

Nelson Gage, Zoning Board Chair
Dale Warner, Town Planner
Melissa Deffer, 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

**Town of Duanesburg
Zoning Board of Appeals
November 15th, 2022**

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:

#22-09 Ferri, Matthew: SBL#65.00-2-5.1, (R-2) located at 243 Knight Rd is seeking an Area Variance and Side Yard Variance on a preexisting undersized lot in a R-2 Zoning District under sections 8.5(1);8.6(2) of the Town of Duanesburg Zoning Ordinance.

Approved: Yes _____ No: _____

Comments: _____

OLD BUSINESS:

None

NEW BUSINESS:

#22-10 Beliveau, Matt: SBL#35.06-2-9, (R-1) located at Hillside Rd is seeking an Area Variance and a Side Yard Variance under sections 6.6(2);6.5(1) of the Town of Duanesburg Zoning Ordinance.

Comments: _____

Other:

None

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
Charles Leoni, Board Member

ZONING BOARD MEETING MINUTES:

September 20th, 2022

Approved: Yes _____ No: _____

Comments: _____

ADJOURNMENT

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
Charles Leoni, Board Member

**PUBLIC HEARING
LEGAL NOTICE
FOR THE
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS**

NOTICE OF PUBLIC HEARING

Please Take Notice, that the Zoning Board of Appeals for the Town of Duanesburg, will meet in the Town board room located downstairs of the Town Hall at 5853 Western Turnpike Duanesburg NY, on November 15th, 2022, at 7:00 pm for the purpose of hearing all persons interested in the application of:

#22-09 Ferri, Matthew: SBL#65.00-2-5.1, (R-2) located at 243 Knight Rd seeking a Side Yard Variance on a preexisting undersized lot in a R-2 Zoning District under section 8.6(2) of the Town of Duanesburg Zoning Ordinance.

APPLICATION INFORMATION IS AVAILABLE DURING BUSINESS HOURS. PLEASE CONTACT:

Melissa Deffer Building, Planning and Zoning Clerk
P# 518-895-2040

EMAIL: Mdeffer@duanesburg.net

BY ORDER OF THE
TOWN OF
DUANESBURG ZONING BOARD OF APPEALS
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
Meeting ID: 825 2590 5610
Passcode: 262480

SWIS Code	412089
Owner	FERRI, MATTHEW J.
Owner Address	411 KNIGHT RD.
Owner City/State	DELANCO, NY 12053
Property Classification	210
Area (Acres)	22.000
Frontage (ft)	170
Depth (ft)	250
Volume	1.00

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: 9/21/22 Zoning District R-2

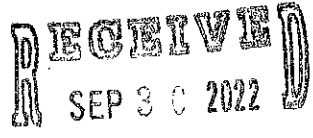
Type of Variance
 Use Variance Area Variance

SBL# 65.00 - 2.5.1

Phone #: _____

Applicant's Name: MATTHEW FERRELL (518) 577 6364

Applicant's Address: 156 BARBIN RD
ESPERANCE NY 12066



Property Owner Name(if different): _____

Property Address (if different): 243 KNIGHT RD DELANSON NY 12053

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

Proposal: (Brief description of request)
construct a 32' x 24' garage seeking a side yard reduction
of 10 feet
existing lot is 170' wide

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

9/21/22
Date

State of New York, county of Schenectady sworn this _____ day of _____ 20____, Notary Public

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

Reviewed by [Signature] Date 9-30-22
Fee 100.00 Date 9-30-22 Check# 276 Rec'd By [Signature]
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: _____

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: _____ Address: _____ _____	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:
construct a 32' x 24' Garage
3. Location of project: Address: _____
Tax Map Number (TMP) 65.00-2-5.1
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: _____ 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

Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: _____

Dale R. Warner

8/16/22
Date

Revised 4/4/17

FARM NOTE

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

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

OFFICE OF THE SCHENECTADY COUNTY CLERK



620 STATE STREET
SCHENECTADY, NY 12305-2114
PHONE (518) 388-4220
FAX (518) 388-4224

Maryellen Brehm

Alicia Godlewski

Jeffrey Morrette

Carla Saglimbeni
Deputy County Clerks

Cara M. Ackerley
County Clerk

Instrument Number - 201909172
Recorded On 3/1/2019 At 3:47:20 PM
* Instrument Type - DEED
* Book/Page - DEED/2006/686
* Total Pages - 4
Invoice Number - 998663 User ID: TMH
* Document Number - 2019-845
* Grantor - ROCKWELL DENISE M

* Grantee - FERRI MATTHEW J

*RETURN DOCUMENT TO:
FRANK M PUTORTI JR ESQ
1338 UNION ST
SCHDY, NY 12308

* FEES

NY REALTY TRANSFER TAX	\$600.00
NY LAND SUR	\$4.75
NY E & A FEES	\$116.00
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	\$790.00

TRANSFER TAX

Real Estate Transfer Tax Num - 2742
Transfer Tax Amount - \$ 600.00

I hereby CONFIRM that this document is
Recorded in the Schenectady County Clerk's Office
in Schenectady, New York

Cara M. Ackerley
Schenectady County Clerk

THIS IS AN ENDORSEMENT PAGE

Do Not Detach

THIS PAGE IS NOW PART OF THIS LEGAL DOCUMENT

* - Information denoted by an asterisk may change during the verification process and may not be reflected on this page.

INSTRUMENT NUMBER - 201909172



WARRANTY DEED WITH LIEN COVENANT

THIS INDENTURE

Made this 16 day of Oct, Two Thousand Eighteen,

BETWEEN

DEED Book 2006 Page 687
Doc No 2019-845

DENISE M. ROCKWELL
residing at 243 Knight Road, Delanson, New York 12053,

Party of the first part, and

MATTHEW J. FERRI,
residing at 156 Barbin Road, Esperance, New York 12066,

Party of the second part,

WITNESSETH that the party of the first part, in consideration of One and NO/100 (\$1.00) Dollars lawful money of the United States, and other good and valuable considerations paid by the party of the second part, does hereby grant and release unto the party of the second part, his heirs and assigns forever,

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

See Schedule "A" Attached

This conveyance is made subject to any and all covenants, conditions, easements and restrictions of record.

The parcel is entirely owned by the transferor.

Together with the appurtenances and all 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.

And said party of the first part covenants as follows:

First, that the party of the second part shall 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 before using any part of the total of the same for any other purpose.

1.5
7
65.00
0

In Witness Whereof, the party of the first part has hereunto set her hand and seal the day and year first above written.

IN PRESENCE OF

DENISE M. ROCKWELL
DENISE M. ROCKWELL

STATE OF NEW YORK)
COUNTY OF Schenectady)SS.:

On this 16 day of Oct, Two Thousand Eighteen, before me, the undersigned, a Notary Public in and for said State, personally appeared DENISE M. ROCKWELL, 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 she executed the same in her capacity, and that by her signature on the instrument, the individual executed the instrument.

THOMAS A. WRIGHT
Notary Public

THOMAS A. WRIGHT
NOTARY PUBLIC, #4800330
SCHOHARIE COUNTY, STATE OF NEW YORK
COMMISSION EXPIRES AUGUST 31, 2022

R+R

Frank M. Poter Jr.
1338 Union Street
Schoharie, N.Y. 12308

SCHEDULE "A"

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

Beginning at a point at the Northeasterly corner of the east equal half of Lot 153, known and recorded in the Office of the Clerk of Schenectady County as Locust Farm and running thence in a Southerly direction along the boundary line between the lands formerly of the John Hoag Estate and the lands of Abram P. Ball (this being also the Eastern boundary of the Knight Road), one hundred (100) feet to a point; thence in a westerly direction through the lands of Abram P. Ball, two hundred fifty (250) feet to a point; thence in a Northerly direction through the lands of Abram P. Ball, one hundred (100) feet to a point on the boundary line between the lands now owned by Abram P. Ball and the lands owned by Arthur Coons to a point; thence in an easterly direction along said boundary line for two hundred fifty (250) feet to the point of beginning.

The premises above described are sold and conveyed subject to the following restriction:

That no intoxicating liquors shall be manufactured, made or sold on the premises and this restriction is to run with the land.

BEING the same premises conveyed from Lawrence F. Rockwell and Kathie W. Rockwell, to Denise M. Rockwell, by Deed dated November 13th, 1997 and recorded in the Schenectady County Clerk's Office on November 18, 1997 in Book 1527 of Deeds at Page 362.

AND

Beginning at a point located in the division line between Lot 3 to the southwest and a portion or land to be merged with lands now or formerly of Denise M. Rockwell to the northwest; thence along said division line and through the lands now or formerly of James Cole (Book 1771, Page 273) the following two courses and distances:

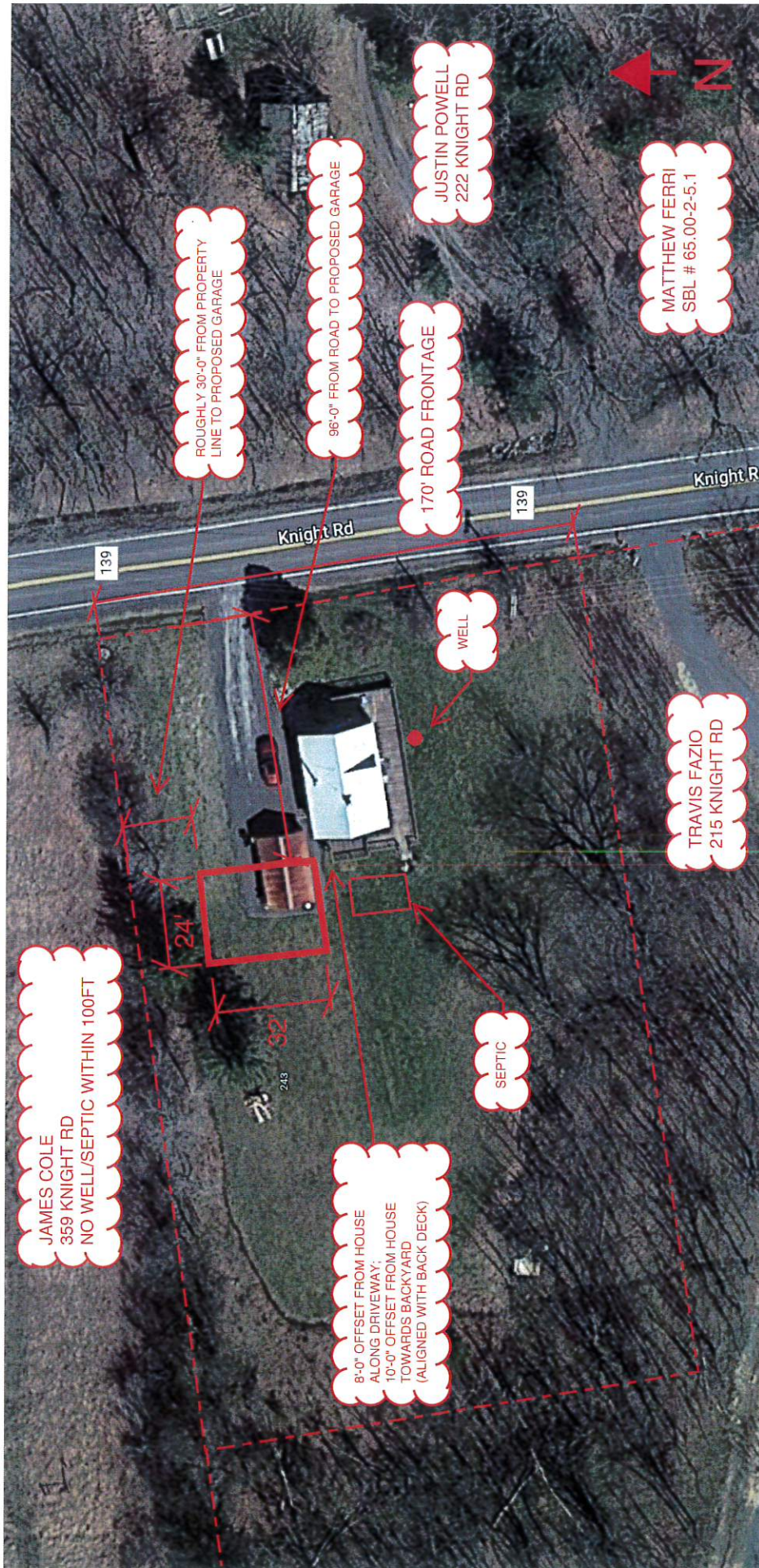
1. North 85~-20'-19" West, a distance of 247.99 feet to a point;
2. North 03e~29~-3 1" East, a distance of 70.01 feet to a point

located in the division line between lands of Cole to the southwest and lands now or formerly of Denise M. Rockwell (Book 1527, Page 362) to the northeast; thence along said division line South 85~-20'-19" East, a distance of 250.00 feet to a point located in the western road boundary of Knight Road; thence along the western road boundary of Knight Road South 05~-08'-28" West, a distance of 70.00 feet to the point or place of beginning; containing 0.40+1- acres more or less.

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

The said premises are further described on a Map filed in the Schenectady County Clerk's Office on March 5, 2008, Document #2008-15.

BEING the same premises conveyed from James A. Cole, to Denise M. Rockwell, by Deed dated October 30, 2008 and recorded in the Schenectady County Clerk's Office on November 6, 2008 in Book 1792 of Deeds at Page 738.



JAMES COLE
359 KNIGHT RD
NO WELL/SEPTIC WITHIN 100FT

ROUGHLY 30'-0" FROM PROPERTY
LINE TO PROPOSED GARAGE

96'-0" FROM ROAD TO PROPOSED GARAGE

170' ROAD FRONTAGE

JUSTIN POWELL
222 KNIGHT RD

MATTHEW FERRI
SBL # 65.00-2-5.1

TRAVIS FAZIO
215 KNIGHT RD

8'-0" OFFSET FROM HOUSE
ALONG DRIVEWAY;
10'-0" OFFSET FROM HOUSE
TOWARDS BACKYARD
(ALIGNED WITH BACK DECK)

WELL

SEPTIC

Map data ©2022, Map data ©2022 20 ft

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: October 12, 2022 Zoning District L-1 Type of Variance
 Use Variance Area Variance
SBL# 38.05-2-4 Phone #: _____

Applicant's Name: Maxt Beliveau

Applicant's Address: 2157 West Old Stone Road
Allamoa, NY 12009

Property Owner Name(if different): Beliveau Brothers, LLC

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)
To build a residential home with sufficient living space, meeting NYS Building Code. The width of proposed home will need to encroach side setbacks and, therefore, an area variance is being requested.

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 (12) 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] 10/15/2022
Applicant 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)

**Attachment to Variance Application
Hillside Avenue (Tax Map: 35.06-2-9)**

The provision sets forth five factors for the board to consider granting the area variance.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance.

Lot is pre-existing, nonconforming with frontage similar or greater to other frontages on the street. The area variance requested for side setback will not create an undesirable change in the character of the neighborhood as other houses on the lot are closer to the property line than the required 40 foot side setback.

2. Whether the benefit sought by the applicant can be achieved by some other feasible method other than the variance.

No, applicant does not have additional land to increase lot width. House could be smaller to increase side setback, but not feasible for adequate living space.

3. Whether the requested variance is substantial.

No, the requested setback is greater to the property line than most of the existing houses in the area.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

No, the lot is large enough to accommodate a decent size house while meeting minimum NYS codes to property line. Additionally, the lot has access to the public sewer.

5. Whether the alleged difficulty was self-created, (that it was will not necessarily preclude the granting of the area variance.)

No, this is a pre-existing lot that already does not meet minimum lot requirements.

3
4

Schenectady County Endorsement Page

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

RECORDED
12/14/2005 12:07:33 PM
County Clerk
JOHN J. WOODWARD
SCHEMECTADY COUNTY, NY
Book/Pase: DEED/1722/513
Total Pages: 3
Inst Num: 364880
Doc No: 2005-7117
Inst Num: 200552109
NY LAND SUR \$4.75
NY E & A FEES \$156.00
NY LAND COMP SUR \$14.25
CO GENERAL REVENUE \$26.50
CO LAND SUR \$0.25
CO E & A FEES \$9.00
CO LAND COMP SUR \$0.75
TOTAL \$211.50
INV: 364880 USER: TMH

Document Type: **Executor's Deed**

From Party: **Marlene Verrigni, Executrix of the Estate of Rocco Verrigni**

To Party: **Joseph S. Verrigni**

RETURN TO: **Dean Riggi, Esq.
101 Mohawk Avenue
Scotia, NY 12302**

RECEIVED
\$ 0.00
REAL ESTATE
DEC 14, 2005
SCHEMECTADY COUNTY
2366

Important: This endorsement page constitutes the Clerk's endorsement in accordance with Local Law #7 of 1996-DO NOT DETACH-upon recording, this page becomes part of the document

EXECUTOR'S DEED

THIS INDENTURE made the 22nd day of August, 2005.

Between:

MARLENE VERRIGNI, residing at 105 7th Street, Saratoga Springs, New York 12866, as Executrix of the Estate of Rocco Verrigni a/k/a Rocco T. Verrigni by virtue of the Last Will and Testament of Rocco Verrigni, late of the County of Saratoga, deceased,
party of the first part, and

JOSEPH S. VERRIGNI, residing at 3313 Mariaville Road, Schenectady, New York 12306,
party of the second part,

Witnesseth, that the party of the first part, by virtue of the power and authority to her give in and by the said Last Will and Testament, and in consideration of One Dollar (\$1.00) lawful money of the United States, and other good and valuable consideration, paid by the party of the second part, her heirs, and assigns forever, **ALL**

THAT CERTAIN TRACT OR PARCEL OF LAND situate, lying and being on the Northerly side of Rightview Avenue near the Village of Mariaville, Town of Duanesburg, County of Schenectady State of New York consisting of Lots Nos. 38 and 39, as said lots are shown and designated on "The Lakeview Heights No. 1, Maria Lake, belonging to T.C. Swart, Town of Duanesburg, Schenectady County, New York Emmett Blessing, Surveyor, dated September 1922" and filed in the Schenectady County Clerk's Office and together bounded and described as follows: with reference to said map; Southerly and in front by Rightview Avenue, 120 feet along the same; Northerly and in the rear by other lands now or formerly of T.C. Swart, 120 feet along the same and Westerly by Lot No. 37, 150 feet along the same, Easterly by Lot No. 40, 150 feet along the same.

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

The said Rocco T. Verrigni died a resident of the County of Saratoga on December 29, 2003. On October 5, 2004 Letters Testamentary of the Last Will and Testament of Rocco T. Verrigni were issued to Marlene Verrigni.

BEING the same premises conveyed to Rocco T. Verrigni and Joseph S. Verrigni by Warranty Deed dated March 5, 1992 and recorded in the Schenectady County Clerk's Office on March 6, 1992 in Book 1334 of Deeds at Page 287.

Together with the appurtenances, and also all the estate which the said Testator had and at the time of his decease, in said premises, and also the estate therein, which the party of the first part has or have power to convey or dispose of, whether individually, or by virtue of said Will or otherwise.

0 3506 29
SEC

To have and to hold the premises herein granted unto the party of the second part, and assigns forever.

Subject to the Trust Fund provisions of Section Thirteen of the Lien Law.

And the party of the first part covenant that she has not done or suffered anything whereby the said premises have been encumbered in any way whatever.

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

Marlene Verrigni

MARLENE VERRIGNI
Executrix under the Last Will and
Testament of Rocco T. Verrigni, deceased.

STATE OF NEW YORK :
: ss.
COUNTY OF SCHENECTADY :

On the 22nd day of August, 2005, before me, the undersigned, a Notary Public in and for the State, personally appeared *Marlene Verrigni*, 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 she executed the same in her capacity, and by her signature on the instrument, the individual or the person upon belief of which this individual acted, executed the instrument.

Dean Riggi

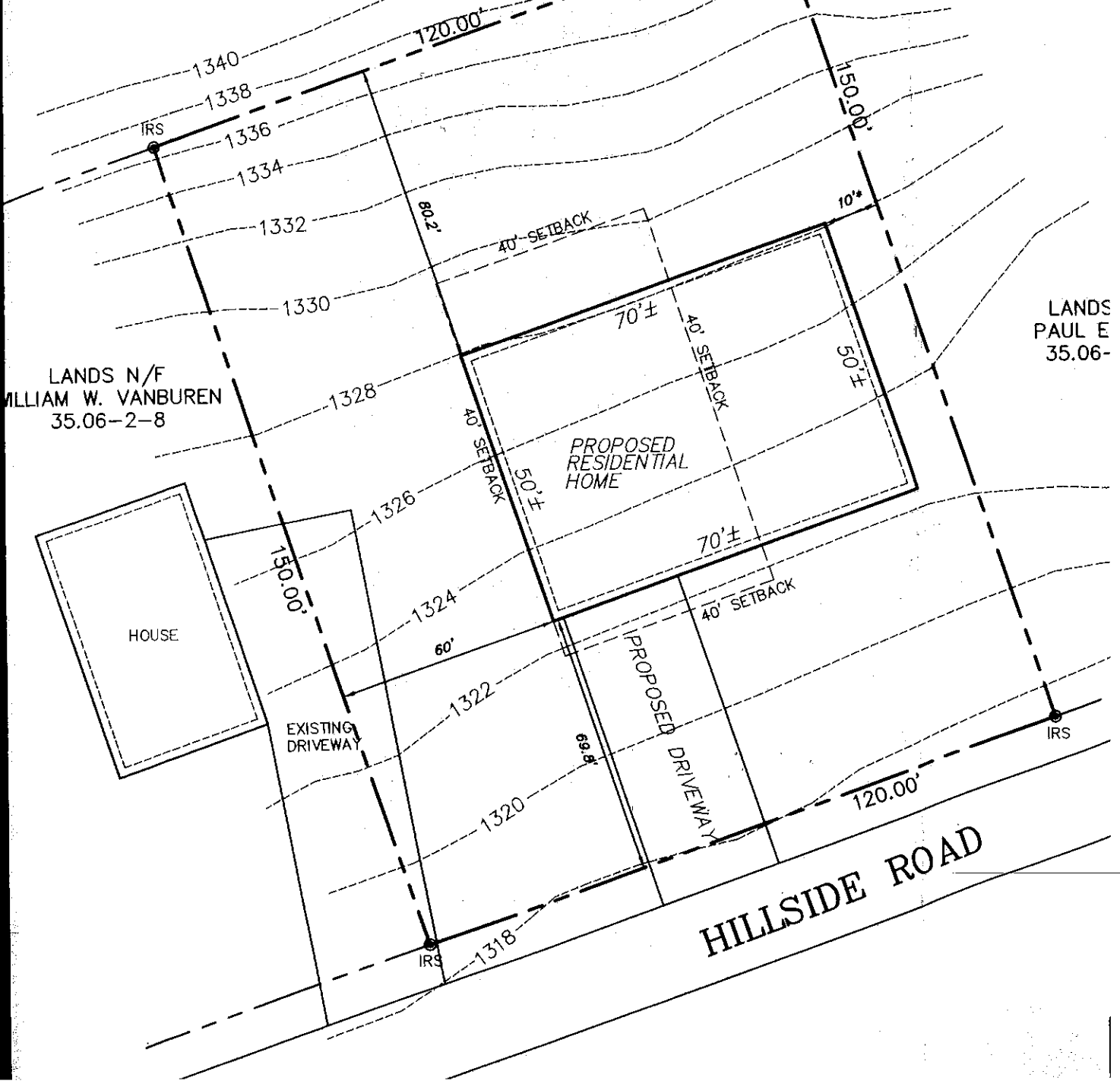
Notary Public

DEAN RIGGI
Notary Public, State of New York
Qualified in Schenectady County
Commission Expires Jan. 5, 2007

LANDS N/F
DAVID F. WALLACE
26.18-1-3.1



LARGE
CONIFEROUS
TREE



LANDS N/F
WILLIAM W. VANBUREN
35.06-2-8

LANDS
PAUL E
35.06-

Nelson Gage, Zoning Board Chair
Dale Warner, Town Planner
Melissa Deffer, 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

Town of Duanesburg
Zoning Board Minutes
October 18th, 2022
Draft Copy

RECEIVED
OCT 19 2022
TOWN OF DUANESBURG
TOWN CLERK

MEMBERS PRESENT: Nelson Gage- Chairperson, Jonathan Lack- Vice Chairperson, Matthew Ganster, Charles Leoni, and Daniel Boggs. 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.
Lyntie Bruning located at 13388 Duanesburg Rd. (Please See Attachment)
Nelson Gage closed the open forum.

PUBLIC HEARINGS:

None

New Business:

#22-09 Ferri, Matthew: SBL #65.00-2-5.1, (R-2) located at 243 Knight Rd is seeking a Side Yard Variance on a preexisting undersized lot in a R-2 Zoning District under section 8.6(2) of the Town of Duanesburg Zoning Ordinance. Mr. Ferri explained that he would like to build a 32X24 detached 2 car garage. There was a smaller garage that has collapsed and cleaned up. Mr. Ferri plans to put the new garage 8 ft off the house. The new garage will be in roughly the same spot as the previous one but just a couple feet further away from the house and existing septic tank. Mr. Ferri is asking for a 10 ft side yard variance. For the next meeting the Board would like to see the following:

1. The depth of the property
2. Garage plans

Gage/Lack made a motion that the **#22-09 Ferri, Matthew** application is and exempt Type II action pursuant to Title 6 NYCRR Section 671.5(c)(16).

No further action pursuant to SEQRA is required.

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

Boggs/Lack made a motion to set a public hearing for November 15th, 2022, at 7pm, or there about for the application of **#22-09 Ferri, Matthew**; SBL#65.00-2-5.1, (R-2) located at 243 Knight Rd seeking a Side Yard Variance on a preexisting undersized lot in a R-2 Zoning District under section 8.6(2) of the Town of Duanesburg Zoning Ordinance.
Boggs aye, Lack aye, Leoni aye, Ganster aye, Gage aye. **Approved.**

OLD BUSINESS:

None

OTHER:

#22-06 Callahan, Paul; SBL#67.00-2-11.41, (R-2) located at 646 W Duane Lake Rd is seeking an Area Variance to sell an existing undersize lot as a building lot in a R-2 Zoning District under section 8.5(1) of the Town of Duanesburg Zoning Ordinance. Mr. Callahan was not in attendance and no new information was submitted to the Board.

Lack/Gage made a motion to table the **#22-06 Callahan, Paul** application until the November 15th, 2022, meeting.

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

Chairperson Gage would like the Board Members to know about upcoming workshop trainings that are available.

MINUTES APPROVAL:

Ganster/Leoni made a motion to approve the September 20th, 2022, Zoning Board minutes with minor corrections.

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

ADJOURNMENT:

Lack/Ganster made a motion to adjourn at 7:44 pm.

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

PO Box 160
Quaker Street, NY 12141

Nelson Gage, Chairman
Zoning Board
Town of Duanesburg
5853 Western Turnpike
Duanesburg, NY 12056

Transmitted via: Privilege of the Floor October 18, 2022 Zoning Board

September 18, 2022

Re: Privilege of the Floor October 18, 2022 - website zoning board transparency and accountability

Dear Chairman Gage and the Zoning Board,

At the September 20, 2022 zoning board meeting I requested that the zoning board information be posted on the town website home page in the same manner that town board meetings are posted.

Tonight's meeting is posted on the town home page and it provides a hot link that automatically takes you to the zoom meeting. This is consistent with town meetings, easy to find and streamlined log on experience for the user.

For your reference I've attached two screen shots of the website showing the posting and log on information.

Thank you!

2. The "Legal Notices and Public Notices" webpage has not been updated since September 2021. The posting prior to this is October 2018. <https://www.duanesburg.net/legal-notice-and-public-notice>

This listing of legal notices and public notices does not represent town actions. It may mislead and misrepresent town meetings to the taxpayers. Concerned citizens may miss public hearings. I request that the zoning board direct the town board or town attorney to post zoning board public hearing notices on the "Legal Notices and Public Notices." Webpage.

Thank you for your time and consideration.

Respectfully,
Lynne Bruning
720-272-0956
lynnebruning@gmail.com



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Notice of Remote Access for Zoning Board Meeting on October 18, 2022 at 7:00 p.m. at Duanesburg Town Hall

POSTED ON OCTOBER 14, 2022 - 10:49AM

Topic: Zoning Board Meeting

Time: Oct 18, 2022 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/82525905610?pwd=WG1BU0Y1bDZlZDRUa0M0dC0yGUY0OQ==>

Meeting ID: 825 2590 5610

Passcode: 262480

One tap mobile

+16465588656,,82525905610#,,,,*262480# US (New York)

+16469313860,,82525905610#,,,,*262480# US



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Legal Notices and Public Notices

September 2021

[Public Hearing Notice for Local Law No. 2 of 2021 entitled "2021 Temporary Moratorium Law on Major Solar Energy Systems including Battery Energy Storage Systems."](#)

October 2018

- [October 30, 2018 Public Hearing for Cable Agreement](#)
- [October 25, 2018 Public Hearing for Preliminary Budget and LL# 7 of 2018](#)
- [October 25, 2018 Sewer District Assessment Roll Public Hearing](#)
- [October 4, 2018 Town Board Special Meeting](#)

September 2018

- [September 27, 2018 Special Town Board Meeting Budget Workshop](#)
- [September 22, 2018 Special Town Board Meeting](#)

- [Instructions for Spectrum Broadband cost aid in construction](#)
- [Seebold/Livingston Public Notice](#)
- [Schworm/BEB Drilling Public Notice](#)

August 2018

- [Dog Control Law Amendment](#)
- [Zoning Board of Appeals Public Hearing](#)

July 2018

- [Public Hearing on the proposed improvements to Mariaville Lake Sewer District #2 pursuant to Town law §202-b.](#)

June 2018

- [Hawes Major subdivision Public Hearing](#)
- [Hawes Special Use Public Hearing](#)

May 2018

[Town Board Supplemental bond Resolution Legal Notice](#)

[Town Board Local Law #3 of 2018 Legal Notice](#)

[DiCaprio Planning Board Legal Notice](#)

[Schworm Planning Board Legal Notice](#)

[Schworm #2 Planning Board Legal Notice](#)

April 2018

[Residents may now connect to Sewer District #3](#)

[Sewer District 1 & 3 Legal Notice](#)

March 2018

[Unserviced Roads](#)- Please confirm your road is listed. If it is not let us know so we can update our records.

February 2018

[Fire Protection District #3 Contract Public Hearing](#)

January 2018

- [Schenectady County Recreational Facilities Closure Notice](#)

June 2017



Dear Sewer Users

All Users should be aware that they cannot put baby wipes, women sanitary products, grease, clothing, diapers or any other item which can't be ground and pumped. Even if the package of the container says it is sewer friendly it generally is designed not for grinder pumps and gravity sanitary systems. These products can cause damage and clogs at pump stations which add to the cost of Maintenance and your Sewer Tax. This is a problem occurring now on this street. Thank you in advance for your anticipated cooperation. Any questions you can contact 925-0713 Cozy.

Sewer Department
Town of Duanesburg

- [Sewer User Public Notice](#)

Archived Legal Notices

- [View Older Public Notices and Announcements](#)

[Broadband Program Office \(BPO\) Map](#)

[Duanesburg Broadband Committee Shared Google Map](#)

[Duanesburg Broadband Initiative](#)

[Duanesburg Broadband Initiative Powerpoint Presentation](#)

[Legal Notice for Entering and Terminating Fire Contracts Public Hearing Oct 25, 2018](#)

[Local Law #1 of 2021 re Amending Zoning Ordinance as of July 22, 2021](#)

Local Law 2 of 2021- Solar Energy System as of July 8, 2021

NOTICE OF ADOPTION OF RESOLUTION SUBJECT TO PERMISSIVE REFERENDUM

Notice of Public Hearing Local Law No. 2 of 2021 entitled "2021 Temporary Moratorium Law on Solar Energy Systems including Battery Energy Storage Systems"

Proposed Local Law #1 of 2022 entitled, "A Local Law to Opt-In to the New Provisions of the Open Meetings Law".

Public Hearing Notice for June 10, 2021 Amending the Town of Duanesburg Zoning Ordinance with Respect to Commercial Venue Events

Public Hearing Notice for June 10, 2021 Revised Local Law regulating Solar Facilities

Resolution 161-17 Gazette Publication Sewer District 3

The Town amending Sewer Use Law section 605

Town Hall Addition Bid - April 20, 2022

News & Announcements

[Town of Duanesburg Broadband Public Hearing](#)



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