

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

**Town of Duanesburg
Zoning Board of Appeals
June 20, 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:

#23-09 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.

Comments: _____

Approved: Yes _____ No: _____

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.

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: _____

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:

May 16, 2023

Approved: Yes _____ No: _____

Comments: _____

ADJOURNMENT

Nelson Gage, Zoning Board Chair
Chris Parslow, Town Planner
Carol Sowycz, Clerk
Terresa 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 **June 20, 2023**, AT

7:00 PM FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE
APPLICATION OF:

#23-09 Nichols, Kevin: SBL#75.00-2-14, (R-2) located at 11560 Duanesburg Road
is seeking a front yard variance of 40 feet to build a pole barn for garage/storage
under Section 8.6(1) of the Town of Duanesburg Zoning Ordinance.

BY ORDER OF THE CHAIRPERSON
ZONING BOARD
TOWN OF DUANESBURG
CHAIRPERSON

Town of Duanesburg 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 • Duanesburg, NY 12056 • (518) 895-8920

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: 4/27/23 Zoning District R2 Type of Variance
 Use Variance Area Variance
SBL# 75-00-2-14 Phone #: 518-424-1991

Applicant's Name: Kevin Nichols

Applicant's Address: 11510 Duaneburg Rd
Delanson, NY 12033

Property Owner Name(if different): _____

Property Address (if different): _____

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

Proposal: (Brief description of request)
Requesting front yard variance 40' to build pole
barn for garage/storage (32x48)

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.

Kevin Nichols
Applicant

4/27/23
Date

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

Kate McD

KATE RICHARD
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01R16433056
Qualified in Albany County
Commission Expires May 09, 2026

***** (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

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: May 16, 2023

SUBJECT: #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.

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 5/1/2023
Date:

JUN 12 2023

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
Applicant Date 6/12/2023

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

JENNIFER M. HOWE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01H06351801
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)

 ORIGINAL

RECEIVED JUN 12 2023

ORIGINAL

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: Peter GERVASIO Address: 2503 BATER ST PATERSONVILLE NY	Name: _____ _____ _____

- 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 Gervasio
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.

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.

- 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.
- 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

250 BATTER STREET

SBL 34-00-2-24

#2409
BATTER ST
JENNIFER
& MATTHEW
LUZZI

Ground Slopes
0.0%

Ground Slopes
0.0%

Ground Slopes
0.0%

Ground Slopes
0.0%

#2503
BATTER ST

Peter & Faye
GERVASIO

PROPERTY LINE

#2508
BATTER ST

DAVID &
ERIN HUGHES

(NW) EXISTING WELL

EXISTING SEPTIC
X X

EXISTING Shed
9' x 9'

Proposed GARAGE
24' x 24'

(NW) EXISTING WELL

EXISTING HOUSE

EXISTING GARAGE

22'

24' x 24'

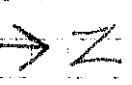
41'

41'

BATTER STREET

PROPERTY LINE

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:

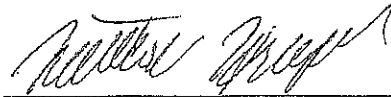
FIRST, that the parties of the second part shall quietly enjoy the said premises;

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

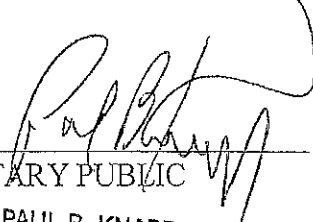


Matthew Harper

L.S.

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

On this 29th day of December 2020, 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.



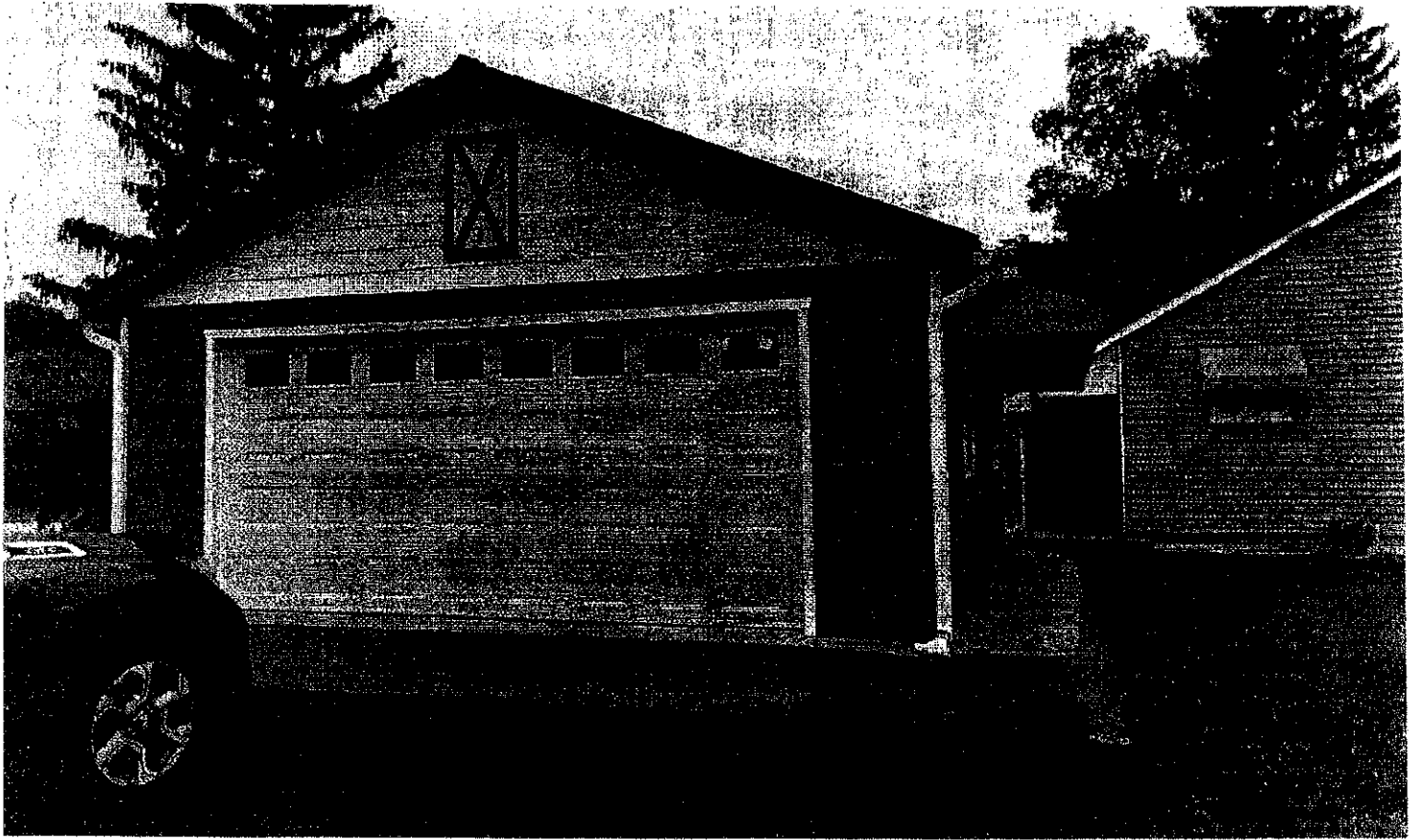
NOTARY PUBLIC

PAUL B. KNAPP
Notary Public, State of New York
No. 02KN4856107
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 Duaneburg, 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.



Proposed GARAGE

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



TOWN OF DUANESBURG
SCHENECTADY COUNTY

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

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: _____ Zoning District R-2 Type of Variance
SBL# 65.00-1-31.132 Use Variance Area Variance
Phone #: (315) 525-3725

Applicant's Name: Stephen Bartoszek

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



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' x 40' 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)

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)

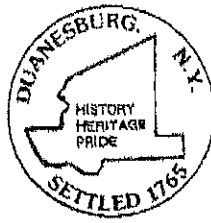
Reviewed by: Dale R. Warner

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.

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



TOWN OF DUANESBURG
SCHENECTADY COUNTY

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

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: 6-9-23 Zoning District 6-1 Type of Variance
 Use Variance Area Variance
SBL# 67.04-1-R1 Phone # (518) 470-0057 Email: bbollettin@hotmail.co

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 Bollettin Susan Bollettin
(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
- 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.

Robert Bollettin
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 Bollettin</u> Address: <u>604 DUANE LAKE Rd.</u> <u>DUANESBURG, NY 12056</u>	Name: _____ _____ _____

- Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
- Description of proposed project:
24'x24' 2 CAR GARAGE
- Location of project: Address: 604 DUANE LAKE RD DUANESBURG NY 12056
Tax Map Number (TMP) _____
- Is this parcel within an Agricultural District? YES NO (Check with your local
- If YES, Agricultural District Number _____ 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.

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 Bollettin
Signature of Applicant

Robert Bollettin
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.

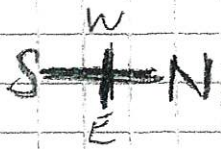
NOTE TO REFERRAL AGENCY: County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

LAKE

ORIGINAL
RECEIVED
JUN 14 2023




DUANE LAKE RD



Untitled Map

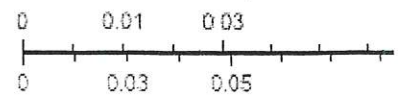


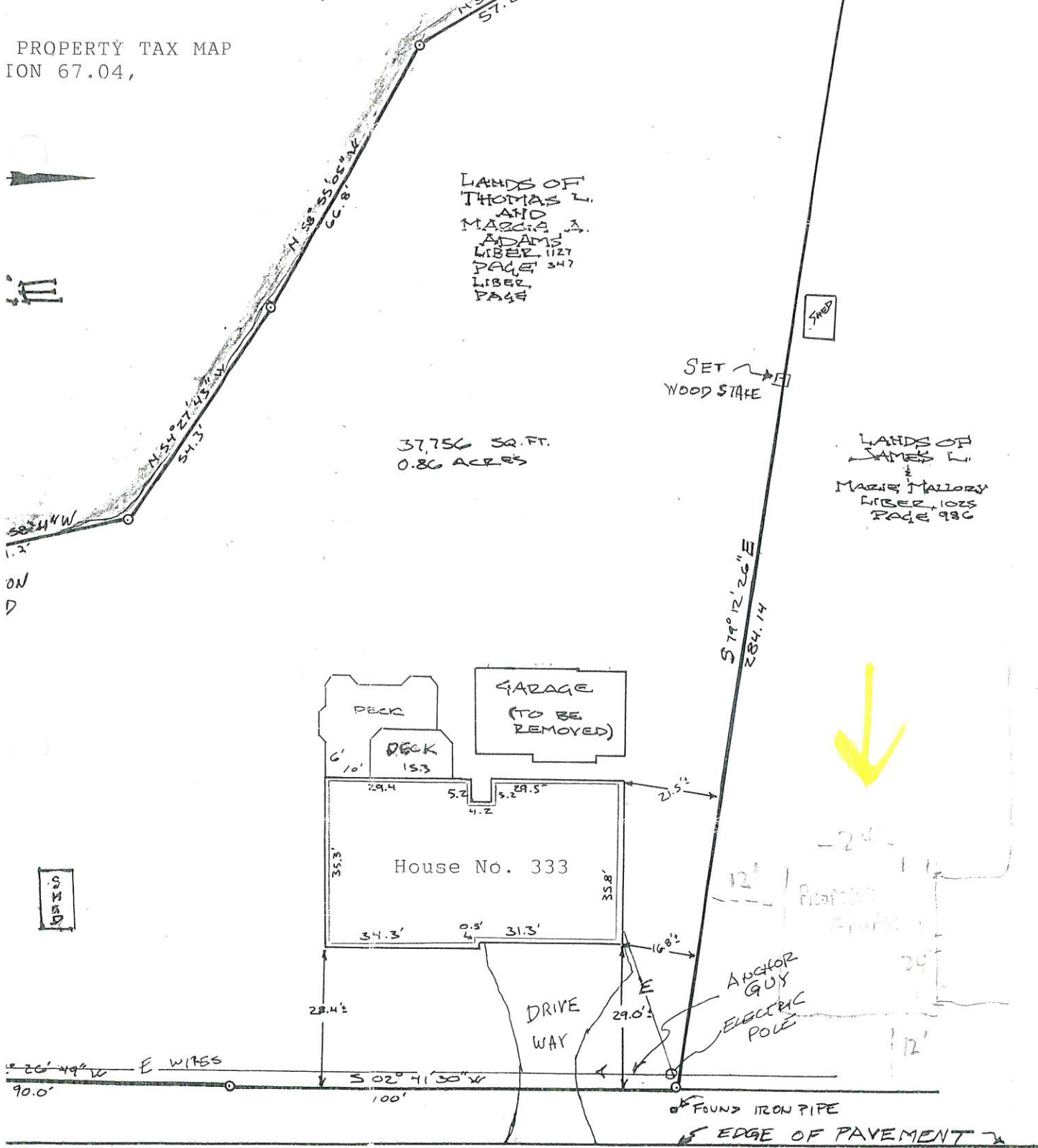
June 9, 2023

 Override 1

 Override 1

1:2,570





DUANE LAKE ROAD



664 DUANE LAKE RD
**MODULARS
AND CABINS**

Simple. Sturdy. Solutions.

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



TOWN OF DUANESBURG
SCHENECTADY COUNTY

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

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



Jonathan Lack, Vice Chairperson
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Matthew Ganster, Board Member
Charles Leoni, Board Member
Caitlin Mattos, Board Member

TOWN OF DUANESBURG
SCHENECTADY COUNTY

Town of Duanesburg
Zoning Board Minutes
May 16, 2023
Draft Copy

MEMBERS PRESENT: Jonathan Lack - Vice Chairperson, Charles Leoni, Daniel Boggs, Link Pettit, Matthew Ganster, Clerk Carol Sowycz.

INTRODUCTION:

Vice Chairperson Lack welcomed everyone to the May 16th ZBA meeting.

OPEN FORUM:

Vice Chairperson Lack opened the open forum at 7:00pm. Vice Chairman Lack asked if anyone present at the meeting or on Zoom would like to participate in the open forum. No comments were made.

Vice Chairperson Lack closed the open forum.

PUBLIC HEARINGS

#23-08 Wren, Patrick: SBL#53.00-1-18, (R-2) located at 9866 Western Turnpike, Delanson NY 12053 is seeking an area variance for a 2-foot height fence variance under Section 5.7.1 of the Town of Duanesburg Zoning Ordinance. Mr. Wren stated that he wants to put an 8-foot fence up along the back and side of his property for privacy and security purposes. He also stated that would help alleviate the amount of dust and dirt that is in his yard.

Lack/Boggs made a motion to open the public hearing on the variance request.

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

No comments were made by the public.

Lack/Pettit made a motion to close the public hearing.

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

Boggs/Ganster made a motion to grant Patrick Wren of 9866 Western Turnpike, Delanson, SBL#53.00-1-18 a 2-foot height variance under section 5.7.1 of the Town of Duanesburg zoning ordinance providing a building permit be obtained within 6 months and all aspects of the ordinance are followed.

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

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New Business:

#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. The members asked Mr. Nichols about:

- 1.- Elevation change
- 2.- Whether it's a pole barn or a garage.
- 3.- What material would be used for the siding.
- 4.- The height of the garage that is proposed.
- 5.- Are there neighbors nearby.
- 6.- Where the septic and well are located.

Mr. & Mrs. Nichols answered that the requested location is due to a slope on their property. They stated that they would extend the current driveway about 20 feet to tie into the garage. Mr. Nichols claimed that the structure is a pole barn that he is going to use as a garage and that the siding will be metal, the garage will be 1 story with 12-foot ceilings. Mr. Nichols pointed out where the septic and well are located on his property. He also stated that they don't have any neighbors that are near by and there is mostly wooded area around their property.

Lack/Boggs made a motion to declare lead agency for SEQRA purposes.

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

Lack/ Leoni made a motion that the ZBA determined that the granting of this setback is an exempt type 2 action, and no further action is necessary.

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

Leoni/ Boggs made a motion to set a public hearing on June 20, 2023, at 7:00PM for Kevin Nichols at 11560 Duanesburg Rd Delanson, SBL#75.00-2-14 seeking a 40-foot variance under section 8.6(1).

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

Minutes Approval

Leoni/Lack made a motion to approve the April 18, 2023, Zoning Board minutes.

Leoni aye, Lack aye, Ganster abstain, Boggs aye, Pettit aye, **Approved.**

Other:

Board Member Leoni requested that the Town of Duanesburg website and the Zoning Board binders be updated with correct membership and email addresses.

Pettit/ Ganster made a motion to adjourn the 5/16/2023 ZBA meeting.

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