALONG THE LAST MENTIONED DIVISION LINE THE FOLLOWING 3 COURSES AND DISTANCES:

1. NORTH 41°31' 15" WEST, A DISTANCE OF 145.41' TO A POINT,
2. NORTH 07°51' 05" WEST, A DISTANCE OF 430.14' TO A POINT,
3. NORTH 00°44' 35" WEST, A DISTANCE OF 345.88' TO THE POINT

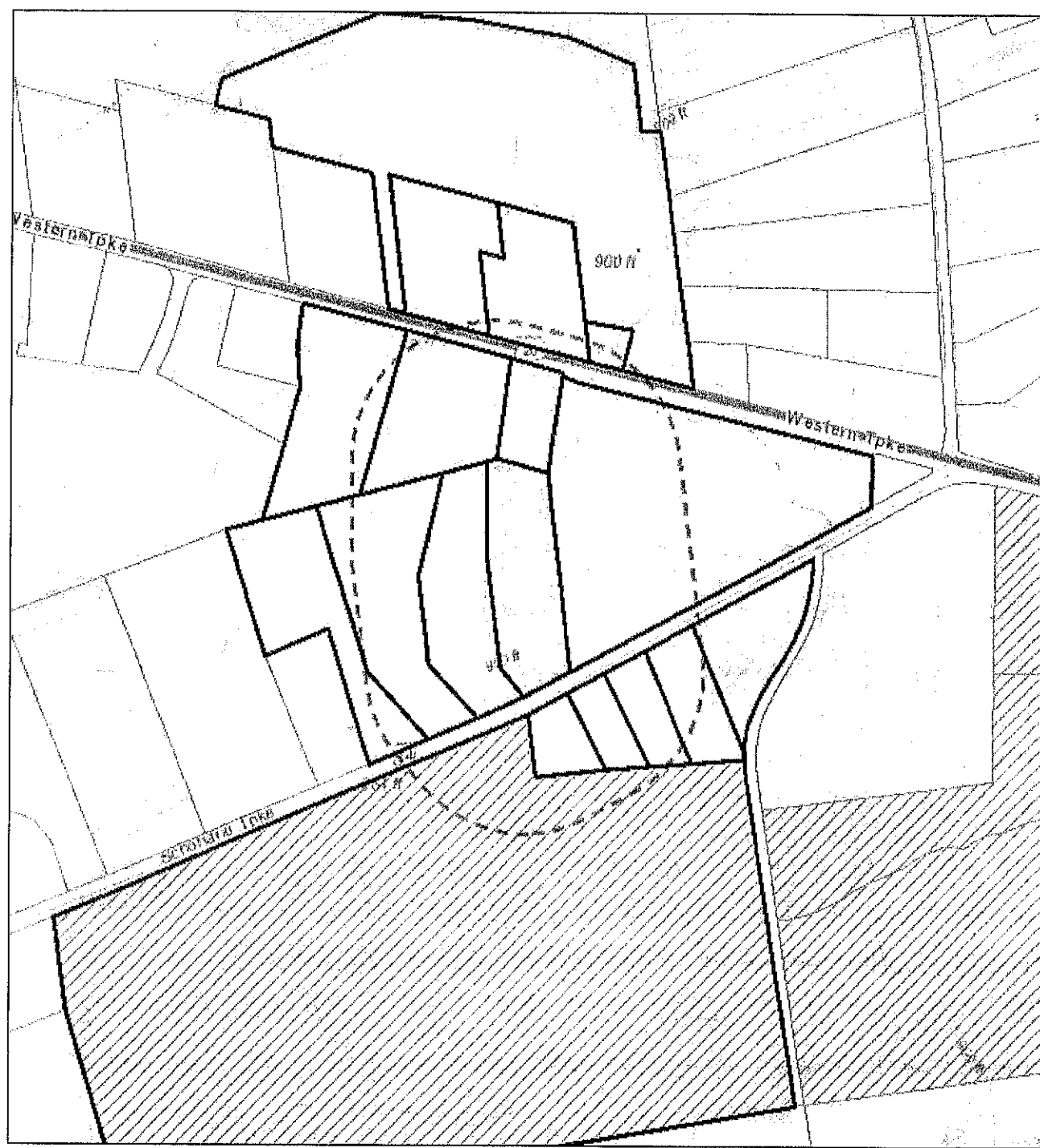
OF INTERSECTION OF THE LAST MENTION DIVISION LINE WITH THE DIVISION LINE BETWEEN THE HEREIN DESCRIBED PARCEL ON THE SOUTH AND LANDS OF ASKEW (L. 1890, P. 703) ON THE NORTH. THENCE: NORTH 75°29' 15" EAST, A DISTANCE OF 37.62' TO THE POINT OF INTERSECTION OF THE LAST MENTIONED DIVISION LINE WITH THE DIVISION LINE OF THE HEREIN DESCRIBED PARCEL ON THE SOUTH AND LANDS OF MCKIERNAN (L. 1836, P. 284) ON THE NORTH. THENCE: SOUTH 80°08' 05" EAST, A DISTANCE OF 200.00' TO THE POINT OF INTERSECTION OF THE LAST MENTIONED DIVISION LINE WITH THE DIVISION LINE OF THE HEREIN DESCRIBED PARCEL ON THE WEST AND LANDS OF GUTHINGER (L. 1605, P. 693) ON THE EAST. THENCE ALONG THE LAST MENTIONED DIVISION LINE THE FOLLOWING 2 COURSES AND DISTANCES:

1. SOUTH 03°22' 25" EAST, A DISTANCE OF 3.99' TO A POINT,
2. SOUTH 07°51' 11" EAST, A DISTANCE OF 763.24' TO THE POINT




OR PLACE OF BEGINNING AND CONTAINING 5.01+/- ACRES OF LANDS.

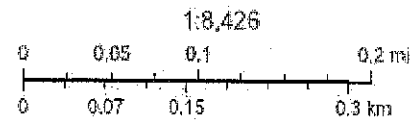
PARCEL IS SHOWN ON MAP ENTITLED "PLAT OF SURVEY - LANDS OF ATTANASIO - SCHOHARIE TURNPIKE" AS PREPARED BY INGALLS & ASSOCIATES LLP ON JUNE 10, 2015

Untitled Map



July 12, 2023

- Override 1  Parcels
- Override 1  AG Districts
- Override 1 



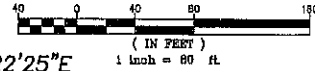
Esri, Corredo, Esri, HERE, Garmin, INCREMENT P, Intermap, iVista, METV, NADL, EPA, USDA

No Author
This map and information is provided as is. We make no warranties or guarantees, expressed or implied.

N75°29'15"E
37.62'

LANDS N/F
NICHOLAS L &
CHRISTINE M MCKIERNAN
L. 1836, P. 284

GRAPHIC SCALE



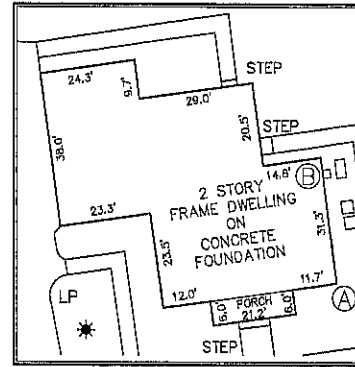
S80°08'05"E - 200.00'

S03°22'25"E
3.99'

N52°23'37"W
0.15'
TO CORNER

N00°44'35"W
345.88'

LOT 6
ST. NO. #430
AREA = 5.01± ACRES
SBL# 88.00-2-43



INSET
SCALE: 1"=30'

LANDS N/F
BENSON & ROBERTA
PERSING
L. 1739, P. 824

LANDS N/F
MICHAEL J &
SHARON A GUTHINGER
L. 1605, P. 693

SEPTIC TIE TABLE:

	A	B
1	15'-0"	33'-0"
2	22'-0"	36'-0"
3	41'-0"	42'-0"
4	75'-0"	76'-0"
5	86'-0"	106'-0"
6	59'-0"	85'-0"

DEED REFERENCES:

1) CONVEYED BY SAM DONADIO TO NICHOLAS ATTANASIO BY DEED DATED JULY 1, 2015 AND RECORDED IN THE SCHOHARIE COUNTY CLERK'S OFFICE ON JULY 1, 2015 IN LIBER 1917 OF DEEDS AT PAGE 581.

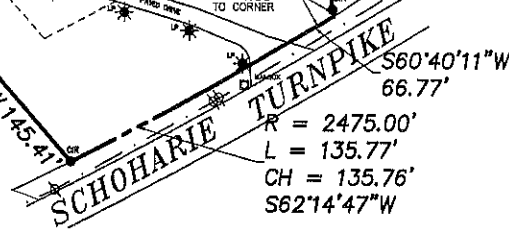
MAP REFERENCES:

1) MAP ENTITLED "SUBDIVISION PLAN - PHASE 1 - DEER CLIFF SUBDIVISION - PREPARED FOR DEER CLIFF DEVELOPMENT & CONSTRUCTION CORPORATION" AS PREPARED BY NAD ZDRAHAL ASSOCIATES ON MAY 1, 1998 AND FILED IN THE SCHOHARIE COUNTY CLERK'S OFFICE ON MAY 4, 1998 AS H 246 & H247.
2) MAP ENTITLED "PLAN OF SURVEY, LANDS OF ATTANASIO, SCHOHARIE TURNPIKE" AS PREPARED BY INGALLS ASSOCIATES, LLP ON JUNE 10, 2015.

NOTES:

- 1) SURVEYED PARCEL: TOWN OF DUANEBSBURG - TAX MAP 88.00, BLOCK 2, PARCEL 43.
- 2) SURVEY PREPARED BY INGALLS & ASSOCIATES, LLP FROM A JUNE 2015 FIELD SURVEY AND A MAY AND OCTOBER 2015 UPDATE SURVEY.
- 3) NORTH IS REFERENCED TO NAD 83 NEW YORK STATE PLANES, EAST ZONE.
- 4) SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTIONS, RECORDED OR UNRECORDED.
- 5) SUBJECT TO ANY STATEMENT OF FACT CONTAINED IN COMMITMENT OF TITLE INSURANCE NO. 1528-504 AS PREPARED BY SHERMAN ABSTRAKT CORP. FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY AND HAVING AN EFFECTIVE DATE OF APRIL 28, 2015.
- 6) UNDERGROUND UTILITIES IF SHOWN HEREON ARE BASED ON VISIBLE PHYSICAL EVIDENCE. THEY SHOULD BE CONSIDERED SCHEMATIC ONLY AND ARE SHOWN TO DEPICT GENERAL UTILITY LOCATIONS AND CONNECTIONS RATHER THAN EXACT UNDERGROUND LOCATIONS. INGALLS & ASSOCIATES, LLP MAKES NO CERTIFICATION AS TO THE ACCURACY OF THE UNDERGROUND UTILITY LOCATIONS AND OTHER UTILITIES MAY EXIST THAT ARE NOT SHOWN ON THIS MAP.
- 7) SURVEY IS PREPARED IN ACCORDANCE WITH THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS CODE OF PRACTICE FOR LAND SURVEYS AS ADOPTED IN OCTOBER OF 1988 AND LAST REVISED ON JULY 18, 1997.

S11°50'56"E
4.56'
TO CORNER



THIS SURVEY, SUBJECT TO ALL NOTES CONTAINED HEREON, IS CERTIFIED TO THE FOLLOWING LISTED PARTIES AS BEING THE RESULTS OF A FIELD SURVEY AND CORRELATION OF FIELD EVIDENCE WITH MAPS AND DEEDS OF RECORD.

NICHOLAS ATTANASIO
KERI ATTANASIO
TRUSTED BANK, ITS SUCCESSORS AND/OR ASSIGNS
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

CERTIFICATIONS INDICATED HEREON SIGNIFY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSON FOR WHOM THIS SURVEY HAS BEEN PREPARED AND ON THEIR BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND/OR LENDING INSTITUTION LISTED HEREON AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.

NO.	DATE	REVISION	BY
2	10/31/16	UPDATE-FINAL SURVEY	RFJ
1	08/17/16	FOUNDATION LOCATION ADDED	RFJ
1	08/17/16	FOUNDATION LOCATION ADDED	RFJ

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MAP OF
LANDS N/F OF ATTANASIO
LOT 6-#430 SCHOHARIE TURNPIKE
TOWN OF DUANEBSBURG
COUNTY OF SCHOHARIE STATE OF NEW YORK
DATE: MAY 5, 2016 CHECKED BY: JLP
SCALE: 1"=80'
DRAWN BY: JADD FILE: 15-043 Lot 6 Plot Plan SHEET 1 OF 1

ORIGINAL

RECEIVED
JUN 23 2023

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
June 20, 2023
Draft Copy

MEMBERS PRESENT: Nelson Gage- Chairman, Jonathan Lack -Vice Chairperson, Charles Leoni, Daniel Boggs, Matthew Ganster, Clerk Carol Sowycz.

INTRODUCTION:

Chairman Gage welcomed everyone to the June 20th ZBA meeting.

OPEN FORUM:

Chairman Gage opened the open forum at 7:01pm. Chairman Gage asked if anyone present at the meeting or on Zoom would like to participate in the open forum. No comments were made. Chairman Gage closed the open forum.

PUBLIC HEARINGS:

#23-09 Nichols, Kevin: SBL#75,00-2-14, (R-2) located at 11560 Duanesburg Road is seeking a front yard variance under Section 8.6(1) of the Town of Duanesburg Zoning Ordinance. Mr. Nichols stated that he is requesting a 40-foot front yard variance to put up a 32x48 foot garage. He stated that the garage would be a post and beam construction. Mr. Nichols made his presentation to the public.

Gage/Leoni made a motion to open the public hearing regarding the variance request. Gage aye, Leoni aye, Ganster aye, Boggs aye, Lack aye. **Approved.**
No comment made.

Gage/Lack made a motion to close the public hearing for the Nichols application. Gage aye, Lack aye, Ganster aye, Boggs aye, Leoni aye. **Approved.**

Lack/Boggs made a motion to grant Kevin Nichols a 40 feet front yard variance under Section 8.6(1) to build a 32-foot x 48-foot pole barn/ garage. Lack aye, Boggs aye, Leoni aye, Ganster aye, Gage aye. **Approved.**

New Business:

#23-11 Gervasio, Peter: SBL#34.00-2-24, (R-2) located at 2503 Batter St. is seeking a front yard variance under Section #8.6.1 of the Town of Duanesburg Zoning Ordinance. Mr. & Mrs. Gervasio detailed that they are looking to build a 24x24 foot garage to the left side of their house, that the 40-foot front yard variance will allow them to place the garage in line with their 200-year-old house.

Gage/Ganster made a motion for the purpose of the SEQRA that this request for an individual setback is a Type 2 action and that no further action is required.

Gage aye, Ganster aye, Boggs aye, Leoni aye, Lack aye. **Approved.**

Boggs/Lack made a motion to set the public hearing on July 18th, 2023, for Peter Gervasio at 2503 Batter St. is seeking a front yard variance of 40 feet under section 8.6.1 of the Town of Duanesburg zoning ordinance.

Boggs aye, Lack aye, Gage aye, Ganster aye, Leoni aye. **Approved.**

#23-10 Bartoszek, Stephen: SBL# 65.00-1-31-132, (R-2) located at 690 Gage Road Is seeking a 25-foot side yard variance under Section 8.6.1 of the Town of Duanesburg Zoning Ordinance. Mr. Bartoszek indicated that he is looking for a side yard variance to build a 24x40 foot pole barn, 15 feet from the property line. Chairman Gage asked Mr. Bartoszek if there is a reason why he would like to place the pole barn that close to the property line. Mr. Bartoszek stated that there was once a small shed there and they have grown accustomed to that location, it lines up well, the grade is good. Chairman Gage stated that the ZBA would be more inclined to give a 20-foot variance. Mr. Bartoszek agrees with the 20-foot variance.

Gage/ Lack made a motion that the ZBA determines that this setback is an exempt Type 2 action, and no further action is required.

Gage aye, Lack aye, Ganster aye, Boggs aye, Leoni aye. **Approved.**

Lack/Gage made a motion to set a public hearing for Stephen Bartoszek of 690 Gage Rd. for a 20-foot side yard variance for the construction of a 20x40 feet pole barn on July 18th at 7:00PM.

Lack aye, Gage aye, Ganster aye, Boggs aye, Leoni aye. **Approved.**

#23-12 Bollentin, Robert: SBL#67.04-1-21, (R) located at 604 Duane Lake Road is seeking a front yard and side yard variance under section 7.2.6(1) & 7.2.6(2) of the Town of Duanesburg Zoning Ordinance. Mr. Bollentin stated that he is seeking the variance to build a 24x24 foot, 2 story, standalone garage on his property, the location was selected based on the 100-year-old pine trees and roots that are on the property, as well as the lake lot size.

Gage/Boggs made a motion that the ZBA determines that the request is for two individual setbacks variances and are an exempt Type 2 action, no further action is required.

Gage aye, Boggs aye, Ganster aye, Leoni aye, Lack aye. **Approved.**

Ganster/Lack made a motion to set a public hearing for July 18, 2023, at 7:00PM for Robert & Susan Bollentin of 6040 Duane Lake Rd. seeking a 25-foot side yard variance and a 25-foot front yard variance under Section 7.2.6(1) & 7.2.6(2).

Ganster aye, Lack aye, Gage aye, Boggs aye, Leoni aye. **Approved.**

Lack/Leoni made a motion to approve the minutes from the May 16th, 2023, meeting.
Lack aye, Leoni aye, Boggs aye, Ganster aye. **Approved.**

Lack/ Ganster made a motion to adjourn tonight's meeting. 8:00PM
Lack aye, Ganster aye, Leoni aye, Boggs aye, Gage aye. **Approved.**

DRAFT