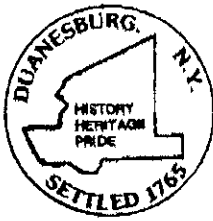


Nelson Gage, Zoning Board Chair
Dale Warner, Town Planner
Melissa Deffer, Clerk
Teresa Bakner, Board Attorney



TOWN OF DUANESBURG
SCHENECTADY COUNTY

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

Town of Duanesburg
Zoning Board Minutes
December 15, 2020
Final Copy

RECEIVED
JAN 21 2021
TOWN OF DUANESBURG
TOWN CLERK

MEMBERS PRESENT VIA ZOOM: Nelson Gage Chairman, Jonathan Lack Vice Chairman, Daniel Boggs, Matthew Ganster, Dianne Grant. Also attending Dale Warner, Town Planner and Melissa Deffer, Clerk.

INTRODUCTION:

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

OPEN FORUM:

Nelson Gage dispensed with the open forum as it is not required.

PUBLIC HEARINGS:

#20-06 Poulin, Larry, SBL#74.00-1-30,(R-2) Located at 625 Oakhill Rd is seeking a side set back Variance of 19 feet under section 8.6(2); 40 foot side yard setback R-2 Zoning ; Area Variance section 14.5.2 (B).

No representation was present at the meeting.

Gage/Grant made a motion to continue the public hearing for the **#20-06 Poulin, Larry** application until January 19, 2021.

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

#20-07 Tazin, Sergei, SBL#52.00-1-20.1, (R-2) Located at 5442 Route 30 is seeking a 12,425 Sq Ft Area Variance under section 8.5(1) of the Town of Duanesburg Zoning Ordinance. Irina Tazin represented her husband Sergei Tazin. Mrs. Tazin gave her presentation to the public

Gage/Grant made a motion to open the public hearing for **#20-07 Tazin, Sergei** application.

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

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There was no public comment.

Gage/Grant made a motion to close the public hearing for **#20-07 Tazin, Sergei** application.

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

Gage/Boggs made a motion to grant to Sergei Tazin, of 750 Rickard Hill Rd SBL# 52.00-1-20.1 an area variance of 12,425 Sq Feet to correct a survey adjustment under section 8.5(1).

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

OLD BUSINESS:

None

New Business:

#20-08 Black, Joy, SBL#25.00-3-11.2, (R-2) Located at 932 W. Shore Rd is seeking an Area Variance for a front yard setback under section 8.6(1); 35.152; 3.5.93; 14.5.2(B) of the Town of Duanesburg Zoning Ordinance. Joy explained that she lives on the corner of Route 7 and West Shore Rd. West Shore Rd is a seasonal road but the Town of Duanesburg does plow about 30 feet past her house. Joy would like to place a 22X36 metal building on her property for storage of hay, equipment, and her car. There is land around her house, but it is all horse pasture. Because of where her well is located as well as her barn and house they best place for the metal building to be placed for easy access is in the middle of her horseshoe driveway. Joy explained that she currently pays for offsite storage for her hay so this will be more beneficial for her. The metal building will be 18 feet deep from upper West Shore Rd. For the next meeting, the board would like to see.

1. A copy of the deed
2. A bird's eye view drawing with dimensions
3. Tax map drawing

#20-09 DellaVilla, Michael, SBL# 53.00-3-20.15, (R-2) Located 565 Knight Rd is seeking a 23 ft Side yard variance under section 8.6(2) requires a 40 ft side yard: section 14.5.2(B) Mr. DellaVilla explained that he would like to build a 2-car garage to the right of the existing garage. There is an existing blacktop driveway on the property. 20'X24' garage will match the existing house's siding and trim. The well and septic are on the other side of the property and are the appropriate distance away. The distance between the proposed garage to the house is roughly 10-12 feet. Board Member Lack suggested moving the garage about 5 feet closer to the house because there is a big difference between 23-foot variance and an 18-foot variance. Mr. DellaVilla also explained that the property next to him is a vacant field with no structures. For the next meeting to board would like to see.

1. A copy of the deed
2. The change in feet in between the house and the garage

Lack/Gage made a motion to declare the Town of Duanesburg Zoning Board lead agency and that the **#20-09 DellaVilla, Michael** application is an exempt Type II action pursuant to Title 6 NYCRR Section 671. (c) (12) or (13).

No further action pursuant to SEQRA is required.

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

Lack/Gage made a motion to set a public hearing for January 19, 2021 at 7 pm or there about for **#20-09 DellaVilla, Michael**, SBL# 53.00-3-20.15, (R-2) Located 565 Knight Rd is seeking a Side yard variance under section 8.6(2) requires a 40 ft side yard: section 14.5.2(B)

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

#20-10 Novak, Kevin, SBL# 33.00-1-6.111, (R-2) Located at 699 Millers Corners Rd is seeking a area variance of 20 ft for side yard setback under section 8.2(6); section 14.2.2(B) adopted 6/11/15 under the Town of Duanesburg Ordinance. Mr. Novak explained that he would like to construct a pole barn on the 45.3-acre parcel. There is an existing private cemetery in the middle of the field that Mr. Novak would like to stay as far away as to not disturb. The property has just been subdivided and there is a proposed driveway and house already on the plat. The existing filed drive is closer to the southern property line. The next meeting the board would like to see.

1. Supplemental sketch
2. A bigger map that shows dimensions on where the pole barn will be

Grant/Lack made a motion to declare the Town of Duanesburg Zoning Board lead agency for the **#20-10 Novak, Kevin**, application.

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

Gage/Lack made a motion that **#20-10 Novak, Kevin** application is an exempt Type II action pursuant to Title 6 NYCRR Section 671. (c) (12) or (13).

No further action pursuant to SEQRA is required.

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

Lack/Ganster made a motion to set a public hearing for January 19, 2021 at 7 pm or there about for **#20-10 Novak, Kevin**, SBL# 33.00-1-6.111, (R-2) Located at 699 Millers Corners Rd for a 20 ft for side yard setback under section 8.2(6): section 14.2.2(B).

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

#20-11 Cannistraci, Anthony, SBL# 35.10-1-17.1, (L-1) Located at 352 S. Shore Rd is seeking a 20 ft front yard setback variance and a 30 ft side yard variance from section 7.1.6(2) for each side yard adopted 6/11/15 under the Town of Duanesburg Ordinance. Mr. Cannistraci are planning on moving to 352 S. Shore Rd but before they do, they must demolish the current three structures on the property due to them being inhabitable. Anthony would like to have a single-family home with a detached garage. The garage will be the same distance away from the road as it is now but pushed back so Anthony can park cars in front of the garage as well as in it. The current shack on the property is 10 ft away from the lake. He plans on moving the house 40 feet away from the lake. Where the second garage is currently it is 10 feet away from the side property line and Anthony's plan is to demolish that but to make the house bigger. The proposed house will be 2300 Sq Ft with a detached 24X30 garage. What is currently on the property is a 730 Sq Ft shack with 2 garages a 24X36 and 20X25. There is a stream that runs thru the south side of his property

which is why he will need variances on the North side of the property. Mr. Cannistraci is asking for two variances, a 20-foot front yard and a 26.5 side yard

Lack/Grant made a motion to declare the Town of Duanesburg Zoning Board lead agency and that the **#20-11 Cannistraci, Anthony** application is an exempt Type II action pursuant to Title 6 NYCRR Section 671. (c) (12) or (13).

Lack aye, Grant aye, Gage aye, Ganster. **Approved.**

Lack/Grant made a motion to set a public hearing for January 19, 2021 at 7 pm or there about for **#20-11 Cannistraci, Anthony**, SBL# 35.10-1-17.1, (L-1) Located at 352 S. Shore Rd for a 20 ft front yard setback variance and a 26.5 ft side yard variance from section 7.1.6(2) and 14.5.2.

Lack aye, Grant aye, Gage aye, Ganster aye. **Approved.**

#20-12 Weakly, Dennis, SBL# 35.06-2-48.1, (R-1) Located at 156 Hillside Rd is seeking an Area Variance under section 6.5(1) requires 1 acre or 43,560 sq ft adopted 6/11/15 under the Town of Duanesburg Zoning Ordinance. MR. Weakly would like to separate 156 Hillside Rd which is 200X58 from 172 Hillside Rd which is 60X150. Unfortunately, his parents passed away and left the property to Mr. Weakly and his brother. Dennis will own 156 Hillside Rd which has a preexisting house on it while his brother will take 172 Hillside Rd which has a preexisting Garage. Mr. Weakly's parents combined the two parcels so he could build the garage on 172 Hillside per the 2001 zoning ordinance. For the next meeting the board would like to look up the previous variance for the property and to check with the board attorney for advice.

#20-13 Ising/Yauchler, SBL# 35.09-2-11&12, (L-1) Located at 727 South Shore Rd is seeking a 16ft side yard variance under section 7.1.6(2); Section 14.5.2(B) Area Variance and a 33 ft and 4 ft side yard variance under section 7.1.6(2); section 14.5.2(B) area variance under the Town of Duanesburg Zoning Ordinance.

Joanne Darcy Crumb land surveyor is representing Mr. Ising and Mr. Yauchler. Joanne explains that the 2 landowners would like to do a double lot line adjustment but to do so the 2 properties will need variances. In the 1980's a land surveyor did a survey on what is now the Ising property and there are big errors on the survey because of the survey done on Isings property a garage was built on the Isings property and when Mr. Yauchler purchased the property to the east, he had Mr. Koch survey of his property. When Mr. Koch held up the 1980s survey, he went onto the Harrington property. The Yauchlers property line went right through the Harrington's garage. Mr. Ising hired Joanne to do the survey for his property and she has now found all the errors on the 1980s survey. The actual property line for the Ising property starting at the road just south of the garage going right through the garage. Ising property will increase by .19 and Yauchler property will be reduced by 0.19 acres. The Town of Duanesburg Planning Board referred Joanne to the ZBA to get side yard variances.

Gage/Grant made a motion to declare the Town of Duanesburg Zoning Board lead agency for the **#20-13 Ising/Yauchler** application.

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

Lack/Gage made a motion that **#20-13 Ising/Yauchler** application is an exempt Type II action pursuant to Title 6 NYCRR Section 671. (c) (12) or (13).

No further action pursuant to SEQRA is required.

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

Lack/Gage made a motion to set a public hearing for January 19, 2021 at 7 pm or there about for **#20-13 Ising/Yauchler**, SBL# 35.09-2-11&12, (L-1) Located at 727 South Shore Rd for a 16ft side yard variance under section 7.1.6(2); Section 14.5.2(B) Area Variance and a 33 ft side yard variance under section 7.1.6(2); section 14.5.2(B) area variance under the Town of Duanesburg Zoning Ordinance.

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

OTHER:

None

MINUTES APPROVAL:

Gage/Boggs made a motion to approve the November 17, 2020 Zoning Board minutes with on miner correction.

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

ADJOURNMENT:

Grant/Lack made a motion **to adjourn at 9:34 pm.**

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