

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



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

**Town of Duanesburg
Zoning Board of Appeals
September 21st, 2021**

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:

#21-07 Collar City Auctions Reality & Mgmt., Inc: SBL# 65.00-2-41, (R-2) located at 473 Turnbull Rd is seeking a Home Occupation under section 14.5.4; 8.3(8) of the Town of Duanesburg Zoning Ordinance.

Approved: Yes _____ No: _____

Comments: _____

OLD BUSINESS:

None

NEW BUSINESS:

#21-08 Russell, Richard: SBL# 35.06-5-38, (R-1) located on Spring Rd is seeking a right and left side yard variance under section 6.6(2); 14.5.2(B) 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
Dianne Grant, Board Member
Link Pettit, Board Member
Daniel Boggs, Board Member
Matthew Ganster, Board Member

ZONING BOARD MEETING MINUTES:

August 17th, 2021

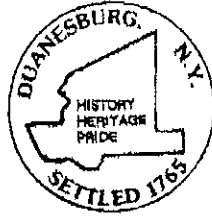
Approved: Yes _____ No: _____

Comments: _____

ADJOURNMENT

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

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



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

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

 **ORIGINAL**

RECEIVED
AUG 23 2021

NOTICE OF PUBLIC HEARING

PLEASE TAKE NOTICE, THAT THE ZONING BOARD OF APPEALS FOR THE
TOWN OF
DUANESBURG, NEW YORK, WILL MEET IN THE TOWN HALL
OF DUANESBURG, 5853 WESTERN TURNPIKE, ON SEPTEMBER 21st, 2021, AT
7:00 PM FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE
APPLICATION OF:

#21-07 Collar City Auctions Reality & Mgmt., Inc. SBL# 65.00-2-41, (R-2) located
at 473 Turnbull Rd is seeking a Home Occupation under section 14.5.4 of the Town
of Duaneburg Zoning Ordinance.

APPLICATION INFORMATION IS AVAILABLE DURING BUSINESS HOURS.
PLEASE CONTACT:

Melissa Deffer Building, Planning and Zoning Clerk
5853 Western Turnpike
Duaneburg, NY 12056
P# 518-895-2040

BY ORDER OF THE
TOWN OF DUANESBURG ZONING BOARD OF APPEALS
CHAIRPERSON



VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

Date: July 22, 2021

Zoning District

Type of Variance

Use Variance Area Variance

Phone #: 518-365-6379

SBL # 65.00-2-41

Applicant's Name: Collar City Auctions Realty & Mgmt, Inc.

Applicant's Address: 9423 Western Tpke, Delanson, NY 12053-2105

Property Owner Name (if different) NAVR Properties, L.L.C. (Audra Passonno, Member) or Passonno Family Trust

Property Address (if different) 473 Turnbull Road, Delanson, NY 12053

Property Owner's Signature

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

Proposal: (Brief description of request)

We request a zoning variance for a "Home Occupation Business Permit" to use a portion of our home at 473 Turnbull Road for office space for real estate sales and auction services. NOTE: NO ONSITE LIVE AUCTIONS OR LARGE GATHERINGS ARE PROPOSED TO TAKE PLACE AT THE SUBJECT PROPERTY. We are seeking the variance as we would like to have the ability to work from home and are more focused on the auction sale of real estate and online auctions. Please visit our online auction website at www.CollarCityAuctionsOnline.com to view how our auctions work. The online auctions require very few customers to come to our office as transactions are mostly completed online and this applies equally to real property sales. We don't anticipate any increase in traffic on Turnbull Road. On average, we may see three to ten customers throughout the busy week during normal business hours.

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. Fifteen (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 100 ft 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. 7-23-21
Applicant Date

State of New York, County of Schenectady sworn this 23 day of July 2021. Notary Public/Commissioner of Deeds

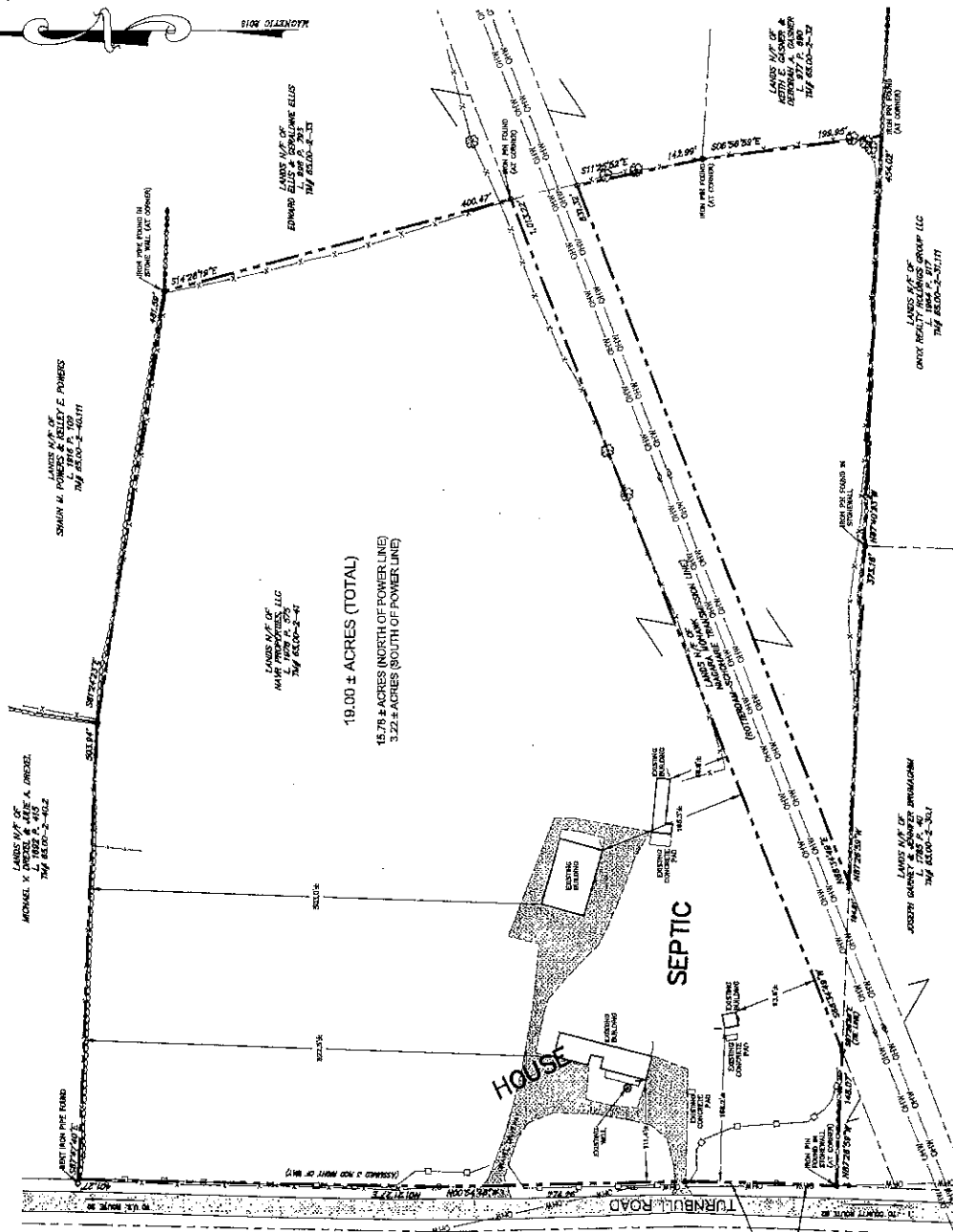
***** (For Office use Only) *****

Reviewed by Date
Fee Date Check #
Hearing Date Approved: YES NO
Rec'd By Approval Date
Notary Public, State of New York
Qualified in Schenectady County
Reg. No. 01BA6076724
Commission Expires July 1, 2022

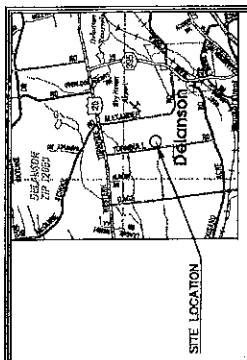
Conditions of approval: A permit must be obtained within 6 months of approval of this application and all other aspects of the Zoning Ordinance must be followed or the approval becomes null and void.
Other Conditions include:

Authorized Signature Date

NOTES:
 1) PREMISES SURVEYED ARE DESCRIBED IN DEED 1978 AT PAGE 205 ON FILE AT THE SHERIFFS COUNTY CLERKS OFFICE.
 2) SUBJECT TO ANY RIGHTS IN AND TO THE CENTERLINE OF TURNBULL ROAD (ASSUMED 46.5' RIGHT OF WAY).
 3) SUBJECT TO ANY RIGHTS IN AND TO THE CENTERLINE OF TURNBULL ROAD (ASSUMED 46.5' RIGHT OF WAY).
 4) SUBJECT TO EASEMENTS AND RIGHTS OF WAY AFFECTING SUBJECT PARCEL, IF ANY.
 5) SUBJECT TO ANY EASEMENTS OF RECORD THAT MAY BE CONTAINED IN AN UP TO DATE ABSTRACT OF TITLE OR TITLE REPORT.
 6) THIS SURVEY IS FOR INFORMATION ONLY. ASSUMING PROPERTIES NOT SURVEYED AS PART OF THIS SURVEY.
 7) SITE UNDER CONSTRUCTION AT TIME OF SURVEY.



19.00 ± ACRES (TOTAL)
 15.78 ± ACRES (NORTH OF POWER LINE)
 3.22 ± ACRES (SOUTH OF POWER LINE)



LOCATION MAP

SITE LOCATION

SITE LOCATION

TAX MAP #65.00-2-41

- LEGEND
- LANDS NOW AND SET (N/S)
 - PROPERTY ANGLE
 - RAIL PILE (R/P) ON ROW (R/O) (R/S) FOUND
 - CONCRETE WATER MAIN (C/W)
 - UTILITY PILE AND OVERHEAD UTILITY
 - IRON FENCE
 - STONE WALL
 - TREE WITH IRON FENCE REMAINS
 - UNDEVELOPED AREAS



BOUNDARY SURVEY
 FOR
NAVR PROPERTIES OR THE PASSONNO TRUST
 473 TURNBULL RD
 TOWN OF DANVER VERMONT
SV-1
 SHEET 1 OF 1

DATE: 07/20/2011
 DRAWN BY: JAV
 CHECKED BY: JAV



PROJECT: NAVR PROPERTIES OR THE PASSONNO TRUST
 SCALE: 1"=40'
 TAX MAP #: 65.00-2-41
 DRAWN BY: JAV
 CHECKED BY: JAV

NO.	DATE	DESCRIPTION

REVISIONS

KAATERSKILL ASSOCIATES
 SURVEYORS-ARCHITECTS-ENGINEERS-LANDSCAPE ARCHITECTS-CONSTRUCTION MANAGERS
 CAIRO, NY TEL: (518) 622-9857 WWW.KAENG.COM

Record and Return To:

Michael Kurz, Esq.
Kurz & Associates, LLC
2212 Western Avenue
Guilderland, New York 12084

Warranty Deed

This Indenture made this 2nd day of November, 2017.

Between

Henry Charles Pruskowski and Paula Jayne Pruskowski, his wife, residing at 861 West Emerald Island Drive, Gilbert, Arizona 85223,

parties of the first part,

and

NAVR Properties, LLC, a New York Limited Liability Corporation with an address at 9423 Western Turnpike, Delanson, New York 12053,

party of the second part.

Witnesseth, that the parties of the first part, in consideration of One and no/100 (\$1.00) Dollars, lawful money of the United States, and for other good and valuable consideration, paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

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

BEGINNING at an iron pipe driven in the ground on the easterly side of the public highway known as Turnbull Road, twenty-two (22) feet distant from the centerline thereof and in the northerly boundary of lands now or formerly of Harry Haushalter and Eunice Haushalter, reputed owners and running thence in a generally northerly direction along the easterly boundary of said Turnbull Road a distance of 841 +/- feet to an iron pipe set in the ground; thence running in a generally easterly direction along a stone wall fence and through the lands now or formerly of Donald O. Trudell and Evelyn Trudell a distance of 995 +/- feet to an iron pipe set in the ground; thence running in a generally southerly

41
65.00
SEC 65.00
TAX PRESENT
BLK
LOT 2
D

DEED Book 1976 Page 577
Dec No 2017-5556

direction through the lands now or formerly of Donald O. Trudell and Evelyn Trudell a distance of 820 +/- to an iron pipe set in the ground at a stone wall fence on the boundary line between lands of the parties of the first part and lands now or formerly of Harry Haushalter and Eunice Haushalter, reputed owners; thence running in a generally westerly direction along the lands now or formerly of Harry Haushalter and Eunice Haushalter, a distance of 1154 +/- feet to the place or point of beginning, containing twenty-one acres of land, more or less.

ALSO, all the right, title and interest of the parties of the first part to that part of the lands of the public highway, to the center thereof, lying and being along the westerly boundary of the adjacent to the parcel herein conveyed.

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.

BEING the same premises conveyed to the parties of the first part by Warranty Deed dated October 1, 1992 and recorded in the Schenectady County Clerk's Office on October 1, 1992 in Book 1356 of Deeds at Page 0202.

EXCEPTING and reserving a portion of lands conveyed to New York Power and Light Corp. by Warranty Deed dated February 14, 1938 and recorded March 4, 1938 in Book 421 of Deeds at Page 201 containing 2 acres more or less.

Together, with the appurtenances and all the estate and rights of the parties 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, the heirs or successors and assigns of the party of the second part forever.

And the parties of the first part covenants as follows:

First, That the party of the second part shall quietly enjoy the said premises;

Second, That the parties of the first part will forever Warrant the title to said premises;

Third, That in Compliance with Section 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.

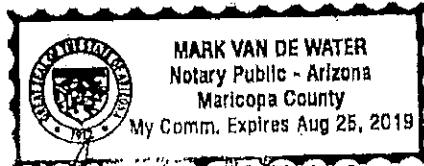
The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

In Witness Whereof, the parties of the first part has duly executed this deed the day and year first above written.

Henry Charles Pruskowski
Henry Charles Pruskowski

Paula Jayne Pruskowski
Paula Jayne Pruskowski

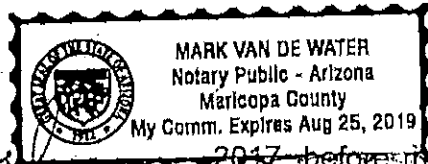
STATE OF Arizona }
COUNTY OF Maricopa } ss.:



On the 2nd day of November, 2017, before me, the undersigned, a Notary Public, personally appeared Henry Charles Pruskowski, 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 on behalf of which the individual acted, executed the instrument.

Mark Van De Water
Notary Public

STATE OF Arizona }
COUNTY OF Maricopa } ss.:



On the 2nd day of Nov, 2017, before me, the undersigned, a Notary Public, personally appeared Paula Jayne Pruskowski, 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, or the person on behalf of which the individual acted, executed the instrument.

Mark Van De Water
Notary Public

DEED Book: 1976 Page 578
Doc No 2017-5556

Melissa Deffer

From: Dianne Grant <dianne.m.grant@hotmail.com>
Sent: Thursday, July 29, 2021 5:49 PM
To: Melissa Deffer
Subject: Fwd: 473 Turnbull Road, Delanson, NY Variance Application

 ORIGINAL

Hi Melissa,
Can you please add this info to the application for the address above for Randy Passano?
Thank you,
Dianne

RECEIVED
AUG 02 2021

From: Randy Passonno <randyp@collarcityauctions.com>
Date: July 29, 2021 at 5:40:40 PM EDT
To: Dianne Grant <Dianne.Grant@midwestvet.net>
Subject: External:RE: 473 Turnbull Road, Delanson, NY Variance Application

CAUTION: This email originated from outside of the organization. Use caution with links and attachments unless you recognize the sender and know the content is safe.

Hello:

Please accept this email as an amendment to the original application submitted.

1. We would like to add that we will operate by appointment with any client that may have to come to our location.

Thank you,



Randy Passonno - President
CAGA, ISA, Licensed & Bonded
Auctioneer/Realtor/Certified Appraiser/Consultant
Collar City Auctions Realty & Management, Inc.
9423 Western Turnpike
Delanson, NY 12053-2105
(W) 518.895.8150 x-102
(F) 518.895.8152
randyp@collarcityauctions.com
www.collarcityauctions.com

CONFIDENTIALITY NOTICE: The information contained in this ELECTRONIC MAIL transmission is confidential. This information is intended for the exclusive use of the addressee(s). If you aren't the proposed

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

Revised 03/5/15

 ORIGINAL

Date: 8/16/21 Zoning District R-1 Type of Variance
 Use Variance Area Variance
SBL# 35.06-5-38 Phone #: 518-441-9725

RECEIVED
AUG 27 2021

Applicant's Name: Richard Russell

Applicant's Address: 3075 sunset lane
Schenectady NY 12303

Property Owner Name(if different): _____

Property Address (if different): _____

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

Proposal: (Brief description of request)
Build garage 24x28'

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.

Richard Russell
Applicant

8/16/21
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: _____

AUG 27 2021

ORIGINAL

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>Richard Russell</u>	Name: _____
Address: <u>3075 Sunset Ln Schuyl, NY 12303</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:

3. Location of project; Address: Spring Rd.
Tax Map Number (TMP) 35161-5-38
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

Richard Russell
Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: Dale R. Warner
Dale R. Warner

8/27/21
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.



NOTICE OF DETERMINATION
of the Town of Duaneburg

Date of Determination Aug 27, 2021

Application of Richard Russell under section
_____ of the (Village of Delanson/ Town of Duaneburg)
_____ Ordinance.

Applicant Richard Russell
Address 3025 Sunset Ln.
Schenectady, NY 12302

Phone 518-441-9725 Zoning District R-1 SBL# 35.06-5-38

Description of Project: Applicant seeks a Right and Left side yard Variance
Construct a 24' x 28' Garage on a vacant lot
leaving room to construct a single family dwelling at a later
date

Determination: Buildings set backs don't meet requirements outlined in Section 6.6

Reason supporting determination:
Right side 32' left side 22'
Town of Duaneburg Zoning Ordinance Adopted 6/11/15 Section 6.6(2)
Applicant will also need special use permit 6.4(5)

Action: Refer to <u>ZBA</u> for the purpose of <u>Area Variance</u>

Code Enforcement Officer: Dale Warren

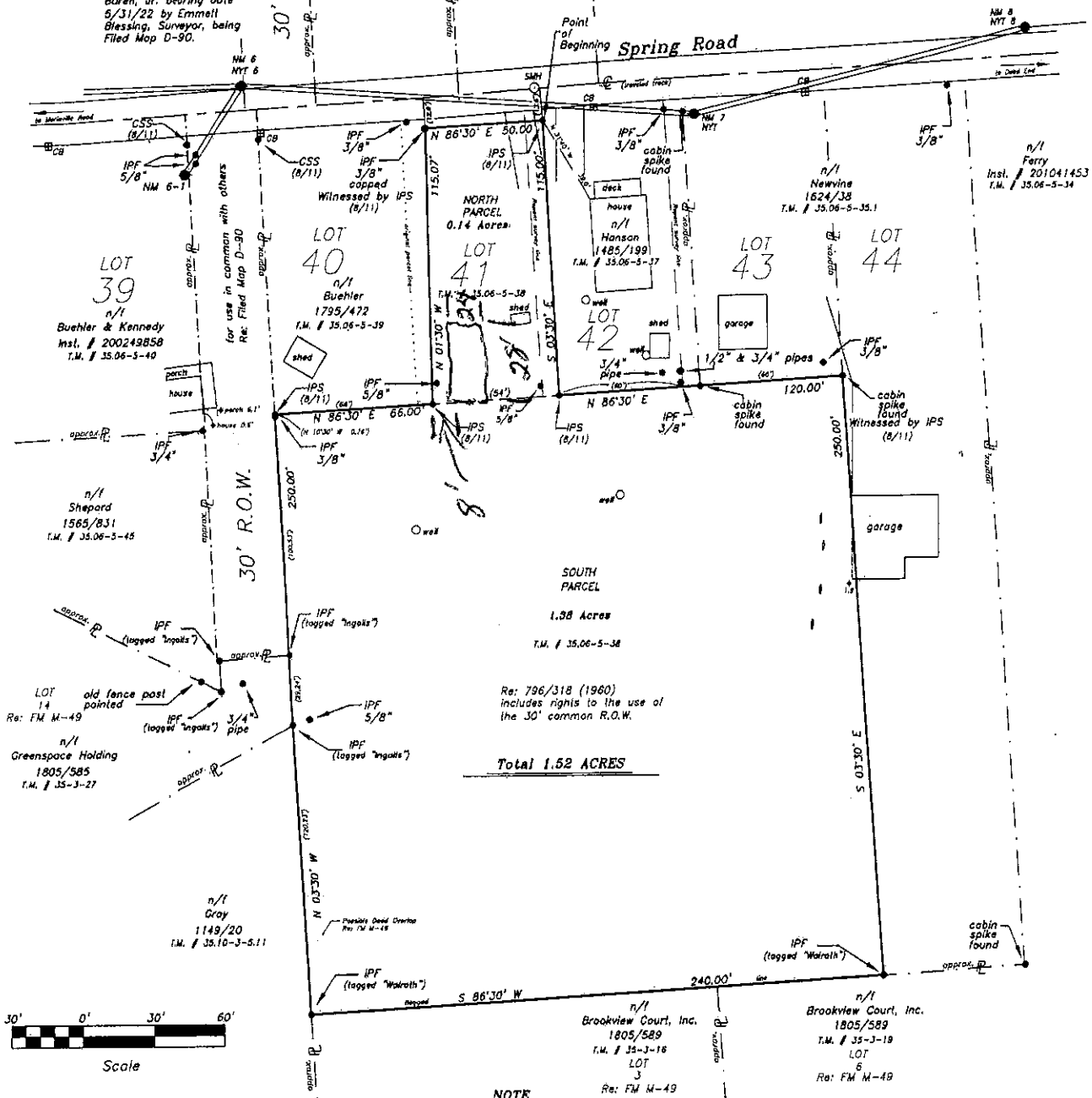
35.06-5-58

RECORDED
AUG 27 2021
ORIGINAL

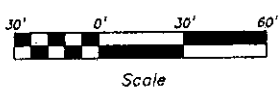
Mariaville Lake

RECORD

ORTH
Re: Map of the property belonging to Albert A. Van Buren and Abner A. Van Buren, Jr. bearing date 5/31/22 by Emmell Blessing, Surveyor, being Filed Map D-90.



Total 1.52 ACRES



NOTE

The lands of Richard E. Clute Recorded in Liber 1298 of Deeds at Page 73.

North Parcel 0.14 ACRES
South Parcel 1.38 ACRES
Total 1.52 ACRES

- * Including and subject to any & all rights & privileges to the centerline of Spring Road as the same may exist and as the same may apply.
- * Subject to any & all rights & privileges granted to utility companies as the same may exist and as the same may apply.
- * Including and subject to any and all rights, privileges, easements, conditions or covenants of record, including but not limited to a Right of Way for ingress and egress as described in 796/318 as the same may exist and as the same may apply.

LEGEND

IPF	Iron Pin Set, a 5/8" x 30" steel rod with yellow cap logged "I.O. CRUM"	R.O.W.	Right of Way
CSS	Cabin Spike Set	PL	Property Line
IPF	Iron Pin Found	CB	Catch Basin
⊙	Centerline	±	Offset Distance to line
—	Utility Pole & Lines		
—	Stone Wall		

UNAUTHORIZED ALTERATION OF ACCORD TO THIS SURVEY MAP IS A VIOLATION OF SECTION 7208 (12) OF THE NEW YORK STATE EDUCATION LAW. JOANNE DARCY CRUM, L.S.

A Survey For
Richard E. Clute
Town of Duaneburg
County of Schenectady State of New York
Scale 1" = 30.00' 17 August 2011
Joanne Darcy Crum, L.S. 49673
Cobleskill, New York 12043
Map A/15/11

AUG 27 2021

OFFICE OF THE SCHENECTADY COUNTY CLERK



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



ORIGINAL

Cara M. Ackerley
County Clerk

Instrument Number - 202134276
Recorded On 7/20/2021 At 1:13:39 PM
* Instrument Type - DEED
* Book/Page - DEED/2063/24
* Total Pages - 4
Invoice Number - 1091087 User ID: LPD
* Document Number - 2021-3336
* Grantor - CLUTE RICHARD E
* Grantee - RUSSELL RICHARD D

*RETURN DOCUMENT TO:
A AND G TITLE AND SETTLEMENT
SERVICES

* FEES

NY REALTY TRANSFER TAX	\$100.00
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
CONVEYANCE NOTIFICATION	\$10.00
TOTAL PAID	\$425.00

TRANSFER TAX

Real Estate Transfer Tax Num - 4830
Transfer Tax Amount - \$ 100.00

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 - 202134276

001Y19







ORIGINAL

RECORDED
AUG 27 2021

Form - NY DEED - WARRANTY with Lien Covenant

AGT-21339-SC-001

This Indenture, made the 24th day of June, 2021.

RICHARD E. CLUTE, having an address of 256 Harbor Dr., Palatka, FL, 32177, party of the first part;

BETWEEN

RICHARD D. RUSSELL, having an address of 3075 Sunset Lane, Schenectady, NY 12303, party of the second part

AND

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, paid by the party of the second part, does hereby grant and release unto the parties of the second part, their heirs and assigns forever,

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

**SEE Schedule "A" DESCRIPTION
ATTACHED HERETO AND MADE A PART HEREOF**

SUBJECT TO ANY AND ALL rights & privileges granted to utility companies as the same may exist and as the same may apply.

TOGETHER WITH ALL right, title and interest, if any, of Grantors in and to any streets and roads abutting the above premises to the centerlines thereof.

BEING THE SAME PREMISES conveyed by Paul Whitehead to Richard E. Clute by deed dated January 17, 1989 recorded in the Schenectady County Clerk's Office on April 1, 1991 in Liber 1298 of Deeds at page 73.

TOGETHER WITH the appurtenances and all the estate 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.

THIRD, That, in Compliance with Sec. 13 of the Lien Law, the party of the first part 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





ORIGINAL

AUG 27 2021

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 her hand and seal the day and year first above written.

IN PRESENCE OF

[Handwritten signature of Richard E. Clute]

RICHARD E. CLUTE

LS

STATE OF New York)
COUNTY OF Schoharie) SS.:

On this 29th day of June in the year 2021 before me, the undersigned, personally appeared RICHARD E. CLUTE, 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, or the person on behalf of which the individual acted, executed the instrument.

[Handwritten signature of Joanne Darcy Crum]
Notary Public

Record and Return
Paul Callahan, Esq.
4886 Western Turnpike-P.O. Box 100
Duanesburg, NY 12056

JOANNE DARCY CRUM
NOTARY PUBLIC, STATE OF NEW YORK
NO. 02CR6267311
QUALIFIED IN SCHOHARIE COUNTY
COMMISSION EXPIRES AUGUST 13, 2024



WARRANT
AUG 27 2021

Schedule A Description

Title Number: AGT-21339-SC-W



ORIGINAL

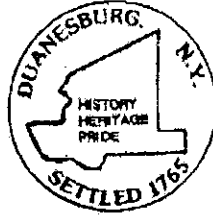
ALL THAT TRACT OR PARCEL OF LAND, with the buildings and improvements thereon situate, lying and being in the Town of Duanesburg, County of Schenectady and State of New York, being a portion of Lot No. 41 as shown on Map of Property belonging to Albert A. Van Buren, Jr., dated May, 1922, and duly filed in the Schenectady County Clerk's Office, said parcel being bounded and described with reference to said map as follows:

COMMENCING at a point in the Southerly margin of Coldspring Avenue where the Easterly line of Lot No. 41 intersects said Coldspring Avenue, and running thence Southerly and along said Easterly line (being the division line between Lots Nos. 41 and 42), a distance of One Hundred Fifteen (115) feet to a point; thence Westerly and at right angles to the last mentioned line, a distance of Fifty-four (54) feet to a point; thence Northeasterly through Lot No. 41, to a point in the Southerly line of Coldspring Avenue, a distance of One Hundred Fifteen (115) feet, more or less; thence Easterly and along the Southerly line of Coldspring Avenue, a distance of Fifty (50) feet to the point or place of beginning, it being the intention of the parties hereto that the Westerly boundary line of the property above described shall be the East of a row of trees which are located on the lands now or formerly of Katherine Angers and now or formerly occupied by Dodge.

ALSO, CONVEYS ALL THAT PIECE OR PARCEL OF LAND in the Town of Duanesburg, County of Schenectady, State of New York, shown on a map entitled "Map of Property of Albert A. Van Buren and Albert A. Van Buren, Jr., Town of Duanesburg", dated May, 1922 made by Emmett Blessing, Surveyor, and filed in the Schenectady County Clerk's Office and being thereon more particularly described as follows:

BEGINNING at the southwest corner of Lot 40, which point is also on the easterly boundary of the right of way shown on said map, and proceeding thence easterly along the rear Lot lines of 40, 41, 42 and 43, a distance of 240 feet to the southeast corner of Lot 43, thence proceeding southerly in a line which is the extension of the easterly boundary of Lot 43, a distance of 250 feet to a point, thence westerly in a line parallel with the rear boundaries of Lots 40, 41, and 43, a distance of 240 feet to a point, thence northerly to the point of beginning, a distance of 250 feet.

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



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

TOWN OF DUANESBURG
SCHENECTADY COUNTY

Town of Duanesburg
Zoning Board Minutes
August 17, 2021
Draft Copy

RECEIVED

AUG 18 2021

TOWN OF DUANESBURG
TOWN CLERK

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.

There were no comments

Nelson Gage closed the open forum.

PUBLIC HEARINGS:

None

OLD BUSINESS:

None

New Business:

#21-07 Collar City Auctions Reality & Mgmt., Inc: SBL# 65.00-2-41, (R-2) located at 473 Turnbull Rd is seeking a Home Occupation under section 14.5.4; section 8.3 (8) of the Town of Duanesburg Zoning Ordinance. Randy Passonno is representing Collar City Auctions and is purposing to a bedroom in his current home located at 473 Turnbull Rd into an office for his business. Randy hopes one day to have his kids take over the business but until then he would like to have an in-home office. There will be no business hours, people will come by appointment only. No employees just Mr. and Mrs. Passonno. The normal appointment is around 15 minutes. As of right now Randy is meeting clients at local restaurants and diners and it gets a little tough signing paperwork while out. The office will be used mostly to sign contracts in and do computer work. For the office space it is roughly about a 12X12 room. The property is

handicap accessible and there is 2500 sq.ft. of black top so plenty of room for parking. The Board would like Mr. Passonno to provide for the next meeting the dimensions of the overall building and a sketch breakdown of the office space. Also, Chairperson Gage asked Mr. Passonno if himself and Board Member Pettit could do a site visit for this Friday August 20th, 2021, at 1:00pm, and he agreed.

Lack/Ganster made a motion that the **#21-07 Collar City Auctions Reality & Mgmt., Inc** application is and exempt Type II action pursuant to Title 6 NYCRR Section 671.5(c)(12) or (13).

No further action pursuant to SEQRA is required.

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

Boggs/Lack made a motion to set a public hearing for September 21st, 2021 at 7pm, or there about for the application of **#21-07 Collar City Auctions Reality & Mgmt., Inc**; SBL# 65.00-2-41, (R-2) located at 473 Turnbull Rd seeking a Home Occupation under section 14.5.4 of the Town of Duanesburg Zoning Ordinance.

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

OTHER:

None

MINUTES APPROVAL:

Pettit/Boggs made a motion to approve the July 20th, 2021, Zoning Board minutes with one minor correction.

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

ADJOURNMENT:

Lack, Pettit made a motion **to adjourn at 7:26 pm.**

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