

Nelson Gage, Zoning Board Chair
Chris Parslow, Town Planner
Carol Sowycz, 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

**Town of Duanesburg
Zoning Board of Appeals
August 15, 2023**

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

The Town of Duanesburg is offering the public the ability to attend the ZBA meeting via Zoom if participants cannot attend in person.

Join Zoom Meeting

Meeting ID: 825 2590 5610

Passcode: 262480

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

Meeting ID: 825 2590 5610

Passcode: 262480

INTRODUCTION BY CHAIRPERSON NELSON GAGE:

OPEN FORUM

PUBLIC HEARINGS:

None

NEW BUSINESS:

#23-13 Attanasio, Nichols: SBL#68.00-2-43, (C-1) located at 430 Schoharie Turnpike is seeking a side yard variance under Section #8.6.1 of the Town of Duanesburg Zoning Ordinance.

Comments: _____

#23-14 Mugits, Kyle : SBL#52.00-1-43, (R2) located at 6363 St Hwy 30 is seeking a single family dwelling under section 8.6(1) of the Town of Duanesburg Zoning Ordinance.

Comments: _____

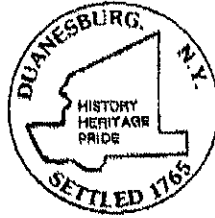
23-15 Daus, Alisun: SBL#45.00-2-8.2, (2) located at 1724 Skyline Drive is seeking a front and side yard variance under sections 8.6(1) and 8.6(2) of the Town of Duanesburg Zoning Ordinance to install a pool.

Comments: _____

OLD BUSINESS:

None

Nelson Gage, Zoning Board Chair
Chris Parslow, Town Planner
Carol Sowycz, 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

OTHER:

None

ZONING BOARD MEETING MINUTES:

July 18, 2023

Approved: Yes _____ No: _____

ADJOURNMENT

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



TOWN OF DUANESBURG
SCHENECTADY COUNTY

Jonathan Lack, Vice Chair Member
Matthew Ganster, Board Member
Charles Leoni, Board Member
Link Pettit, Board Member
Daniel Boggs, Board Member
Caitlin Mattos, Board Member

ORIGINAL

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

RECEIVED JUN 15 2023

Date: 6/9/23 Zoning District Type of Variance
SBL# 68,00-2-43 Phone #: 518-810-5650
518-414-1404

Applicant's Name: Nicholas Attanasio
Applicant's Address: 430 Schoharie Turnpike
Duaneburg, NY 12056

Property Owner Name(if different): Nicholas Attanasio
Property Address (if different): 430 Schoharie Turnpike Duaneburg, N.Y. 12056

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

Proposal: (Brief description of request) Install 28x40 2 steel Garage on
Property (28'6") off property line

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

REQUIRED INFORMATION:

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

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

[Signature] Applicant Date 6/15/23

State of New York, county of Schoharie sworn this 15 day of June 20 23 Notary Public

[Signature] Justin M. Peabody

Justin M. Peabody
Notary Public, State of New York
Qualified in Albany County
No. 01PE6403513
Commission Expires January 27, 2027

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 (ZBA Chairperson) Date



ORIGINAL

RECEIVED JUN 15 2023

TOWN OF DUANESBURG

Application# _____

Agricultural Data Statement

Date: 6/15/23

Instructions: This form must be completed for any application for a special use permit, site plan approval, use variance or a subdivision approval requiring municipal review that would occur on property within 500 feet of a farm operation located in a NYS Dept. of Ag & Markets certified Agricultural District.

Applicant	Owner if Different from Applicant
Name: <u>Nicholas Attanasio</u>	Name: <u>Nicholas Attanasio</u>
Address: <u>430 Schoharie Tpke</u> <u>Duanesburg, NY 12056</u>	<u>430 Schoharie Tpke</u> <u>Duanesburg, NY 12056</u>

- Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
- Description of proposed project:
Build a 28x40 Garage (2 car)
28' in off property line
Need 40'
- Location of project: Address: 430 Schoharie Tpke Duanesburg NY 12056
Tax Map Number (TMP) 68,002-43
- Is this parcel within an Agricultural District? YES NO (Check with your local
- If YES, Agricultural District Number _____ assessor if you do not know.)
- Is this parcel actively farmed? YES NO
- List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: <u>NONE</u>	NAME: <u>NONE</u>
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO
NAME: <u>NONE</u>	NAME: <u>NONE</u>
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO	Is this parcel actively farmed? <input type="checkbox"/> YES <input type="checkbox"/> NO

Nich Attanasio
Signature of Applicant

Nich Attanasio
Signature of Owner (if other than applicant)

Reviewed by: Dale R. Warner

Date: _____

Revised 6/30/08

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

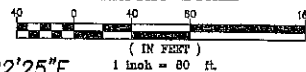
ORIGINAL

RECEIVED JUN 23 2023

N75°29'15"E
37.62'

LANDS N/F
NICHOLAS L &
CHRISTINE M MCKIERNAN
L 1838, P. 284

GRAPHIC SCALE



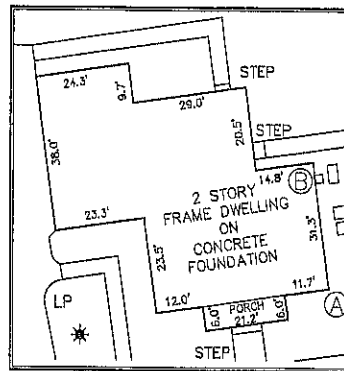
S60°08'05"E 200.00'

S03°22'25"E
3.99'

N52°23'37"W
0.15'
TO CORNER

N00°44'35"W
345.88'

LOT 6
ST. NO. #430
AREA = 5.01± ACRES
SBL# 68.00-2-43



INSET

SCALE: 1"=30'

LANDS N/F
BENSON & ROBERTA
PERSING
L 1739, P. 824

LANDS N/F
MICHAEL J &
SHARON A GUTHINGER
L 1605, P. 693

SEPTIC TIE TABLE:		
	A	B
1	15'-0"	33'-0"
2	22'-0"	36'-0"
3	41'-0"	42'-0"
4	75'-0"	76'-0"
5	85'-0"	108'-0"
6	59'-0"	85'-0"

DEED REFERENCES:

1) CONVEYED BY SAM DONADIO TO NICHOLAS ATTANASIO BY DEED DATED JULY 1, 2015 AND RECORDED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON JULY 1, 2015 IN LIBER 1617 OF DEEDS AT PAGE 561.

MAP REFERENCES:

1) MAP ENTITLED "SUBDIVISION PLAN - PHASE 1 - DEER CLIFF SUBDIVISION - PREPARED FOR DEER CLIFF DEVELOPMENT & CONSTRUCTION CORPORATION" AS PREPARED BY IVAN ZDRHAL, ASSOCIATES ON MAY 1, 1988 AND FILED IN THE SCHENECTADY COUNTY CLERK'S OFFICE ON MAY 4, 1989 AS H 246 & H247.
2) MAP ENTITLED "PLAT OF SURVEY, LANDS OF ATTANASIO, SCHOHARIE TURNPIKE" AS PREPARED BY INGALLS ASSOCIATES, LLP ON JUNE 10, 2018.

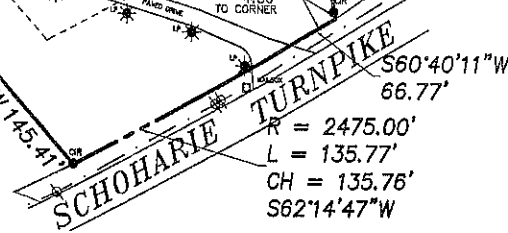
NOTES:

- 1) SURVEYED PARCEL TOWN OF DUANESBURG-TAX MAP 88.00, BLOCK 2, PARCEL 43.
- 2) SURVEY PREPARED BY INGALLS & ASSOCIATES, LLP FROM A JUNE 2018 FIELD SURVEY AND A MAY AND OCTOBER 2018 UPDATE SURVEY.
- 3) NORTH IS REFERENCED TO MAD 83 NEW YORK STATE PLANES, EAST ZONE.
- 4) SUBJECT TO ALL RIGHTS, EASEMENTS, COVENANTS OR RESTRICTIONS RECORDED OR UNRECORDED.
- 5) SUBJECT TO ANY STATEMENT OF FACT CONTAINED IN COMMITMENT OF TITLE INSURANCE NO. 1628-SCH AS PREPARED BY SHERIDAN ABSTRACT CORP. FOR OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY AND HAVING AN EFFECTIVE DATE OF APRIL 26, 2016.
- 6) UNDERGROUND UTILITIES IF SHOWN HEREON ARE BASED ON VISIBLE PHYSICAL EVIDENCE. THEY SHOULD BE CONSIDERED SCHEMATIC ONLY AND ARE SHOWN TO DEPICT GENERAL UTILITY LOCATIONS AND CONNECTIONS RATHER THAN EXACT UNDERGROUND LOCATIONS. INGALLS & ASSOCIATES, LLP MAKES NO CERTIFICATION AS TO THE ACCURACY OF THE UNDERGROUND UTILITY LOCATIONS AND OTHER UTILITIES MAY EXIST THAT ARE NOT SHOWN ON THIS MAP.
- 7) SURVEY IS PREPARED IN ACCORDANCE WITH THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS CODE OF PRACTICE FOR LAND SURVEYS AS ADOPTED IN OCTOBER OF 1986 AND LAST REVISED ON JULY 16, 1997.

THIS SURVEY, SUBJECT TO ALL NOTES CONTAINED HEREON, IS CERTIFIED TO THE FOLLOWING LISTED PARTIES AS BEING THE RESULTS OF A FIELD SURVEY AND CORRELATION OF FIELD EVIDENCE WITH MAPS AND DEEDS OF RECORD.

NICHOLAS ATTANASIO
KERI ATTANASIO
TRUSTCO BANK, ITS SUCCESSORS AND/OR ASSIGNS
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

CERTIFICATIONS INDICATED HEREON DENY THAT THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE EXISTING CODE OF PRACTICE FOR LAND SURVEYS ADOPTED BY THE NEW YORK STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS, INC. SAID CERTIFICATIONS SHALL RUN ONLY TO THE PERSON FOR WHOM THIS SURVEY HAS BEEN PREPARED AND ON THEIR BEHALF TO THE TITLE COMPANY, GOVERNMENTAL AGENCY AND/OR LENDING INSTITUTION LISTED HEREON AND TO THE ASSIGNEES OF THE LENDING INSTITUTION. CERTIFICATIONS ARE NOT TRANSFERABLE TO ADDITIONAL INSTITUTIONS OR SUBSEQUENT OWNERS.



NO.	DATE	REVISION	BY
2	10/31/16	UPDATE-FINAL SURVEY	RF
1	05/17/16	FOUNDATION LOCATION ADDED	RF

UNAUTHORIZED ALTERATION OR ADDITION TO THIS DRAWING IS A VIOLATION OF SECTION 7206 SUBDIVISION 2, OF THE NEW YORK STATE EDUCATION LAW. ONLY COPIES MADE FROM THE ORIGINAL OF THIS DRAWING BEARING AN ORIGINAL INKED OR EMBOSSED SEAL AND SIGNATURE SHALL BE CONSIDERED TO BE VALID TRUE COPIES.

© Copyright 2018 - Ingalls & Associates, LLP - All rights reserved.

JOHN L. POST, JR., PLS
N.Y.S. LIC. NO. 050443

ingalls

ingalls & associates, LLP
engineering, environmental, surveying
2903 GLENLELAND AVENUE
SCHENECTADY, N.Y. 12306
PHONE: (518) 233-7725
FAX: (518) 233-2224

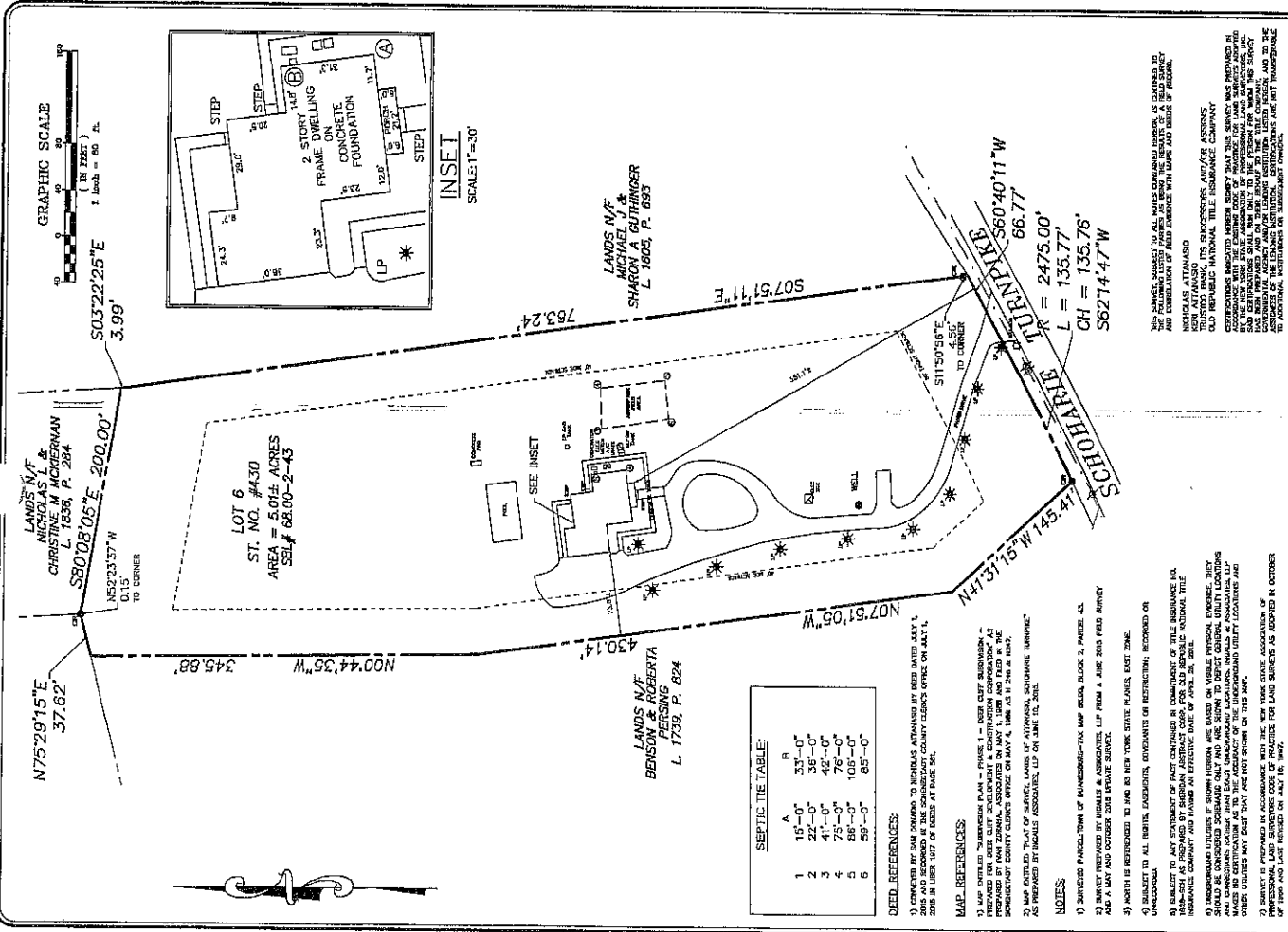
MAP OF

LANDS N/F OF ATTANASIO
LOT 6-#430 SCHOHARIE TURNPIKE

TOWN OF DUANESBURG
COUNTY OF SCHENECTADY STATE OF NEW YORK

DATE: MAY 15, 2018
CHECKED BY: JWP
JOB NO. 15-043
DRAWN BY:
PADD FILE: 15-043 Lot 6 Plat Plan

SCALE: 1"=80'
SHEET 1 OF 1



INGALLS
INGALLS & ASSOCIATES, LLP
REGISTERED PROFESSIONAL SURVEYORS
1000 W. STATE ST. SUITE 200
ALBANY, NY 12207
TEL: 518-486-1111
FAX: 518-486-1112
WWW.INGALLS.COM

MAP OF
LANDS N/F ATTANASIO
LOT 6-#430 SCHOGHARE TURNPIKE
TOWN OF DUANEBURG
COUNTY OF SCHENECTADY
STATE OF NEW YORK

DATE: JUNE 5, 2020
JOB NO.: 15-043
SCALE: 1"=60'
SHEET 1 OF 1

THIS SERVICE SUBJECT TO ALL NOTES CONTAINED HEREON, IS GUARANTEED TO BE ACCURATE AND CORRELATION OF FIELD SURVEY WITH MAPS AND RECORDS OF RECORDING.

NICHOLAS ATTANASIO
REGISTERED PROFESSIONAL SURVEYOR
OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
ACCREDITED WITH THE EXEMPTION FROM THE REQUIREMENT OF A LICENSE TO PRACTICE AS A REGISTERED PROFESSIONAL SURVEYOR IN THE STATE OF NEW YORK. THIS EXEMPTION IS BASED ON THE SURVEYOR'S QUALIFICATION AND THE SURVEYOR'S EXPERIENCE AND THE SURVEYOR'S REPUTATION IN THE PROFESSION.

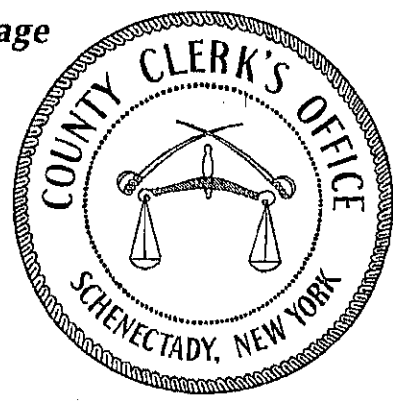
80-
350
60

ORIGINAL

RECEIVED
JUN 15 2023

Schenectady County Endorsement Page

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



Document Type Warranty Deed

From Party Sam Donadio

To Party Nicholas Attanasio

RETURN TO Kathleen Tashjian Esq.
101 Mohawk Ave.
Scotia, N.Y. 12302

RECORDED
07/01/2015 12:15:08 PM
County Clerk
JOHN J. WOODWARD
SCHENECTADY COUNTY, NY
Book/Page: DEED/1917/581
Total Pages: 4
Receipt No: 823088
Doc No: 2015-2351
Inst Num: 201529645

NY REALTY TRANSFER TAX \$80.00
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
TOTAL PAID \$395.00
INV: 823088 USER: GMS

ATTENTION: If the R & R (Record and Return to) on the cover page is different from the one on the document, the document will be returned to the one on the cover page.

NOTICE: This endorsement page constitutes the Clerk's endorsement in accordance with Local Law #7 of 1996-DO NOT DETACH-This page becomes part of the document. Upon recording, this document becomes a public record-Please refrain from using personal identifying information that should not be disclosed to the public.

RECEIVED
\$ 80.00
REAL ESTATE
JUL 01, 2015
SCHENECTADY COUNTY
3598

Please be advised that General Business Law Section 399-dd(6) states as follows:

No person may file any document available for public inspection with any state agency, political subdivision, or in any court of this state that contains a social security account number of any person, unless such other person is a dependent child, or has consented to such filing, except as required by federal or state law or regulation, or by court rule.

It further states that under General Business Law Section 399-dd(7) that the NYS Attorney General's Office may take action against you for any violation of General Business Law Section 399-dd.

RECEIVED
JUN 15 2023

RECORD & RETURN TO:
DEAN RIGGI, ESQ.
101 Mohawk Avenue, Scotia, NY 12302

WARRANTY DEED

THIS INDENTURE, made the 1st day of July, 2015,

BETWEEN

SAM DONADIO, residing at 231 South Wescott Road, Schenectady, New York 12306,
party of the first part, *and*

NICHOLAS ATTANSIO, residing at 2133 Robinwood Avenue, Schenectady, New York 12306,
party of the second part,

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, does hereby grant and release unto
the party of the second part, his heirs and assigns forever,

ALL THAT CERTAIN PIECE OR PARCEL OF LAND, situate, lying and being in the Town
of Duaneburg, County of Schenectady and State of New York, more particularly described as
follows: Lot No. Six (6) in the Subdivision Plan - Phase 1 Deer Cliff Subdivision, made by Ivan
Zdrahal Associates, dated May 1, 1998 and filed in the Schenectady County Clerk's Office on May
4, 1989 in Cabinet H as Map Nos. 246 and 247.

A more modern description is **SCHEDULE A ATTACHED AND MADE A PART OF THIS
DEED.**

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

BEING the same premises conveyed by the County of Schenectady, New York to Sam Donadio by
Quit Claim Deeds dated December 11, 2002 and recorded in the Schenectady County Clerk's Office
on December 12, 2002 in Book 1640 of Deeds at Page 147.

TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and
to said premises,

TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, his heirs
and assigns forever.

R.P.T.S.A.
TAX MAP IDENT#
BLK 2 LOT 43
SEC 68.00
D

RECEIVED
JUN 15 2023


AND the said party of the first part covenant as follows:

FIRST, that the party 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 grantor will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

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



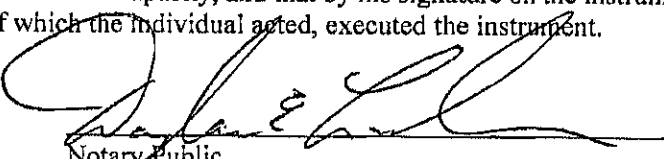
SAM DONADIO L.S.

STATE OF NEW YORK :

SS:

MONTGOMERY COUNTY :

On this 15th day of July, 2015, before me, the undersigned, a Notary Public in and for said State, personally appeared, SAM DONADIO, 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 upon behalf of which the individual acted, executed the instrument.



Notary Public

DOUGLAS E. LANDON
Notary Public, State of New York
Qualified in Montgomery County
No. 4962688
Commission Expires February 26, 2018

SCHEDULE A

DESCRIPTION 5.01 ACRE PARCEL

ALL THAT PIECE OR PARCEL OF LAND LOCATED WITHIN THE TOWN OF DUANESBURG, COUNTY OF SCHENECTADY, AND STATE OF NEW. SAID PARCEL LYING ON THE NORTHERLY SIDE OF SCHOHARIE TURNPIKE AND BEING APPROXIMATELY 1715' SOUTHWESTERLY OF THE INTERSECTION OF ROUTE 20 - WESTERN TURNPIKE AND THE SCHOHARIE TURNPIKE AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF THE NORTHERLY SIDE OF THE SCHOHARIE TURNPIKE WITH THE DIVISION LINE OF THE HEREIN DESCRIBED PARCEL ON THE WEST AND LANDS OF GUTHINGER (L. 1605, P. 693) ON THE EAST. SAID POINT ALSO BEING SOUTH 11°50' 56" EAST, A DISTANCE OF 4.56" FROM AN EXISTING CAPPED IRON ROD. THENCE: ALONG THE NORTHERLY SIDE OF THE SCHOHARIE TURNPIKE THE FOLLOWING 2 COURSES AND DISTANCES:

1. SOUTH 60°40' 11" WEST, A DISTANCE OF 66.77' TO A POINT OF CURVATURE,
2. ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 2475.00' AND ARC LENGTH OF 135.77' (CH = 135.76', SOUTH 62°14' 47" WEST)

TO THE POINT OF INTERSECTION OF THE NORTHERLY SIDE OF SCHOHARIE TURNPIKE WITH THE DIVISION LINE OF THE HEREIN DESCRIBED PARCEL ON THE EAST AND LANDS OF PERSING (L. 1739, P. 824) ON THE WEST. THENCE: ALONG THE LAST MENTIONED DIVISION LINE THE FOLLOWING 3 COURSES AND DISTANCES:

1. NORTH 41°31' 15" WEST, A DISTANCE OF 145.41' TO A POINT,
2. NORTH 07°51' 05" WEST, A DISTANCE OF 430.14' TO A POINT,
3. NORTH 00°44' 35" WEST, A DISTANCE OF 345.88' TO THE POINT

OF INTERSECTION OF THE LAST MENTION DIVISION LINE WITH THE DIVISION LINE BETWEEN THE HEREIN DESCRIBED PARCEL ON THE SOUTH AND LANDS OF ASKEW (L. 1890, P. 703) ON THE NORTH. THENCE: NORTH 75°29' 15" EAST, A DISTANCE OF 37.62' TO THE POINT OF INTERSECTION OF THE LAST MENTIONED DIVISION LINE WITH THE DIVISION LINE OF THE HEREIN DESCRIBED PARCEL ON THE SOUTH AND LANDS OF MCKIERNAN (L. 1836, P. 284) ON THE NORTH. THENCE: SOUTH 80°08' 05" EAST, A DISTANCE OF 200.00' TO THE POINT OF INTERSECTION OF THE LAST MENTIONED DIVISION LINE WITH THE DIVISION LINE OF THE HEREIN DESCRIBED PARCEL ON THE WEST AND LANDS OF GUTHINGER (L. 1605, P. 693) ON THE EAST. THENCE ALONG THE LAST MENTIONED DIVISION LINE THE FOLLOWING 2 COURSES AND DISTANCES:

1. SOUTH 03°22' 25" EAST, A DISTANCE OF 3.99' TO A POINT,
2. SOUTH 07°51' 11" EAST, A DISTANCE OF 763.24' TO THE POINT

OR PLACE OF BEGINNING AND CONTAINING 5.01+/- ACRES OF LANDS.

PARCEL IS SHOWN ON MAP ENTITLED "PLAT OF SURVEY - LANDS OF ATTANASIO - SCHOHARIE TURNPIKE" AS PREPARED BY INGALLS & ASSOCIATES LLP ON JUNE 10, 2015

ZONING COORDINATION REFERRAL

For Use By SCDEDP

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING
Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

Received _____
Case No. _____
Returned _____

FROM: Legislative Body
 Zoning Board of Appeals
 Planning Board

Municipality: _____

TO: Schenectady County Department of Economic Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308

(tel.) 386-2225
(fax) 382-5539

ACTION: Zoning Code/Law Amendment
 Zoning Map Amendment
 Subdivision Review
 Site Plan Review

Special Permit
 Use Variance
 Area Variance
 Other (specify) _____

PUBLIC HEARING OR MEETING DATE: _____

SUBJECT: #23-13 Attanasio, Nichols: SBL#68.00-2-43, (C-1) located at 430 Schoharie Turnpike is seeking a side yard variance under Section #8.6.1 of the Town of Duanesburg Zoning Ordinance.


REQUIRED ENCLOSURES:

1. Public hearing notice & copy of the application.
2. Map of property affected. (Including Tax Map I.D. number if available)
3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:
 - the boundary of any city, village or town;
 - the boundary of any existing or proposed County or State park or other recreation area;
 - the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
 - the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
 - the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
 - the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

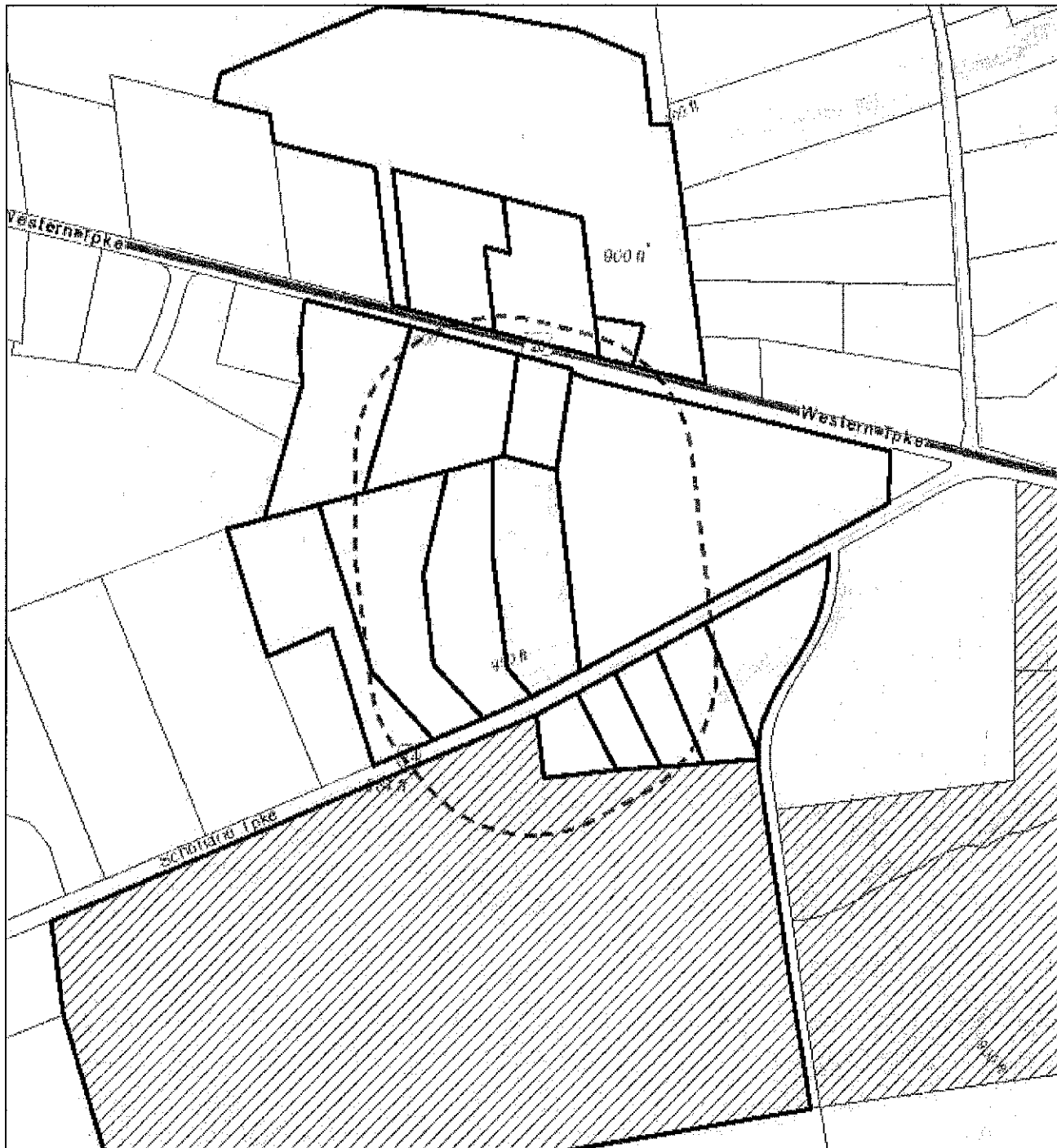
Name: Carol Sowycz Title: Planning & Zoning Clerk
Address: 5853 Western Turnpike Duanesburg NY12056
E-mail: csowycz@duanesburg.net Phone: (518)895-2040


Signature



Date: 07/12/2023

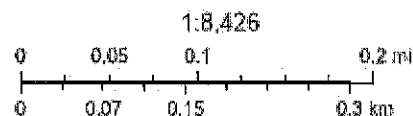


Untitled Map



July 12, 2023

- Override 1  Parcels
- Override 1  AG Districts
- Override 1



Esri, Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, METV, NASA, EPA, USDA

No Author
This map and information is provided as is. We make no warranties or guarantees, expressed or implied.

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



TOWN OF DUANESBURG
SCHENECTADY COUNTY

Jonathan Lack, Vice Chair Member
Matthew Ganster, Board Member
Charles Leoni, Board Member
Link Pettit, Board Member
Daniel Boggs, Board Member
Caitlin Mattos, Board Member

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: 7-27-23 Zoning District R 2 Type of Variance
SBL# 52.00-1-43 Phone #: 518-864-5997 Use Variance Area Variance
Email: _____

1 ORIGINAL

Applicant's Name: Kyle S. Mugits
Applicant's Address: 7660 Maria Villa Rd.
Delanson N.Y. 12053

Property Owner Name(if different): _____

Property Address (if different): 6363 State Hwy Rt 30 Duanesburg N.Y.

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

Proposal: (Brief description of request)
Building set back of front

A copy of this notarized application and the accompanying information must be submitted to the Planning and Zoning Department for approval before being placed on the ZBA agenda. Eight (8) copies of this application must be reviewed and filed at least 10 days prior to the next ZBA meeting.

REQUIRED INFORMATION:

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

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

Kyle S. Mugits
Applicant

7-27-23
Date

DIANE J. MARTIN
Notary Public, State of New York
No. 01MA6403020
Qualified in Schenectady County
Commission Expires: 1-13-2024

State of New York, county of Schenectady sworn this 27th day of July

2023 Notary Public
Diane J. Martin

***** (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: _____



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>Kyle S Mugits</u> Address: <u>7660 Mariaville Rd</u> <u>Delanson N.Y. 12053</u>	Name: _____ _____ _____

1. Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
2. Description of proposed project:
15' FRONT YARD VARIANCE FOR NEW SINGLE FAMILY DWELLING
3. Location of project: Address: _____
Tax Map Number (TMP) _____
4. Is this parcel within an Agricultural District? YES NO (Check with your local assessor if you do not know.)
5. If YES, Agricultural District Number R 2
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

Kyle S Mugits
Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: _____
Christopher Parslow

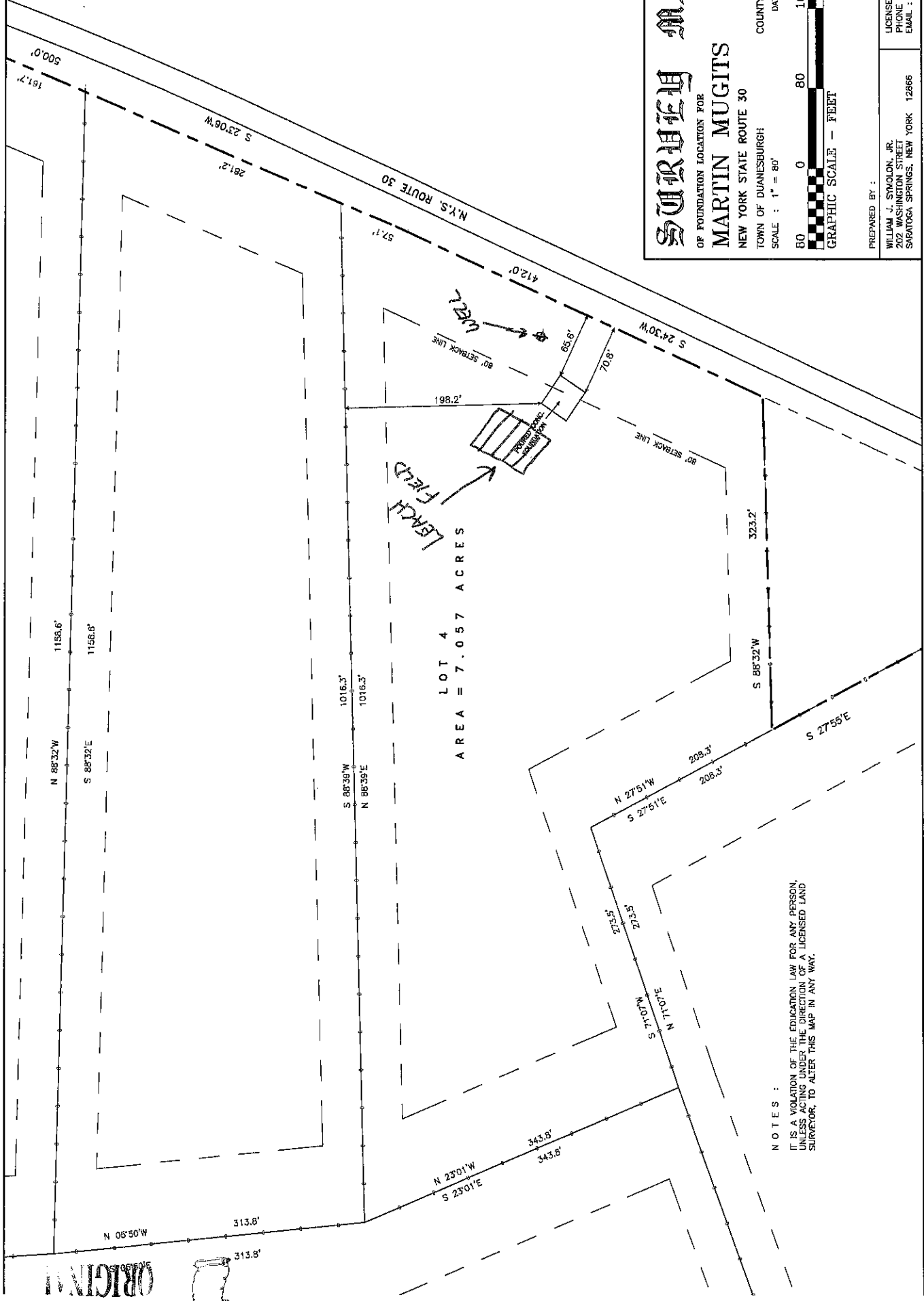
Date

Revised 6/6/23

FARM NOTE

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

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



LOT 4
AREA = 7.057 ACRES

LEACH FIELD

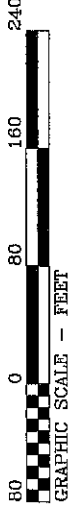


SURVEY MAP

OF FOUNDATION LOCATION FOR
MARTIN MUGITS

NEW YORK STATE ROUTE 50
TOWN OF DUANESEBURGH

COUNTY OF SCHENECTADY
DATE : JULY 21, 2025



PREPARED BY :
WILLIAM J. SYMOLON, JR.
202 WASHINGTON STREET
SARATOGA SPRINGS, NEW YORK 12866

LICENSE NUMBER 49664
PHONE : 518-258-7035
EMAIL : symolon@tdlink.net

NOTES :
IT IS A VIOLATION OF THE EDUCATION LAW FOR ANY PERSON,
UNLESS ACTING UNDER THE DIRECTION OF A LICENSED LAND
SURVEYOR, TO ALTER THIS MAP IN ANY WAY.

ORIGINAL



ZONING COORDINATION REFERRAL

SCHENECTADY COUNTY DEPT. OF ECONOMIC DEVELOPMENT & PLANNING

Recommendations shall be made within 30 days after receipt of a full statement of the proposed action.

For Use By SCDEDP

Received _____
Case No. _____
Returned _____

FROM: Legislative Body
 Zoning Board of Appeals
 Planning Board



ORIGINAL

Municipality: _____
Town of Duanesburg

TO: Schenectady County Department of Economic Development and Planning
Schaffer Heights, 107 Nott Terrace, Suite 303
Schenectady, NY 12308

(tel.) 386-2225
(fax) 382-5539

ACTION: Zoning Code/Law Amendment Special Permit
 Zoning Map Amendment Use Variance
 Subdivision Review Area Variance
 Site Plan Review Other (specify) _____

PUBLIC HEARING OR MEETING DATE: October 19, 2017

SUBJECT: Mugits, Kyle: SBL#52.00-1-43, (R2) located at 6363 State Highway 30 is seeking a front yard variance of 14 1/2 feet for a single family dwelling under section 8.6(1) of the Town of Duanesburg Zoning Ordinance.


- REQUIRED ENCLOSURES:**
1. Public hearing notice & copy of the application.
 2. Map of property affected. (Including Tax Map I.D. number if available)
 3. Completed environmental assessment form and all other materials required by the referring body in order to make its determination of significance pursuant to the state environmental quality review act.

1. This zoning case is forwarded to your office for review in compliance with Sections 239-l, 239-m and 239-n of Article 12-B of the General Municipal Law, New York State.
2. This material is sent to you for review and recommendation because the property affected by the proposed action is located within 500 feet of the following:

- the boundary of any city, village or town;
- the boundary of any existing or proposed County or State park or other recreation area;
- the right-of-way of any existing or proposed County or State parkway, thruway, expressway, road or highway;
- the existing or proposed right-of-way of any stream or drainage channel owned by the County or for which the County has established channel lines;
- the existing or proposed boundary of any County or State-owned land on which a public building or institution is situated;
- the boundary of a farm operation located in an agricultural district, as defined by Article 25-AA of the agriculture and markets law. The referral requirement of this subparagraph shall not apply to the granting of area variances.

SUBMITTED BY:

Name: Carol Sowycz Title: Planning/Zoning Clerk
Address: 5853 Western Turnpike Duanesburg, NY 12056
E-mail: csowycz@duanesburg.net Phone: (518) 895-2040


Signature

Date: 8-3-2023

OFFICE OF THE SCHENECTADY
COUNTY CLERK



ORIGINAL



JOHN J. WOODWARD
COUNTY CLERK
CMC

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

MARYELLEN
BREHM

CYNTHIA REEDY

CARA
JASENSKI

JEFF MORRETTE
DEPUTY COUNTY
CLERKS

- Instrument Number - 201731318
- Recorded On 7/13/2017 At 12:26:34 PM
- * Instrument Type - DEED
- * Book/Page - DEED/1966/891
- * Total Pages - 3
- Invoice Number - 922490 User ID: ELM
- * Document Number - 2017-3206
- * Grantor - HELDERBERG REALTY LLC
- * Grantee - MUGITS KYLE S

*RETURN DOCUMENT TO:
REBECCA MORSE HOUT ESQ
PO BOX 528
ALTAMONT, NY 12009

* FEES

NY REALTY TRANSFER TAX	\$112.00
NY LAND SUR	\$4.75
NY E & A FEES	\$241.00
NY LAND COMP SUR	\$14.25
CO GENERAL REVENUE	\$40.00
CO LAND SUR	\$0.25
CO E & A FEES	\$9.00
CO LAND COMP SUR	\$0.75
TOTAL PAID	\$422.00

TRANSFER TAX

Real Estate Transfer Tax Num - 4519
Transfer Tax Amount - \$ 112.00

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

John J. Woodward
John J. Woodward
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 - 201731318



ORIGINAL

THIS INDENTURE, made the 18th day of July, 2017,

BETWEEN **HELDERBERG REALTY LLC**, a domestic limited liability corporation,
having its principal offices located at 325 Old Stage Road, Altamont, New
York 12009,

Party of the first part,

AND **KYLE S. MUGITS**, residing at 7660 Mariaville Road, Delanson, New York
12053,

Party of the second part,

Witnesseth, that the party of the first part, in consideration

ONE and no/100-----(\$1.00) Dollar, 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 party of the second part, his heirs and assigns forever,

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

BEGINNING at a set re-rod in the westerly margin of New York State Route 30 where said westerly
margin is intersected by the northerly line of lands conveyed to Borst by deed recorded in Book 1089 at page
612 and running thence along said northerly line and along a stonewall S 88 degrees 32 minutes W a distance of
332.34 feet to a set re-rod, thence through lands of Helderberg Realty and along a stonewall the following four
courses: N 27 degrees 51 minutes W a distance of 208.27 feet to a set re-rod, S 71 degrees 07 minutes W a
distance of 273.50 feet to a set re-rod, N 23 degrees 01 minutes W a distance of 343.76 feet to a set re-rod and N
88 degrees 39 degrees E a distance of 1,016.26 feet to a set re-rod in the westerly margin of New York State
Route 30, thence along said westerly margin the following two courses: S 23 degrees 06 minutes W a distance
of 57.15 feet to a point and S 24 degrees 30 minutes W a distance of 411.98 feet to the point or place of
beginning and containing 7.057 acres of land.

BEING a portion of the premises conveyed to Helderberg Realty, LLC, by Deed from Steven D.
Poisman and Shirley T. Dorion, as Trustees of the Carol Poisman Family Living Trust, dated September 2, 2016
and recorded in the Schenectady County Clerk's Office on September 6, 2016 in Book 1945 of Deeds at Page
392.

This conveyance is made subject to the Declarations of Covenants recorded on April 11, 2017 in Book
1960 of Deeds at Page 543.

Together with the appurtenances, and also all the estate and rights of the party of the first part in and to
said premises.

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

And said party of the first part covenants as follows:

First, That the party 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 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 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.

43
R.P.T.S.A.
TAX INCIDENT.
52.00
SEC. 52.00
LOT 1

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



ORIGINAL

IN PRESENCE OF

Henry A. Whipple
Helderberg Realty LLC
By: Henry A. Whipple, President

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

On the 10th day of July, 2017, before me, the undersigned, personally appeared HENRY A. WHIPPLE, 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 upon behalf of which the individual acted, executed the instrument.

Rebecca Morse Hout
Notary Public

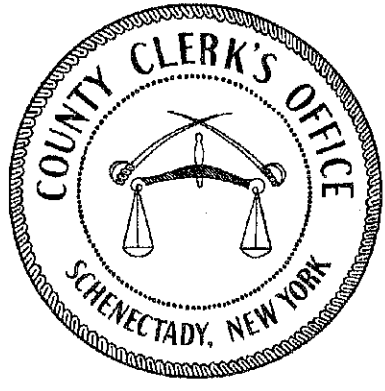
REBECCA MORSE HOUT
NOTARY PUBLIC, STATE OF NEW YORK
QUALIFIED IN ALBANY CO. #4947215
COMMISSION EXPIRES 2/13/18

R.R.

Law Offices of Rebecca Morse Hout
PO Box 528
Altamont, New York 12009

 ORIGINAL

STATE OF NEW YORK }
SCHENECTADY COUNTY } ss:



I, **Cara M. Ackerley**, Clerk of said County, and also Clerk of the Supreme and County Courts, being Courts of Record held therein, do hereby certify that I have compared the foregoing copy of:

Deed

With the original thereof as entered, filed and/or recorded in the office on July 13, 2017 in Book No.1966, commencing at page 891 and that the same is a true copy and transcript therefrom and of the whole thereof.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of said Courts and County, the 24th day of July, 2023.

Cmackerley County Clerk

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



TOWN OF DUANESBURG
SCHENECTADY COUNTY

Jonathan Lack, Vice Chair Member
Matthew Ganster, Board Member
Charles Leoni, Board Member
Link Pettit, Board Member
Daniel Boggs, Board Member
Caitlin Mattos, Board Member

VARIANCE APPLICATION
TOWN OF DUANESBURG
ZONING BOARD OF APPEALS

Revised 03/5/15

Date: 8/2/23 Zoning District R2

Type of Variance

Use Variance Area Variance

SBL# 45.00-2-8.2

Phone #: 518 878 6906

Applicant's Name: Alison Daus



ORIGINAL

Applicant's Address: 1031 1724 Skyline Dr
Schenectady NY 12306

Property Owner Name(if different): _____

Property Address (if different): _____

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

Proposal: (Brief description of request) Permit # 6791
Pool installation closer than 40' from property line due to
placement of septic & leach field see attachment from septic
company

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.

Alison Daus
Applicant

8/2/23
Date

JENNIFER M. HOWE
NOTARY PUBLIC-STATE OF NEW YORK
No. 01HO6351801
Qualified In Schenectady County
My Commission Expires 12-12-2024

State of New York, county of Schenectady sworn this 2nd day of August 2023 Notary Public

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

Reviewed by _____ Date _____
Fee _____ Date _____ Check# _____ Rec'd By _____
Hearing Date _____ Approved: YES NO Approval Date _____

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

Other Conditions include: _____

Authorized Signature _____ Date _____
(ZBA Chairperson)

Agricultural Data Statement

Date: 8/2/23

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>Alison Davis</u>	Name: _____
Address: <u>1724 Skyline Dr Schuylkill NY 12306</u>	_____ _____

- Type of Application: Special Use Permit; Site Plan Approval; Use Variance; Area Variance; Subdivision Approval (circle one or more)
- Description of proposed project:
Pool installation closer than 40' from property line due to location of septic & leach field
- Location of project: Address: 1724 Skyline Dr Schuylkill NY 12306
Tax Map Number (TMP) U 45.00-2-8.2
- Is this parcel within an Agricultural District? YES ~~NO~~ (Check with your local assessor if you do not know.)
- If YES, Agricultural District Number 50
- Is this parcel actively farmed? YES NO
- List all farm operations within 500 feet of your parcel. Attach additional sheet if necessary.

NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO
NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO	NAME: _____ ADDRESS: _____ Is this parcel actively farmed? YES NO

Alison Davis
Signature of Applicant

Signature of Owner (if other than applicant)

Reviewed by: _____
Christopher Parslow

Date

Revised 6/6/23




FARM NOTE

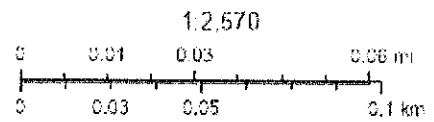
Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts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

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



July 17, 2023

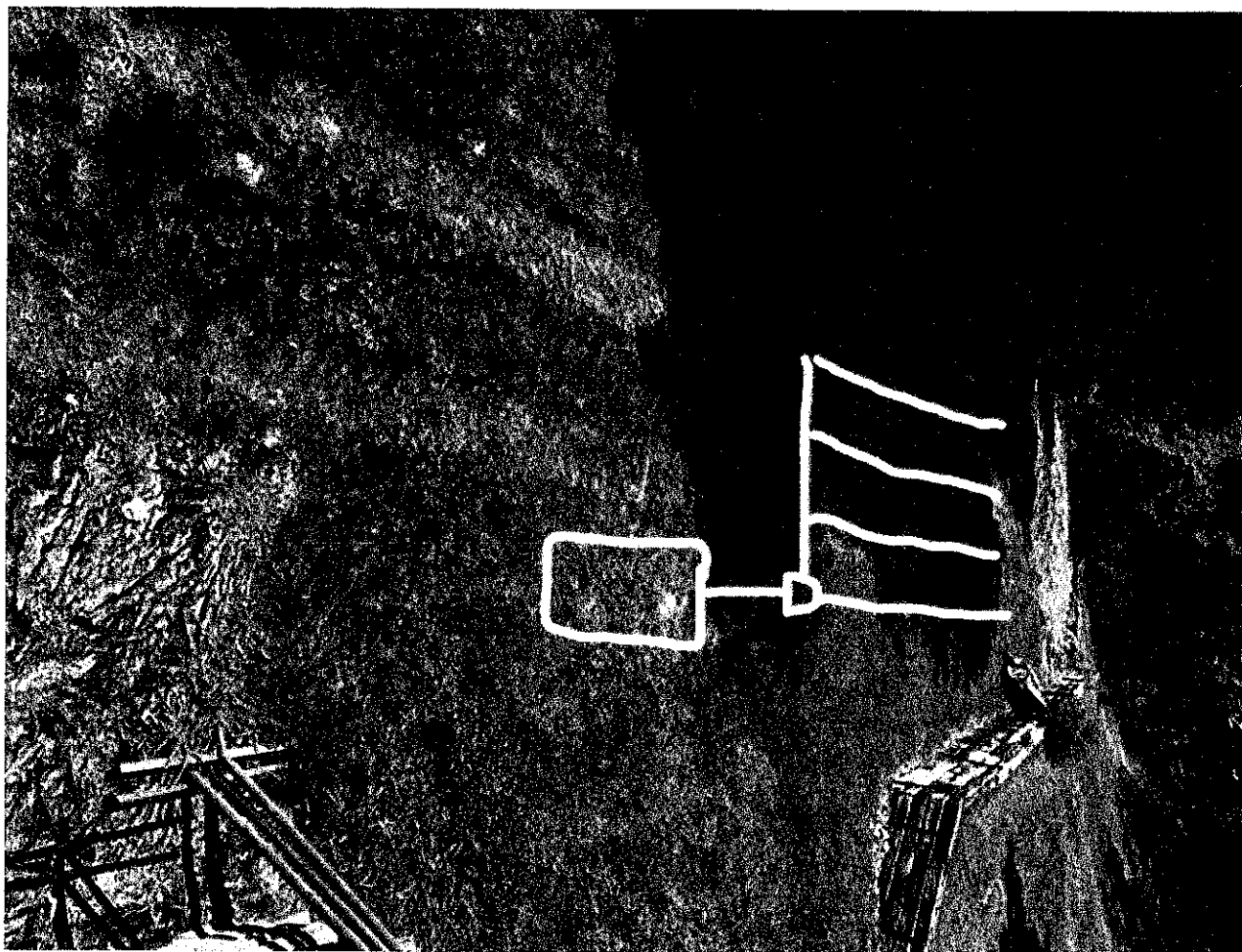
-  Override 1
-  Override 1
-  Parcels



NY 9 (75) 9-9 Program Office



ORIGINAL



Warranty Deed -- with Lien Covenant

 ORIGINAL

THIS INDENTURE

Made this 14 day of **JULY, 2023**

Between SALVATORE JOSEPH FUSCO, residing at
1724 Skyline Drive, Schenectady, NY 12306

Grantor,

JASON DAUS and ALISUN DAUS, his wife, residing at
1230 Esperance Road, Esperance, NY 12066

Grantees,

Witnesseth that the Grantor, in consideration of the sum of ONE and 00/100 DOLLARS (\$1.00) lawful money of the United States, and for other good and valuable consideration, paid by Grantee, does hereby grant and release unto Grantees, their heirs and assigns forever:

SEE SCHEDULE "A" ATTACHED HERETO

BEING the same premises conveyed to Grantor by Deed from Russell C. Harrington, individually and as Trustee of the Russell C. Harrington Revocable Living Trust dated July 23, 2014, said deed dated February 17, 2021, and recorded in the Schenectady County Clerk's Office on March 24, 2021 in Book 2055 of Deeds at Page 54.

SUBJECT to any and all enforceable easements, covenants, conditions and restrictions of record and to any state of facts that would be disclosed by an accurate survey.

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 Grantee, his heirs or successors and assigns forever

AND, said Grantor covenant as follows:

FIRST, that Grantor are seized of the said premises in fee simple, and has good right to convey the same;

SECOND, that Grantee shall quietly enjoy the said premises;

ORIGINAL

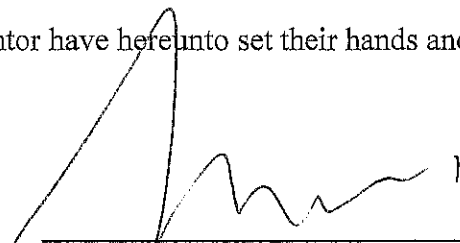
THIRD, that the premises are free from encumbrances, except as aforesaid,

FOURTH, that the Grantor will forever **WARRANT** the title to said premises;

FIFTH, that Grantor, in Compliance with Sec. 13 of the New York Lien Law, will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

IN WITNESS WHEREOF, Grantor have hereunto set their hands and seals as of the date written above.

IN THE PRESENCE OF

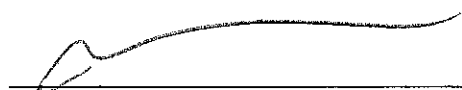


SALVATORE JOSEPH FUSCO L.S.

L.S.

State of New York)
County of Albany) SS.:

On this 14 day of JULY, 2023 , before me, the undersigned, a Notary Public in and for said State, personally appeared **SALVATORE JOSEPH FUSCO** personally known to me or proved to me on the basis of satisfactory evidence to be the individuals whose names are subscribed to the within instrument and acknowledged to me that they executed the same in their capacities and that by their signatures on the instrument, the individuals, or the person upon behalf of which the individuals, acted, executed the instrument and that such individuals made such appearance before the undersigned.



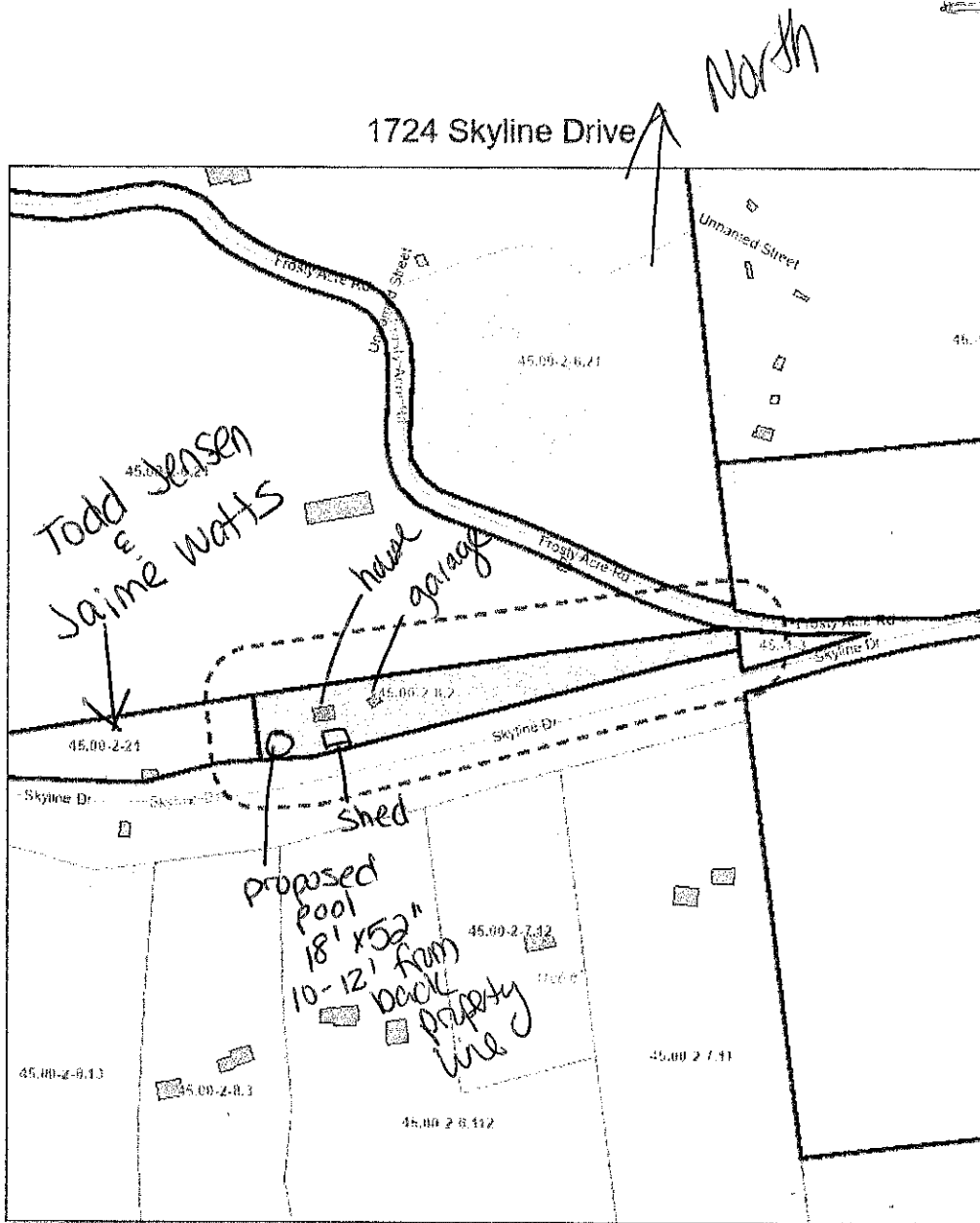
Notary Public

SUSAN H. deVOE
Notary Public, State of New York
Registration No. 4989546
Qualified in Albany County
Commission Expires December 9, 2025

RECORD & RETURN TO:







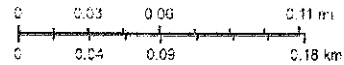
ORIGINAL



August 2, 2023

14,514

- Road Labels  Parcels
- Override 1  Roads
- Override 1  Parcel Labels
- Override 1  Building Footprints



Esri | Garmin | HERE | DeLorme | Swatch | NOAA | USGS | EPA | USDA

No Author
This map and information is provided as is. We make no warranties or guarantees, expressed or implied.

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



TOWN OF DUANESBURG
SCHENECTADY COUNTY

Jonathan Lack, Vice Chair Member
Matthew Ganster, Board Member
Charles Leoni, Board Member
Link Pettit, Board Member
Daniel Boggs, Board Member
Caitlin Mattos, Board Member

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



Jonathan Lack, Vice Chairperson
Link Pettit, Board Member
Daniel Boggs, Board Member
Matthew Ganster, Board Member
Charles Leoni, Board Member
Caitlin Mattos, Board Member

TOWN OF DUANESBURG
SCHENECTADY COUNTY

Town of Duanesburg
Zoning Board Minutes
July 18, 2023
Draft Copy

MEMBERS PRESENT: Nelson Gage- Chairman, Jonathan Lack -Vice Chairperson, Charles Leoni, Daniel Boggs, Matthew Ganster.

INTRODUCTION:

Chairman Gage welcomed everyone to the July 18th ZBA meeting. He stated that there are 3 public hearings and approval of the June 20th, 2023, meeting.

OPEN FORUM:

Chairman Gage opened the open forum at 7:01pm. Chairman Gage asked if anyone present at the meeting or on Zoom would like to participate in the open forum. No comments were made. Chairman Gage closed the open forum at 7:02PM.

PUBLIC HEARINGS:

#23-11 Gervasio, Peter: SBL#34.00-2-24, (R-2) located at 2503 Batter St. is seeking a front yard variance under Section #8.6.1 of the Town of Duanesburg Zoning Ordinance. Mr. & Mrs. Gervasio detailed that they are looking to build a 24x24 foot garage to the left side of their house, that the 40-foot front yard variance will allow them to place the garage in line with their 200-year-old house.

Gage/Ganster made a motion to open the public hearing regarding the Gervasio variance. Gage aye, Ganster aye, Boggs aye, Leoni aye, Lack aye. **Approved.**
No comments made.

Gage/Leoni made a motion to close the public hearing for the Gervasio application. Gage aye, Leoni aye, Ganster aye, Boggs aye, Lack aye. **Approved.**

Ganster/Leoni made a motion to grant Peter Gervasio a 40 feet front yard variance under Section 8.6(1) of the Town of Duanesburg Zoning Ordinance to build a 24x24 foot garage. Ganster aye, Leoni aye, Gage aye, Boggs aye, Lack aye. **Approved.**

#23-10 Bartoszek, Stephen: SBL# 65.00-1-31-132, (R-2) located at 690 Gage Road is seeking a 20-foot side yard variance under Section 8.6.2 of the Town of Duanesburg Zoning Ordinance. Mr. Bartoszek indicated that he is looking for a side yard variance to build a 24x40 foot pole barn.

Gage/Lack made a motion to open the public hearing for the Stephen Bartoszek variance. Gage aye, Lack aye, Ganster aye, Boggs aye, Leoni aye. **Approved.**

No comment.

Gage/Boggs made a motion to close the public hearing for Stephen Bartoszek.

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

Leoni/Boggs made a motion to grant Mr. Bartoszek a 20-foot side yard variance under Section 8.6.2 of the Town of Duanesburg Zoning Ordinance.

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

#23-12 Bollentin, Robert: SBL#67.04-1-21, (R) located at 604 Duane Lake Road is seeking a front yard and side yard variance under section 7.2.6(1) & 7.2.6(2) of the Town of Duanesburg Zoning Ordinance. Mr. Bollentin stated that he is seeking the variance to build a 24x24 foot, 2 story, standalone garage on his property.

Gage/Leoni made a motion to close the public hearing for Robert Bollentin.

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

Boggs/Lack made a motion to grant Mr. Bollentin a front and side yard variance under sections 7.2.6(1) & 7.2.6(2) of the Town of Duanesburg Zoning Ordinance.

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

Chairman Gage reopens the open forum at 7:30PM. Resident Lynn Bruning, 13388 Duanesburg Rd. stated that two more solar applications are in front of the planning board. She updated everyone on the Oak Hill Solar project stating:

1.- That in December 2022 several panels fell to the ground, and they remain there.

2.- That there has been no mowing done this year.

3.- There are pallets sitting on the side of Duanesburg Road that have been there since December 2022.

4.- That AMP vacated the structure in February 2023 and announced that the project had been sold. That all AMP projects in the USA are now owned by Canadian and Australian companies. She also stated that the company changed its name to Pure Sky Energy LLC. Which doesn't seem to be registered anywhere in the USA.

Chris Parslow, Code Enforcement Officer stated that the company was going to start mowing the next day and they would be starting construction in August.

Ms. Bruning also noted that more and more solar projects in nearby towns are being denied because they are not compliant with the Comprehensive Plan.

Lack/Gage made a motion to approve the June 20th, 2023, Zoning Board meeting minutes.

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

Ganster/Leoni made a motion to adjourn tonight's meeting.

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