

Nelson Gage, Zoning Board Chair
Chris Parslow, Town Planner
Lindsay Althiser, Zoning Clerk
Teresa Bakner, Attorney
Johnathan 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
May 20, 2025**

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:

Comments:

PUBLIC HEARINGS:

#25-04 Ayers, Jacob: SBL# 67.00-3-1.33 located at 5544 Duanesburg Rd (C2) is seeking a rear yard variance needed to build a garage 35' from the rear property line, asking for a 45' variance under The Town of Duanesburg Zoning Ordinance section 12.6 (4).

Comments:

Approved: Yes _____ **No** _____

#24-07 VZW- Duanesburg ES: SBL#76.00-1-12.311 (R2) Located at 822 Chadwick Road is seeking a use variance for a proposed cell tower. Under local law #4 of 2001 "Telecommunications Facilities Law" of The Town of Duanesburg zoning ordinance.

Comments:

Approved: Yes _____ **No** _____

Nelson Gage, Zoning Board Chair
Chris Parslow, Town Planner
Lindsay Althiser, Zoning Clerk
Teresa Bakner, Attorney
Jonathan Lack, Vice Chair Member



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

OLD BUSINESS: NONE

NEW BUSINESS:

#25-05 Gray, Scott: SBL#66.00-1-21(R2) Located at 230 Overlook Heights Road is seeking a front yard variance of 30ft to build an agricultural storage building. Under section 8.6(1) "minimum from setback shall be 80ft from the front building line."
Comments:

Approved: Yes _____ No _____

OTHER: NONE

Minute Approval:

April 15, 2025, ZONING BOARD OF APPEALS MEETING
Comments:

Approved: Yes _____ No _____

ADJOURNMENT: THE NEXT MEETING WILL BE HELD JUNE 17, 2025

Nelson Gage, Zoning Board Chair
Chris Parslow, Town Planner
Lindsay Althiser, Zoning 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 **MAY 20, 2025, AT 7:00 PM** FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE APPLICATION OF:

#25-04 Ayers, Jacob: SBL# 67.00-3-1.33 located at 5544 Duanesburg Rd (C2) is seeking a rear yard variance needed to build a garage 35' from the rear property line, asking for a 45' variance under The Town of Duanesburg Zoning Ordinance section 12.6(4).

BY ORDER OF THE CHAIRPERSON
ZONING BOARD
TOWN OF DUANESBURG
CHAIRPERSON

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TOWN OF DUANESBURG
SCHENECTADY COUNTY

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#24-07 VZW- Duanesburg ES: SBL#76.00-1-12.311 (R2) Located at 822 Chadwick Road is seeking a use variance for a proposed cell tower. Under local law #4 of 2001 "Telecommunications Facilities Law" of The Town of Duanesburg zoning ordinance.

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ZONING BOARD
TOWN OF DUANESBURG
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Variance Application for The Zoning Board of Appeals

TOWN OF DUANESBURG

5853 Western Turnpike, Duaneburg, NY 12056
Building Department 518-895-2040



Date 05 07 2015
MM DD YY

Application #

Application Type: ☐ Use Variance ☒ Area Variance Zoning District: R-2 Tax Map ID#: 66-00-1-21

Applicant's Name: SCOTT E. & BONNIE L. GRAY

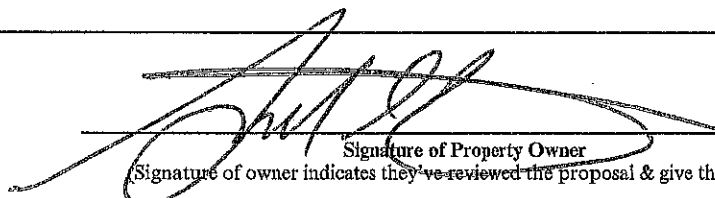
Address: 230 OVERLOOK HTS ROAD

DELANSON NY 12053

Phone: 518-275-8977 E-mail: Sgraytechnopahooza@gmail.com

Property Owner (if different): SAME

Address (if different): SAME


Signature of Property Owner
(Signature of owner indicates they've reviewed the proposal & give their permission).

Proposal (brief description): TO BUILD A 40x60 AGRICULTURAL STORAGE BUILDING. A 30 FOOT VARIANCE IS REQUESTED FOR THE FRONT OFFSET (SEE DRAWING)

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. Nine (9) copies of this application must be reviewed and filed at least ten (10) days prior to the next ZBA meeting.

I CERTIFY THAT THE ABOVE INFORMATION SUBMITTED IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE.

Applicant Date 20

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

(For Office Use Only)

ALL APPLICATION FEES ARE NON-REFUNDABLE

Application fee paid: \$ _____ ☐ Cash ☐ Check # _____ Date Pd. _____

Reviewed By: _____ 20____

Hearing Date: _____ ☐ Approved ☐ Unapproved 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.

Conditions include: _____

ZBA Chairperson

Date 20____

Agriculture Data Statement

TOWN OF DUANESBURG

5853 Western Turnpike, Duaneburg, NY 12056
Building Department 518-895-2040

Application #

Date

MM

DD

YY

Applicant

Owner (if different from Applicant):

Name:

SCOTT GRAY

Address:

230 OVERTHROCK HTS (200)
DELANSON, NY 12053

Name:

Address:

SAME

1. Application Type: ☐ Special Use Permit ☐ Site Plan Approval ☒ Use Variance ☐ Area Variance ☐ Subdivision Approval
(check all that apply)

2. Description of proposed project:

TO BUILD A 40x60 AGRICULTURAL
BUILDING. A 30 FOOT OFFSET VARIANCE IS
REQUESTED TO THE 80' FRONT SETBACK (SEE DWG)

3. Address of project:

SAME AS ABOVE

Tax Map #:

66.00-1-21

4. Is this parcel within an Agriculture District? ☒ YES ☐ NO (Check with your local assessor if you do not know.)

5. If YES, Agriculture District #:

R-2

6. Is this parcel actively farmed? ☒ YES ☐ NO

7. List all farm operations within 500ft 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

Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by:

Christopher Parslow

Date

20

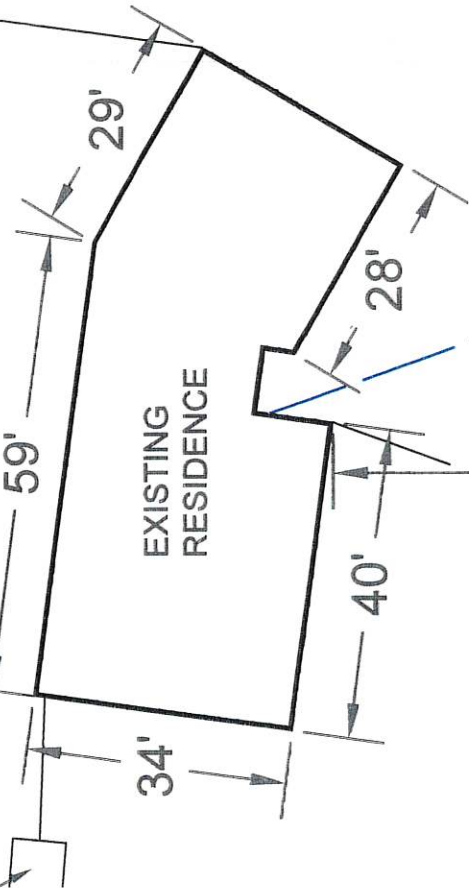
Revised 1/14/25

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.

EXISTING FENCED
IN YARD



EXISTING
RESIDENCE

40 FOOT
SETBACK

DRILLED
WELL

EXISTING
TREE LINE

60'

AGRICULTURAL
STORAGE
BUILDING

40'

30' PROPOSED
VARIANCE

EXISTING DRIVEWAY 22'

86.5'

EXISTING
ELECTRIC LINE

50'

EXISTING
TREES

N 32°41'50" W 537.20'

SCALE 1" = 300'



Proposal

Date: 05/06/25

Phone (518) 673-4273
Fax (518) 673-4200

BILL TO: Scott Gray
230 Overlook Heights Rd.
Delanson, NY 12053

LOCATION _____

Phone Number

E-mail

Alt. Phone Number

518-275-8977

We hereby submit a firm cost of \$58,220.00 for installment of:
_____ which includes the following specifications:

40x60 stick frame garage with 16' walls off of Alaskan slab, 5/12 pitch roof with
1' overhangs on gables and 2' overhangs on eaves.

Walls consist of 2x6 treated plate on the bottom with foam sill sealer and 2x6 studs
16" o.c. & 2x4 horizontal lath 2' o.c. with housewrap & 28 ga. Metal for exterior sides with
4' wainscoting. Includes 3' x 36' eyebrow over garage doors.

Roof consists of engineered roof trusses 4' o.c. with 2x4 lath 2' o.c. and double bubble
insulation underlayment with 28 ga. Metal roofing, vented capping, rake corners
dripedge, fascias & vented soffits.

13- 4x3 White double sliders with screens

2- 3/0x6/8 9-lite entry doors with 6 9/16 no rot vinyl jambs & brickmold,

2- 4x4 cupolas included. Also white metal ceiling for garage included.

Customer must verify metal colors. Customer provides chimney materials. Install
chimney pipe & boot thru truss section.

Add to above cost for 2 - 12' x 12' CHI white overhead doors R-10 commercial with
1 row glass. Openers not included. **\$6996.00**

Add to above cost for Alaskan slab with in-floor heat. **\$28598.00** boiler not included

Proposal must be signed & returned to be put on schedule.

Due to the volatile material pricing market SVC reserves the right to requote this
project before doing the work.

Payment Terms: 1/3 deposit when ordering materials, 1/3 deposit when trusses are set
and final payment due upon job completion. Thank You!

Submitted by Crist J Peachey Date 5-6-25

This proposal is valid for 30 days.

Acceptance of Proposal The above prices, specifications and conditions are satisfactory
and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Customers Signature _____ Date _____

Customers Signature _____ Date _____



Proposal

Date: 05/06/25

Phone (518) 673-4273
Fax (518) 673-4200

BILL TO: Scott Gray
230 Overlook Heights Rd.
Delanson, NY 12053

LOCATION

Phone Number

E-mail

Alt. Phone Number

518-275-8977

We hereby submit a firm cost of \$44,455.00 for installment of:
which includes the following specifications:

40x60 stick frame garage with 16' walls off of haunches, 5/12 pitch roof with 1' overhangs on gables and 2' overhangs on eaves. 12x20

Walls consist of 2x6 treated plate on the bottom with foam sill sealer and 2x6 studs 16" o.c. & 2x4 horizontal lath 2' o.c. with housewrap & 28 ga. Metal for exterior sides with 4' wainscoting.

Roof consists of engineered roof trusses 4' o.c. with 2x4 lath 2' o.c. and double bubble insulation underlayment with 28 ga. Metal roofing, vented capping, rake corners dripedge, fascias & vented soffits. 6 - 12' clear skylighting in roof. SIDES

2- 3/0x6/8 9-lite entry doors with 6 9/16 no rot vinyl jambs & brickmold,

Customer must verify metal colors.

Add to above cost for 2 - 10' x 14' CHI white overhead doors ~~uninsulated~~. INSULATED **\$4014.00**

Add to above cost for 12"x20" haunches for perimeter only, ~~no floor~~ **\$11377.00**

Proposal must be signed & returned to be put on schedule. 6" Floor

Due to the volatile material pricing market SVC reserves the right to requote this project before doing the work.

Payment Terms: 1/3 deposit when ordering materials, 1/3 deposit when trusses are set and final payment due upon job completion. Thank You!

Submitted by Crist J Peachey Date 5-6-25

This proposal is valid for 30 days.

Acceptance of Proposal The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Customers Signature _____ Date _____

Customers Signature _____ Date _____

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: 5/6/21 Zoning District _____ Type of Variance
SBL# 66.00-1-21 ☐ Use Variance ☐ Area Variance
Phone #: 518-275-9977

Applicant's Name: SCOTT GRAY

Applicant's Address: 230 OVERLOOK HEIGHTS ROAD
DELANSON NY 12053

Property Owner Name(if different): SAME

Property Address (if different): SAME

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

Proposal: (Brief description of request)

BUILDING SETBACK VARIANCE CURRENT SETBACK IS 50'
SEEKING A 30 FOOT VARIANCE (SEE DWG.)

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

5/7/21
Date
Lisa M. Taylor
Notary Public, State of New York

State of New York, county of Schenectady sworn to this 9 day of May 2021. Notary Public

Notary Public
Qualified in Schoharie County
Commission Expires March 30, 2022

***** (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 [Signature] Date 6-15-21
(ZBA Chairperson)

ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS AND DECISIONS

Applicant: SCOTT AND BONNIE GRAY
230 OVERLOOK HEIGHTS
DELAUNSON, NY 12053

Variance No: 21-05
Zoning District: R-2
Published Notice on: _____
Notice to County Sent on: _____
Hearing Held on: 6/16/21

Property Location: SBL #66.00-1-21

Requirement for which Variance is Requested:

GARAGE CONSTRUCTION (42'x56') PLACEMENT ON SITE
NEEDS A FRONT YARD VARIANCE.

Applicable Section of Town Zoning Code: 8.6(1)

FACTORS CONSIDERED:

1. Whether undesirable change would be produced in character of neighborhood or a detriment to nearby properties: YES _____ NO ✓

Reasons:

2. Whether benefit sought by applicant can be achieved by a feasible alternative to the variance: Yes _____ No ✓

Reasons:

3. Whether the requested variance is substantial: Yes _____ No ✓

Reasons:

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood: Yes _____ No ✓

Reasons:

5. Whether the alleged difficulty was self-created: Yes _____ No ✓

Reasons:

Revised 5/9/07

DETERMINATION OF ZBA BASED ON THE ABOVE FACTORS:

The ZBA, after taking into consideration the above five factors, finds that:

☐ the Benefit to the Applicant DOES NOT Outweigh the Detriment to the Neighborhood or Community and therefore the variance is denied.

☒ the Benefit to the Applicant DOES outweigh the Detriment to the Neighborhood or Community.

Reasons:

VARIANCE REQUEST AND APPROVAL WITHIN THE
PARAMETERS OF SIMILAR REQUESTS APPROVED BY
THE ZBA.

The ZBA further finds that a variance of 30' FRONT from Section 8.6(1) of the Zoning Code is the minimum variance that should be granted in order to preserve and protect the character of the neighborhood and the health, safety and welfare of the community because:

Condition No. 1:

Adverse impact to be minimized:

Condition No. 2:

Adverse impact to be minimized:

Nelson W. Gage
Chairman, Zoning Board of Appeals

6/15/21
Date

RECORD OF VOTE

MEMBER:	AYE	NAY
Nelson Gage	✓	
Jonathan Lack	✓	
Dianne Grant	✓	
Link Pettit	N/A	
Daniel Boggs	✓	
Matthew Ganster	✓	