

Nelson Gage, Zoning Board Chair  
Dale Warner, Town Planner  
Melissa Deffer, Clerk  
Teresa Bakner, Attorney



Jonathan Lack, Vice Chair Member  
Link Pettit, Board Member  
Daniel Boggs, Board Member  
Matthew Ganster, Board Member

**Town of Duanesburg  
Zoning Board of Appeals  
March 15<sup>th</sup>, 2022**

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Town of Duanesburg is inviting you to a scheduled Zoom meeting.

Topic: Town of Duanesburg's ZBA Meeting

Time: This is a recurring meeting Meet anytime

**Join Zoom Meeting**

<https://us02web.zoom.us/j/86499746075>

**Meeting ID:** 864 9974 6075

**Passcode:** 130214

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

**Meeting ID:** 864 9974 6075

**Passcode:** 130214

**INTRODUCTION BY CHAIRPERSON NELSON GAGE:**

**OPEN FORUM**

**PUBLIC HEARINGS:**

None

**OLD BUSINESS:**

None

**NEW BUSINESS:**

**#22-01 Catalytic Recovery Corp**, SBL#67.00-3-8.1, (C-2) Located at 5469 Duanesburg Rd is seeking an Area Variance for a rear and side yard setback under section 12.6(2);12.6(4); 14.5.2(B) of the Town of Duanesburg Zoning Ordinance

**Other:**

**ZONING BOARD MEETING MINUTES:**

February 15<sup>th</sup>, 2022

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

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

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**ADJOURNMENT**

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

VARIANCE APPLICATION  
TOWN OF DUANESBURG  
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: February 25, 2022 Zoning District \_\_\_\_\_ Type of Variance  
 Use Variance  Area Variance  
SBL# 67.00-3-8.1 Phone #: \_\_\_\_\_

Applicant's Name: Michael Grandy - Catalytic Recovery Corp. - Michael Grandy

Applicant's Address: 72 Apple Tree Lane  
Clifton Park, NY 12065

Property Owner Name(if different): Albert Abbatiello, Jr.

Property Address (if different): 5469 Duaneburg Road, Duaneburg, NY 12066

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

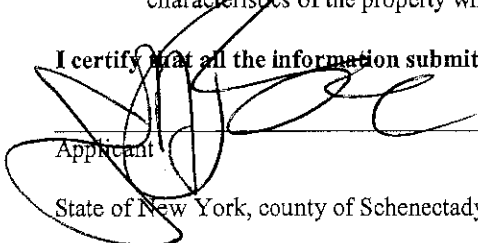
Proposal: (Brief description of request)  
Reduce left side line and rear yard from 80 feet to 25 feet because of property shape.

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

**REQUIRED INFORMATION:**


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

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

  
Applicant

2/25/22  
Date

GIA L. NEALON  
Notary Public, State of New York  
Registration #01NE6367062  
Qualified in Schenectady County  
Commission Expires Nov. 13, 2025

State of New York, county of Schenectady sworn this 25 day of February 2022 Notary Public 

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

Reviewed by \_\_\_\_\_ Date \_\_\_\_\_  
Fee 168.00 Date 3-8-22 Check# 53453 Rec'd By (M)  
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)

**RECEIVED**  
**MAR 07 2022**

 ORIGINAL

**NOTICE OF DETERMINATION**  
**of the Town of Duaneburg**

Date of Determination 3/4/22

Application of Catalytic Recovery Corp. under section  
14.5.2 (B) of the (Village of Delanson/Town of Duaneburg)  
Zoning Ordinance.

Applicant Catalytic Recovery Corp. Michael Andy  
Address 5469 Duaneburg Rd.  
Duaneburg NY 12056

Phone \_\_\_\_\_ Zoning District C-2 SBL# 67.00-3-8.1

Description of Project: Construct a storage + Recovery Building with proposed addition <sup>future</sup>

Determination: Rear + side yard reductions Rear 55' variance  
side 15' variance

Reason supporting determination:  
Town of Duaneburg Zoning Ordinance adopted 9/11/15 section  
12.6(2) side and 12.6(4) Rear

Action: Refer to ZBA for the purpose of Area Variance  
for side + rear yards

Code Enforcement Officer: [Signature]

**RECEIVED**  
MAR 07 2022

 ORIGINAL

8.1

4378

1215 0350

§ 3014 WARRANTY DEED - LIEN COVENANT (Rev. 8-70)

89 0727

© NATIONAL LEGAL SUPPLY, INC.  
126 Sheridan Ave., Albany, N.Y. 12210

576

THIS INDENTURE, made the 23rd day of February 19 89  
BETWEEN CHARLES F. PETERS, residing at 64 Blue Barns Road,  
Rexford, New York 12148

RECORDED  
1989 FEB 24 4 40 52

grantor  
ALBERT V. ABBATIello, JR., residing at 7240  
Bellevue Drive, Schenectady, New York 12303

grantee

WITNESSETH, that the grantor, in consideration of (\$1.00)  
ONE AND NO/100 DOLLARS  
and other good and valuable consideration

lawful money of the United States  
paid by the grantee do hereby  
and assigns forever.

grant and release unto the grantee his heirs

ALL THAT PIECE OR PARCEL OF LAND situate, lying and being in the Town of Duanesburg,  
County of Schenectady, State of New York, bounded and described as follows:

BEGINNING at a point on the Southerly boundary of New York State Route 7 where  
said boundary is intersected by the Northerly boundary of Lot #5 of the subdivision  
of said Town of Duanesburg and proceeding thence the following three courses along  
said lot line: South 81° 40' 35" East 316.91 feet; thence South 81° 23' 40" East  
201.01 feet; thence South 82° 03' 35" East 93.00 feet to an iron pipe; proceeding thence  
through land remaining of Alfred L. and Clare W. Williams North 3° 07' 35" West  
289.03 feet to an iron pipe set along the Southerly boundary of New York State Route  
7; proceeding thence the following two courses along the Southerly boundary of New York  
State Route 7: South 71° 55' 35" West 189.96 feet; thence South 70° 57' 15" West  
431.71 feet to the point of beginning containing 2.00 acres more or less.

BEING the same premises conveyed by Warranty Deed from ALFRED L. WILLIAMS and  
CLARE W. WILLIAMS, his wife, to CHARLES F. PETERS dated June 15, 1974 and recorded  
in the Schenectady County Clerk's Office on June 25, 1974 in Book 979 of Deeds at  
Page 1118.

SUBJECT to the provisions of the zoning ordinance, rules and regulations of  
the Town of Duanesburg and all enforceable covenants, conditions, restrictions and/or  
easements of record, if any, affecting same.

EXCEPTING AND RESERVING THEREFROM all that property appropriated by the People  
of the State of New York for Interstate Route 508 and described in Map No. 149, Parcel  
No. 168 filed in the Schenectady County Clerk's Office and by Appropriation of Property  
dated November 22, 1977 and recorded April 24, 1978 in Book 1016 of Deeds at Page 344.

R & R: TOFFENA & TOFFENA, 1570 State Street, Schenectady, New York 12304

RECEIVED  
\$ 978.00  
REAL ESTATE  
FEB 24 1989  
TRANSFER TAX  
SCHENECTADY  
COUNTY

2080

D

R.P.T.S.A.

TAX MAP IDENT.

67 BLOCK 3 LOT 8.1

MCS

TOGETHER with the appurtenances and all the estate and rights of the grantor in and to said premises,  
TO HAVE AND TO HOLD the premises herein granted unto the grantee  
his heirs and assigns forever. AND the said grantor covenants as follows:

FIRST.- That the grantee shall quietly enjoy the said premises;  
SECOND.- That the grantor will forever warrant the title to said premises;

This deed is subject to the trust provisions of Section 13 of the Lien Law.

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

*Charles F. Peters*  
CHARLES F. PETERS L.S.

..... L.S.

STATE OF NEW YORK COUNTY OF SCHENECTADY

§ 11

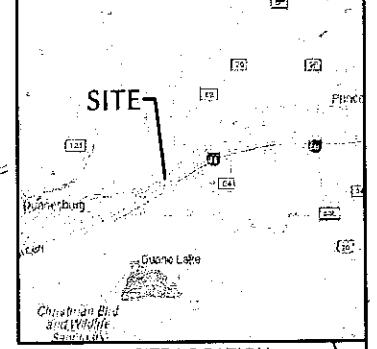
On the 23rd day of February 19 89 before me came  
CHARLES F. PETERS

to me known and known to me to be the individual described in, and who executed, the foregoing instrument,  
and acknowledged to me that he executed the same.

SHARON L. MCRICLE  
Notary Public, State of New York  
Qualified in Schenectady County  
My Comm. expires March 30, 1991  
*Sharon L. McRickle*  
Notary Public

RECEIVED  
MAR 07 2022

ORIGINAL



**SITE LOCATION**

1. BASE MAPPING PREPARED FROM A DECEMBER 2021 FIELD SURVEY.

2. THE PLANS SHOW SOME KNOWN STRUCTURES, ABOVEGROUND STRUCTURES AND/OR UTILITIES BELIEVED TO EXIST IN THE WORKING AREA. EXACT LOCATION OF WHICH MAY VARY FROM THE LOCATIONS INDICATED. IN PARTICULAR, THE CONTRACTOR IS WARNED THAT THE EXACT OR EVEN APPROXIMATE LOCATION OF SUCH PIPE LINES, SURFACE STRUCTURES AND/OR UTILITIES IN THE AREA MAY BE DIFFERENT FROM THAT SHOWN OR MAY NOT BE SHOWN AND IT SHALL BE HIS RESPONSIBILITY TO PROCEED WITH GREAT CARE IN EXECUTING ANY WORK. 48 HOURS BEFORE YOU DIG, DRILL OR BLAST, CALL U.F.P.O. (1-800-982-7982), TOLL FREE.

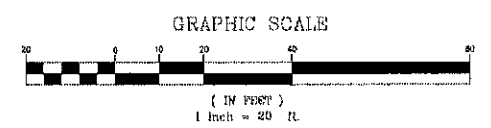
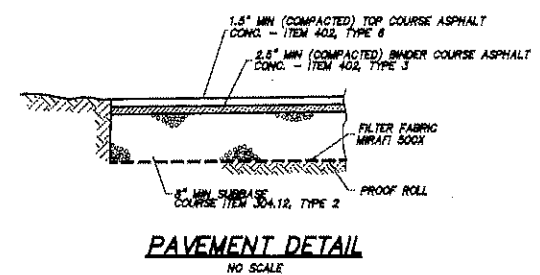
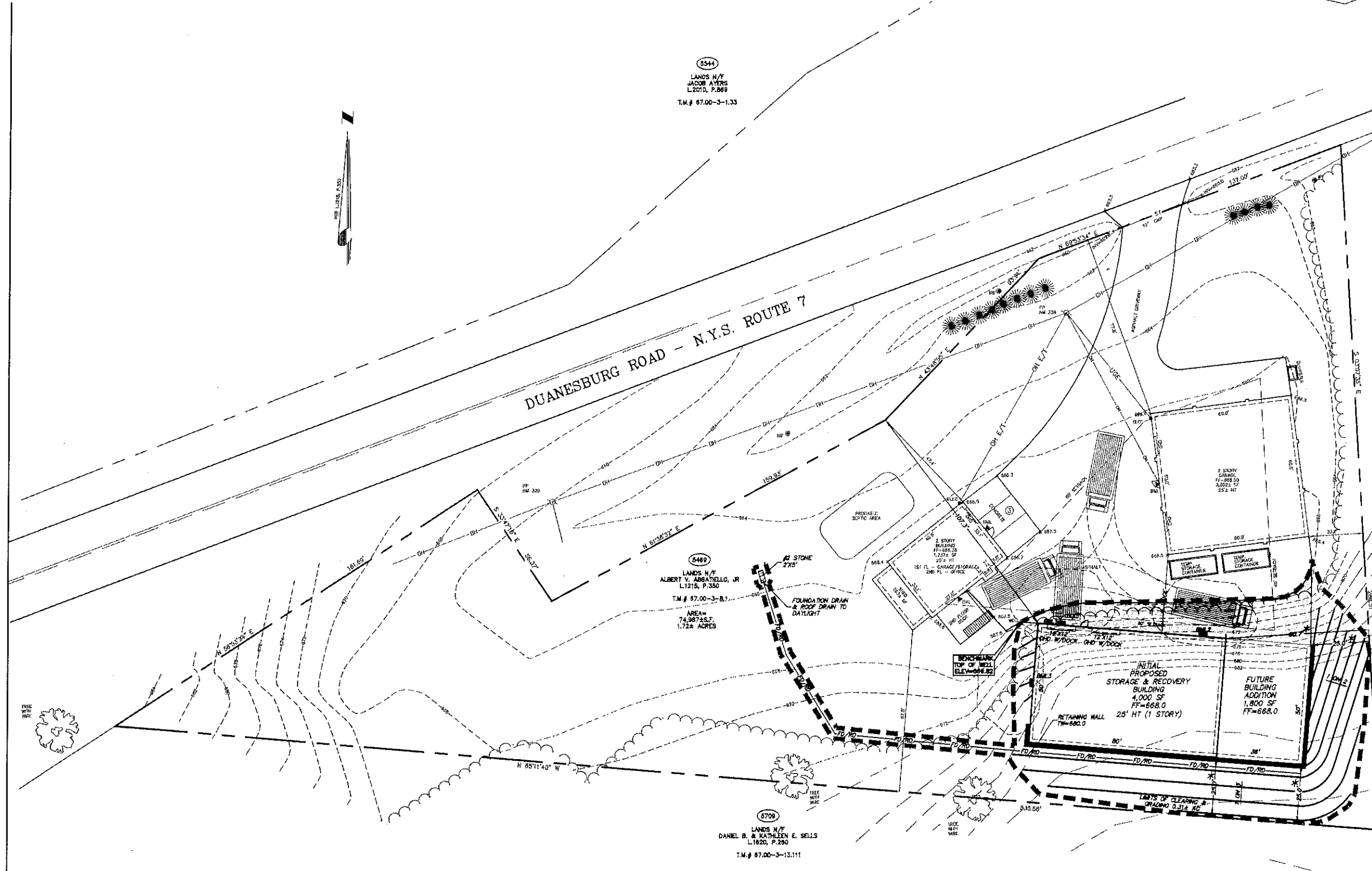
ZONING: C-2 MANUFACTURING & LIGHT INDUSTRIAL

REQUIRED	PROVIDED EXISTING	PROVIDED PROPOSED
LOT SIZE: 100,000 SF MIN.	74,987 SF (1.72 AC)	74,987 SF (1.72 AC)*
LOT WIDTH: 200' MIN.	873.53'	873.53'
LOT DEPTH: 200' MIN.	288.51'	288.51'
LOT COVERAGE: 50% MAX.	6.25%	14.55%
BUILDING HEIGHT: 3 STORES (42') MAX.	25'± (2 STORES)	25'± (2 STORES)
BUILDING SIZE: 40,000 SF MAX.	5,102 SF	10,902 SF TOTAL
SETBACKS:		
FRONT: 80'	47.4'	107.3'
SIDE: 40'	23.2'*	25.0'*
REAR: 80'	87.8'*	87.8'*

\* VARIANCE REQUIRED

**COVERAGE STATISTICS**

BUILDINGS:	10,902 SF	14.6%
PAVEMENT:	12,314 SF	18.6%
GREEN SPACE:	51,771 SF	69.0%
TOTAL:	74,987 SF (1.72 ACRES)	100%



5544  
LANDS N/F  
JACOB AYERS  
L2010, P.889  
T.M.# 87.00-3-1.33

5469  
LANDS N/F  
ALBERT V. ARBATELLO, JR.  
L1215, P.330  
T.M.# 87.00-3-8.1  
AREA = 74,987 S.F.  
1.72± ACRES

5708  
LANDS N/F  
DANIEL B. & KATHLEEN E. SELLS  
L1820, P.260  
T.M.# 87.00-3-13.111

5431  
LANDS N/F  
MICHAEL E. LEXLEY  
L1278, P.182  
T.M.# 87.00-3-1.2

OWNER:  
ALBERT V. ARBATELLO JR.  
5488 DUANESBURG ROAD  
DUANESBURG, NY 12056  
TAX MAP # 87.00-3-8.1

APPLICANT UNDER CONTRACT:  
CATALYTIC RECOVERY CORP.  
(MICHAEL GRANDY)  
72 APPLE TREE LANE  
CLIFTON PARK, NY 12065

ALTERATION OF THIS DOCUMENT EXCEPT BY A LICENSED PROFESSIONAL ENGINEER IS ILLEGAL.

**STATE OF NEW YORK**

**SEAL OF PROFESSIONAL ENGINEER**

JOSEPH J. MANGIONE, P.E.  
N.Y.S. LICENSE NO. 10028

**SITE PLAN**  
**CATALYTIC RECOVERY CORP.**  
5469 DUANESBURG ROAD

TOWN OF DUANESBURG COUNTY OF SCHENECTADY

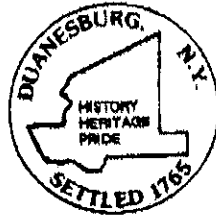
STATE OF NEW YORK

**ENGINEERS, LLP**  
411 Walton Street  
Schenectady, NY 12305  
518-377-0315 Fax: 518-377-0379  
www.abkong.com

DATE: FEBRUARY 21 2022 SCALE: 1" = 20' DWG. 5425A-53 SHEET 1 OF 1

Nelson Gage, Zoning Board Chair  
Dale Warner, Town Planner  
Melissa Deffer, Clerk  
Teresa Bakner, Board Attorney

Jonathan Lack, Vice Chairperson  
Link Pettit, Board Member  
Daniel Boggs, Board Member  
Matthew Ganster, Board Member



TOWN OF DUANESBURG  
SCHENECTADY COUNTY

RECEIVED  
FEB 16 2022  
TOWN OF DUANESBURG  
TOWN CLERK

Town of Duanesburg  
Zoning Board Minutes  
February 15<sup>th</sup>, 2022  
**Draft Copy**

**MEMBERS PRESENT:** Nelson Gage Chairman, Jonathan Lack Vice Chairman, Daniel Boggs, Matthew Ganster, Link Pettit. Also attending Clerk Melissa Deffer.

**INTRODUCTION:**

Nelson Gage opened the meeting at 7:00 pm. Gage welcomed everyone to tonight's meeting.

**OPEN FORUM:**

Nelson Gage opened the open forum at 7:01 pm.  
Nelson Gage closed the open forum at 7:02pm.

**PUBLIC HEARINGS:**

None

**OLD BUSINESS:**

None

**New Business:**

None

**OTHER:**

Mr. Christopher Longo from Empire Engineering who is representing Mr. Eric Dolan for a Special use permit application that is in front of the Planning Board for a Site Plan Review. The Town Planner suggested that they get an Interpretation of Primary Use and Accessory Use from the ZBA. There is a single-family house that is left on the property that is currently being occupied by a student for a couple more months and then she plans on vacating. Mr. Dolan would like to turn the house into a caretaker house for the current property and for a parcel a couple miles away. The caretaker will work roughly 25-30 hours a week at his own pace. Job duties will be to maintain the lawn, storage units, and make sure no unusual activity is going on. The first couple units will be visible from the road. An old farm road is going to be used as the

main entrance into the units. Mr. Longo stated that there use to be two single family homes on the parcel along with a couple barns. One of the single-family homes has been demolished due to being inhabitable along with old barns, pine trees and chicken coops. The Pine Grove Dairy Barn remains on the property. The dairy barn was in operation from 1950-1971. Mr. Longo asked the ZBA if it is okay to switch the house from an accessory use to the barn, which it was in the past to now be considered an accessory use to what will be a self-storage unit. This use is currently allowed in the C-1 zoning district with a special use permit. After hearing all comments from the board members, the ZBA recommends the following:

1. The owner submits an "Evaluation of Eligibility" to the State Historic Preservation Office for the house and barn on the premises through the CRIS online submission process for a proper evaluation of these buildings.
2. On the plot plan the house that remains on the property to state it is designated as a "caretakers house".
3. The Planning Board Hold a Public Hearing for the Site Plan Review.

**Gage/Lack** made a motion that the Zoning Board of Appeals allows for the single-family structure be considered as an accessory use to the self-storage principal use operation as long as the dwelling be part of the business on the site plan. Also, for the Planning Board take into consideration resubmitting the existing barn to SHPO and to hold a public hearing on the site plan review project.

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

#### **MINUTES APPROVAL:**

**Lack/Boggs** made a motion to approve the January 18<sup>th</sup>, 2022, Zoning Board minutes with no corrections.

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

**Lack/Pettit** made a motion to approve the December 21<sup>st</sup>, 2021, Zoning Board minutes with minor corrections.

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

#### **ADJOURNMENT:**

**Pettit/Ganster** made a motion to adjourn at 7:50 pm.

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