

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



TOWN OF DUANESBURG  
SCHENECTADY COUNTY

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

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Town of Duanesburg  
Zoning Board Minutes  
July 18, 2023  
**Final Copy**

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

**INTRODUCTION:**

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

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

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## **NOTICE OF PUBLIC HEARING**

**LEGAL NOTICE  
NOTICE OF PUBLIC HEARING  
ZONING BOARD  
TOWN OF DUANESBURG**

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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 **July 18, 2023**, AT  
**7:00 PM** FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE  
APPLICATION OF:

**#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.

BY ORDER OF THE CHAIRPERSON  
ZONING BOARD  
TOWN OF DUANESBURG  
CHAIRPERSON

Town of Duanesburg is also providing the meeting via zoom if you are unable to attend  
in person:

**Join Zoom Meeting:**  
**Meeting ID:** 825 2590 5610  
**Passcode:** 262480  
**Dial in by Phone:** 1-646-558-8656

Town Hall • 5853 Western Turnpike • Duanesburg, NY 12056 • (518) 895-8920

VARIANCE APPLICATION  
TOWN OF DUANESBURG  
ZONING BOARD OF APPEALS

ORIGINAL

Front yard  
Variance

Date: 6/9/2023 Zoning District 02-R2 Type of Variance  
☐ Use Variance ☒ Area Variance  
SBL# 34-00-2-24 Phone #: 518 588-6358 Email: geruvfaye@gmail.com

Applicant's Name: Peter & Faye GERVASIO

Applicant's Address: 2503 Butler St  
Pattersonville NY 12137

Property Owner Name (if different): N/A

Property Address (if different): N/A

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

Proposal: (Brief description of request)

Need A VARIANCE TO HAVE A 24'x24' GARAGE BUILT ON LEFT SIDE OF  
PROPERTY. OUR WELL AND WELL LINES STOP US FROM GOING BACK ANY  
FURTHER AND THERE IS A STEEP SLOPE THAT CONTINUES AFTER WELL

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.

Peter Gervasio  
Applicant

6/12/2023  
Date

State of New York, county of Schenectady sworn this 12th day of June 2023

JENNIFER M. HOWE  
NOTARY PUBLIC-STATE OF NEW YORK  
No. 01H06351801  
Qualified in Schenectady County  
My Commission Expires 12-12-2024

\*\*\*\*\* (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)

## TOWN OF DUANESBURG

Application# \_\_\_\_\_

## Agricultural Data Statement

Date: 6/9/2023

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>Peter Gerardo</u>	Name: _____
Address: <u>2503 BATER ST</u> <u>PATIELSONVILLE NY</u>	Address: _____

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:  
HAVE A 24' X 24' GARAGE BUILT ON PROPERTY.
3. Location of project: Address: 2503 BATER ST  
Tax Map Number (TMP) 34.00-2-24
4. Is this parcel within an Agricultural District? YES NO (Check with your local
5. If YES, Agricultural District Number 22 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. NONE

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

Peter Gerardo  
Signature of Applicant

\_\_\_\_\_  
Signature of Owner (if other than applicant)

Reviewed by: \_\_\_\_\_

Christopher Parslow

Date \_\_\_\_\_

Revised 6/6/23

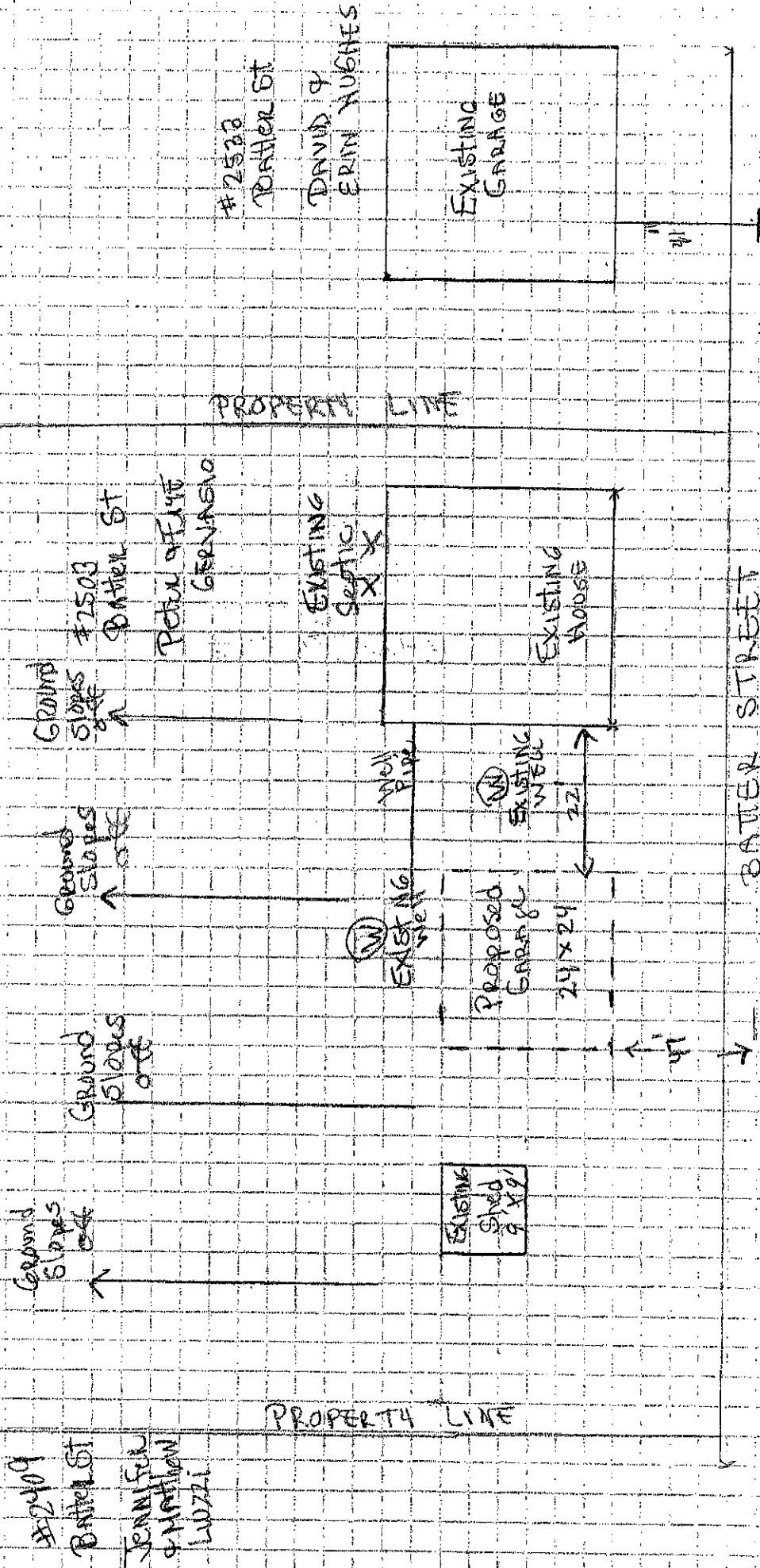
## FARM NOTE

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.

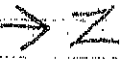
**NOTE TO REFERRAL AGENCY:** County Planning Board review is required. A copy of the Agricultural Data Statement must be submitted along with the referral to the County Planning Department.

2503 BATTER STREET

SBL 34-00-2-24



ALL SETBACK MEASUREMENTS ARE FROM BATTER ST CENTER LINE



**WARRANTY DEED**

**THIS INDENTURE** Made the 29<sup>th</sup> day of December 2020

BETWEEN

MATTHEW HARPER, residing at 2503 Batter Street, Pattersonville, NY 12137, party of the first part,

and

MATTHEW JOSEPH LIUZZI & JENNIFER LEIGH LIUZZI, his wife, residing at 2409 Batter Street, Pattersonville, NY 12137, parties of the second part,

and

PETER ROGER GERVASIO, Jr. and FAYE LEE GERVASIO, his wife, residing at 2409 Batter Street, Pattersonville, NY 12137, parties of the third part,

WITNESSETH that the party of the first part, in consideration of ONE & 00/100 (\$1.00) DOLLAR lawful money of the United States, and other good and valuable consideration, paid by the parties of the second part, does hereby grant and release unto the parties of the second part, their heirs and assigns forever,

All that piece or parcel of property situate in the Town of Duanesburg, County of Schenectady, State of New York being more particularly described on Schedule "A" attached hereto and made a part hereof.

The parties of the third part are granted the right to the exclusive use and occupancy of the premises described above, during their lifetime. Said life use shall be personal to the parties of the third part and shall not be subject to assignment or lease. The parties of the third part are to pay for all maintenance and repairs, water and sewer charges, insurance charges and taxes relating to said premises.

Being the premises conveyed to MATTHEW HARPER by deed dated June 29, 2004 and recorded in the Schenectady County Clerk's Office on October 8, 2004 in Liber 1689 of Deeds at Page 857.

SUBJECT to all enforceable covenants, boundary agreements, restrictions, and easements of record, if any.

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 parties of the

second part, their heirs and assigns forever.

AND said party of the first part, covenants as follows:

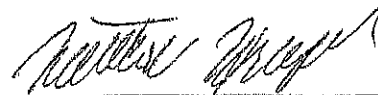
FIRST, that the parties of the second part shall quietly enjoy the said premises;

SECOND, that said party of the first part will forever WARRANT the title to said premises, and

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

IN PRESENCE OF

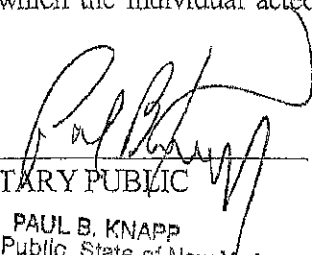


Matthew Harper

L.S.

STATE OF NEW YORK )  
COUNTY OF Albany ) ss.:

On this 10<sup>th</sup> day of December 2024, before me, the undersigned, personally appeared MATTHEW HARPER personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the foregoing instrument and he acknowledged to me that he executed the same in his capacity and that by his signature on said instrument, the individual or the person upon behalf of which the individual acted, executed the instrument.



NOTARY PUBLIC

PAUL B. KNAPP  
Notary Public, State of New York  
No. 02KN4856107  
Qualified in Albany County  
Commission Expires Mar. 10, 2027

R&R to:



**SCHEDULE A - DESCRIPTION**

ALL THAT TRACT OR PARCEL OF LAND, with buildings thereon situate, in the Town of Duanesburg, County of Schenectady, and State of New York, on the Southerly side of the highway known as Batter Street, bounded and described as follows: Beginning at a point on the Southerly side of Batter Street at the division line of the lands of John J. Lincourt and Josephine Faith Lincourt, his wife, and the lands of one David Hughes and running thence Southerly along the said division line of the above lands a distance of 408 feet more or less to the corner of a brick wall; thence Westerly along the lands of David Hughes a distance of 237 feet more or less along said stone wall to a point which is the end of said stone wall; thence Northerly and parallel with the first above mentioned course a distance of 343 feet more or less to the Southerly side of Batter Street which course is the boundary line between the lands of Lincourt and one Grace Smith; thence Easterly along the Southerly margin of Batter Street a distance of 233 feet more or less to the point or place of beginning, containing about 2 acres of land, more or less.

## 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

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  
☐ Zoning Map Amendment  
☐ Subdivision Review  
☐ Site Plan Review

☐ Special Permit  
☐ Use Variance  
☒ Area Variance  
☐ Other (specify) \_\_\_\_\_

**PUBLIC HEARING OR MEETING DATE:** October 19, 2017

**SUBJECT:** 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 Subdivision 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

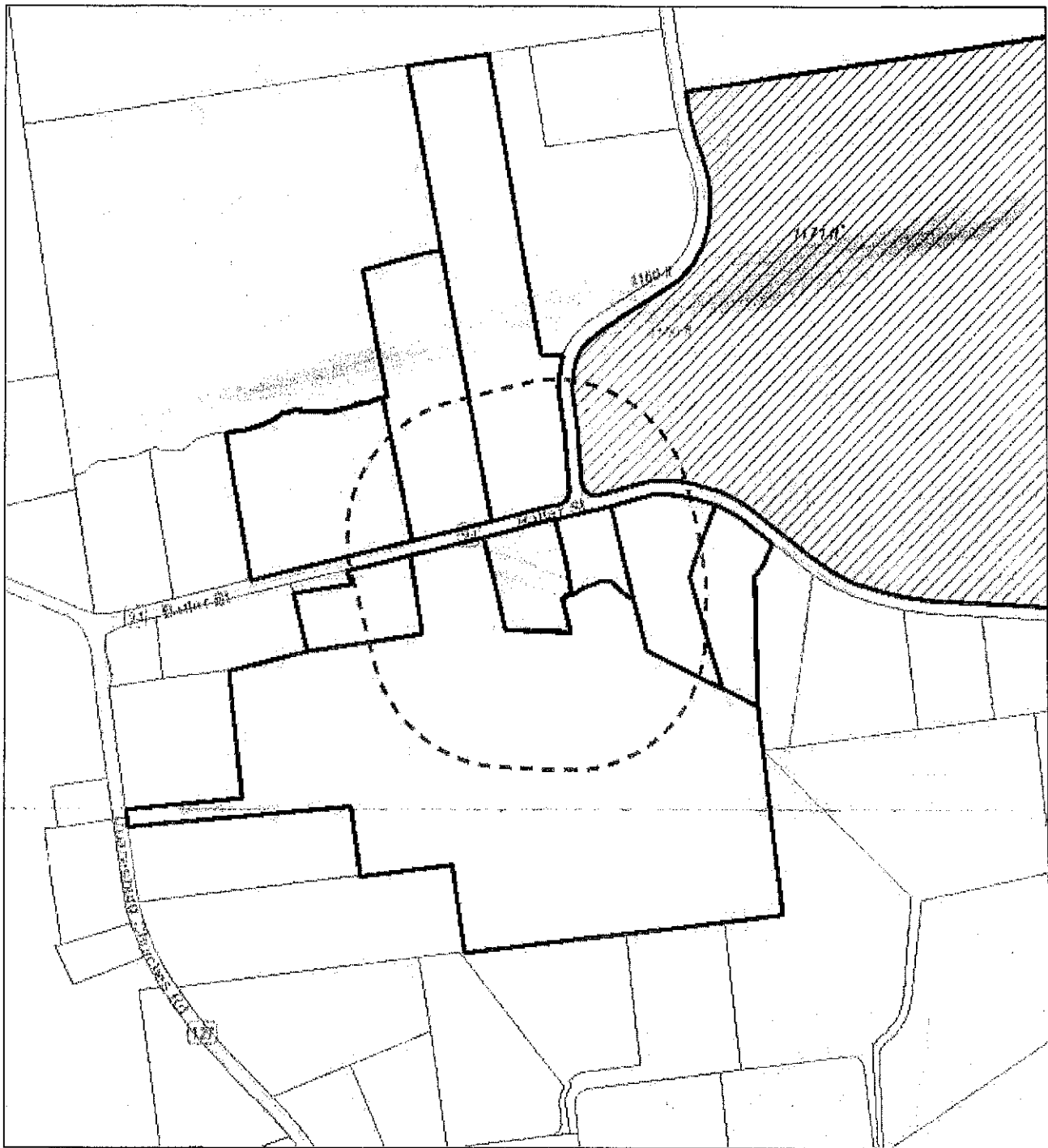
  
Signature

Date: 6-12-2023


**RECEIVED**  
JUN 12 2023


**ORIGINAL**

## Untitled Map

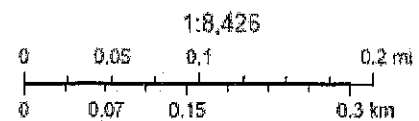


June 12, 2023

Override 1  Parcels

Override 1  AG Districts

Override 1



Esri Canada, Esri, HERE, Garmin, INCREMENT P, Intermap, USGS, NAVI  
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



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

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## **NOTICE OF PUBLIC HEARING**

### **LEGAL NOTICE NOTICE OF PUBLIC HEARING ZONING BOARD TOWN OF DUANESBURG**

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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 **July 18, 2023**, AT  
**7:00 PM** FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE  
APPLICATION OF:

**#23-10 Bartoszek, Stephen:** SBL# 65.00-1-31-132, (R-2) located at 690 Gage Road  
Is seeking a side yard variance under Section# 8.6.1 of the Town of Duanesburg  
Zoning Ordinance.

BY ORDER OF THE CHAIRPERSON  
ZONING BOARD  
TOWN OF DUANESBURG  
CHAIRPERSON

Town of Duanesburg is also providing the meeting via zoom if you are unable to attend  
in person:

**Join Zoom Meeting:**  
**Meeting ID:** 825 2590 5610  
**Passcode:** 262480  
**Dial in by Phone:** 1-646-558-8656

Town Hall • 5853 Western Turnpike • Duanesburg, NY 12056 • (518) 895-8920

VARIANCE APPLICATION  
TOWN OF DUANESBURG  
ZONING BOARD OF APPEALS

Revised 03/5/15

ORIGINAL

Date: \_\_\_\_\_ Zoning District R-2 Type of Variance  
☐ Use Variance ☒ Area Variance  
SBL# 65.00-1-31.132 Phone #: (315) 525-3725

Applicant's Name: Stephen Bartoszek

Applicant's Address: 690 Gage Road  
Delanson, NY 12053

RECEIVED  
MAY 12 2023

Property Owner Name(if different): \_\_\_\_\_

Property Address (if different): \_\_\_\_\_

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

Proposal: (Brief description of request)  
Request to build 24'x40' pole barn 15' from 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

5/11/2023  
Date

Katie L. Wall  
KATIE L. WALL  
Notary Public, State of New York  
Reg. #01WA6253406  
Appointed in Oneida County  
My Commission Expires 12/19/2023

State of New York, county of Schenectady sworn this 11<sup>th</sup> day of May 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)

## TOWN OF DUANESBURG

Application# 23.10

ORIGINAL

## Agricultural Data Statement

Date: 6/8/2023

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>STEPHEN BARTOSZEK</u>	Name: _____
Address: <u>690 GAGE ROAD</u>	_____
<u>DELANSON, NY 12053</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:  
24'X40' POLE BARN
3. Location of project: Address: 690 GAGE ROAD DELANSON, NY 12053  
Tax Map Number (TMP) \_\_\_\_\_
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: _____	NAME: _____
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
NAME: _____	NAME: _____
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

  
Signature of Applicant

\_\_\_\_\_  
Signature of Owner (if other than applicant)

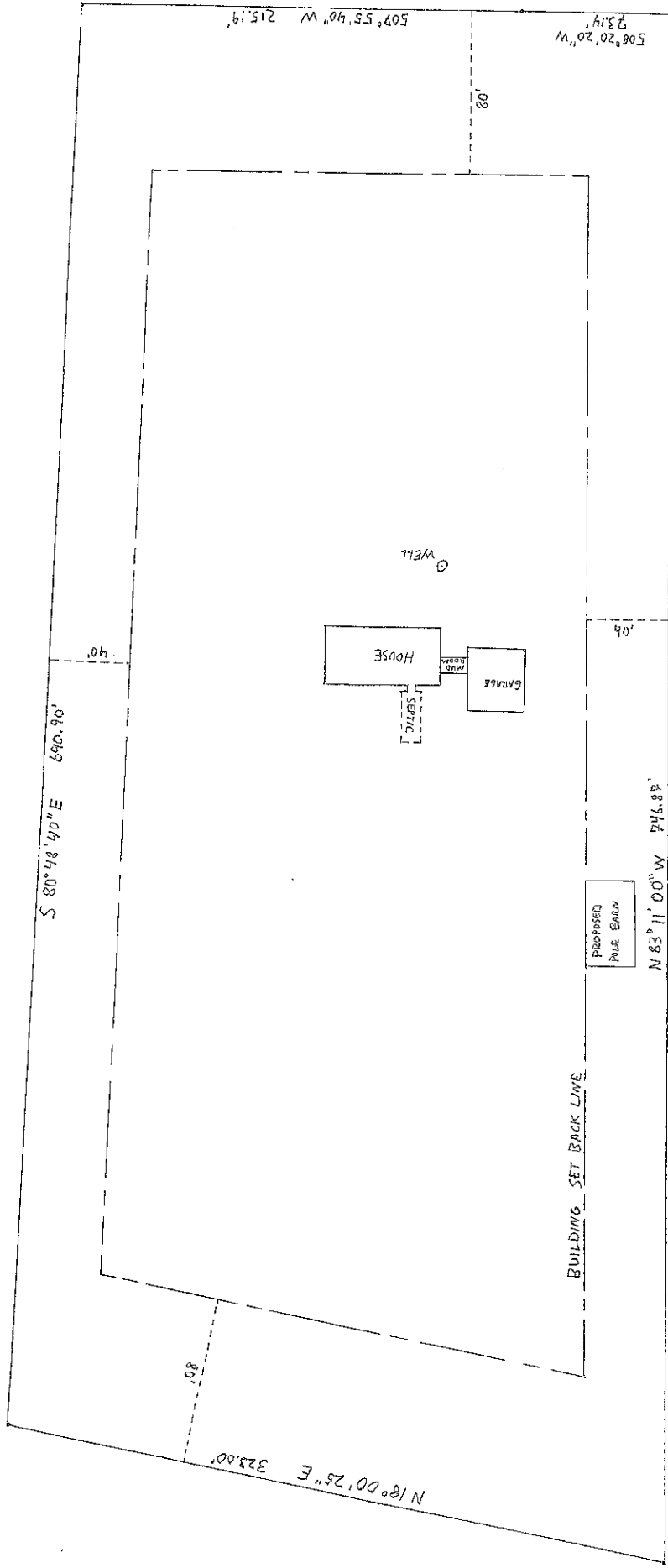
Reviewed by: \_\_\_\_\_

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.



PROPOSED POLE BARN - PLOT PLAN  
 690 GAGE ROAD  
 DELANSON, NY 12053  
 TOWN OF DANESBURG  
 COUNTY OF SCHENECTADY  
 SCALE: 1" = 50.00'  
 5/11/2023  
 STEPHEN & KATIE BARZDREK

**RECEIVED**  
 MAY 12 2023

1 2 3 4

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

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## **NOTICE OF PUBLIC HEARING**

**LEGAL NOTICE  
NOTICE OF PUBLIC HEARING  
ZONING BOARD  
TOWN OF DUANESBURG**

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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 **July 18, 2023**, AT  
**7:00 PM** FOR THE PURPOSE OF HEARING ALL PERSONS INTERESTED IN THE  
APPLICATION OF:

**#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.

BY ORDER OF THE CHAIRPERSON  
ZONING BOARD  
TOWN OF DUANESBURG  
CHAIRPERSON

Town of Duanesburg is also providing the meeting via zoom if you are unable to attend  
in person:

**Join Zoom Meeting:**  
**Meeting ID:** 825 2590 5610  
**Passcode:** 262480

Town Hall • 5853 Western Turnpike • Duanesburg, NY 12056 • (518) 895-8920



VARIANCE APPLICATION  
TOWN OF DUANESBURG  
ZONING BOARD OF APPEALS

Revised 03/2023

RECEIVED  
JUN 13 2023

Date: 6-9-23 Zoning District L-1 Type of Variance  
☐ Use Variance ☒ Area Variance  
SBL# 67.04-1-21 Phone # (518) 470-0057 Email: bbollentin@hotmail.com

Applicant's Name: ROBERT & SUSAN BOLLENTIN

Applicant's Address: 604 DUANE LAKE RD.  
DUANESBURG NY 12056

Property Owner Name(if different): \_\_\_\_\_

Property Address (if different): \_\_\_\_\_

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

Proposal: (Brief description of request)  
24' x 24' GARAGE (2 CAR) LOCATED ON S.E. CORNER of parcel  
approximately 12' IN FROM ROAD AND 12' IN FROM 624 DUANE LAKE RD.

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.

Robert Bollentin  
Applicant

6/10/23  
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: 6-12-23

**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>Robert + Susan Bollettin</u>	Name: _____
Address: <u>604 DUANE LAKE RD.</u>	_____
<u>DUANESBURG, NY 12056</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:  
24'x24' 2 CAR GARAGE
3. Location of project: Address: 604 DUANE LAKE RD DUANESBURG NY 12056  
Tax Map Number (TMP) \_\_\_\_\_
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: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO
NAME: _____	NAME: _____
ADDRESS: _____	ADDRESS: _____
Is this parcel actively farmed? YES NO	Is this parcel actively farmed? YES NO

Robert Bollettin  
Signature of Applicant

Robert Bollettin  
Signature of Owner (if other than applicant)

Reviewed by: \_\_\_\_\_

Christopher Parslow

Date \_\_\_\_\_

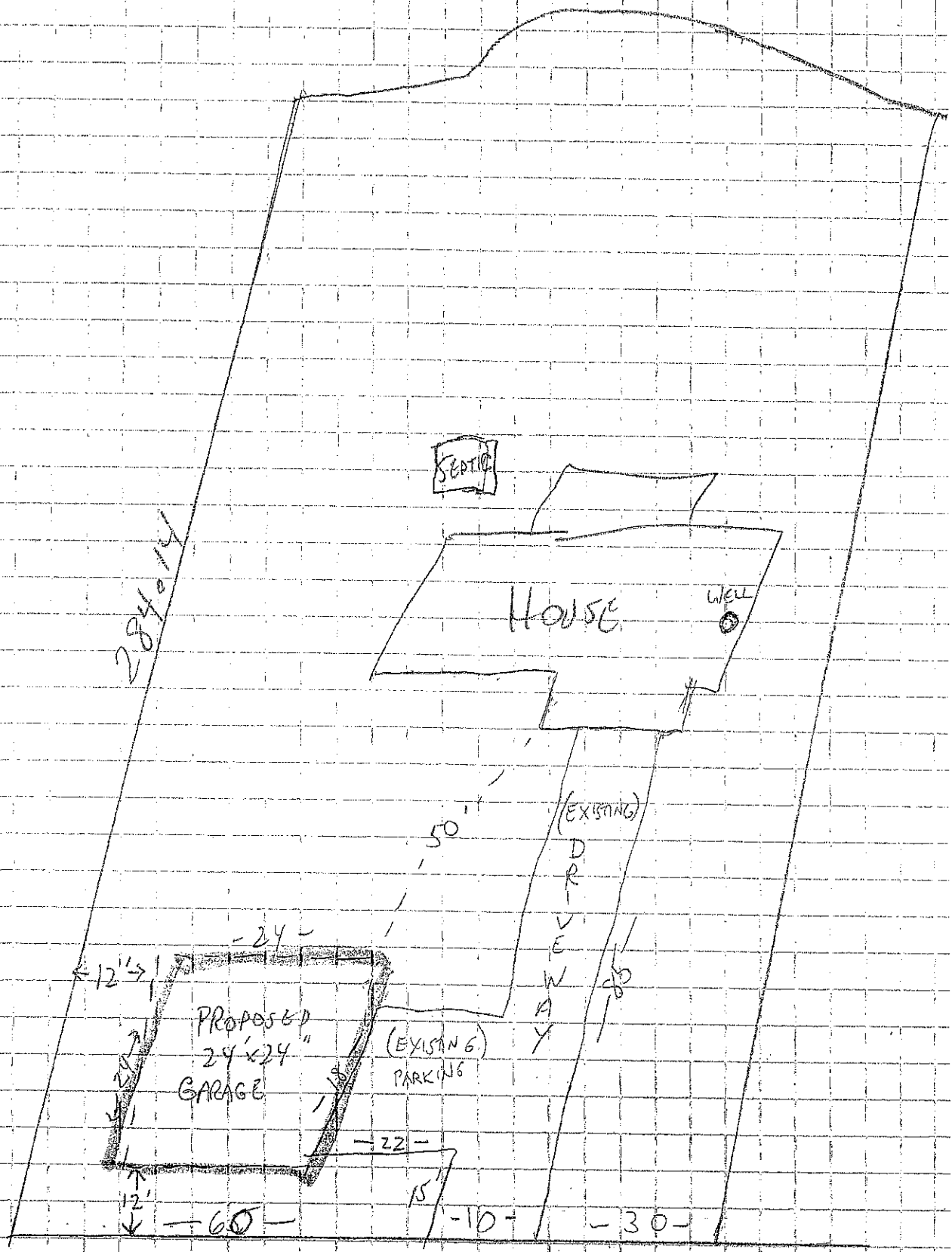
Revised 6/6/23

**FARM NOTE**

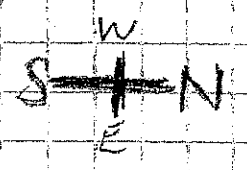
Prospective residents should be aware that farm operations may generate dust, odor, smoke, noise, vibration and other conditions that may be objectionable to nearby properties. Local governments shall not unreasonably restrict or regulate farm operations within State Certified Agricultural Districts 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.

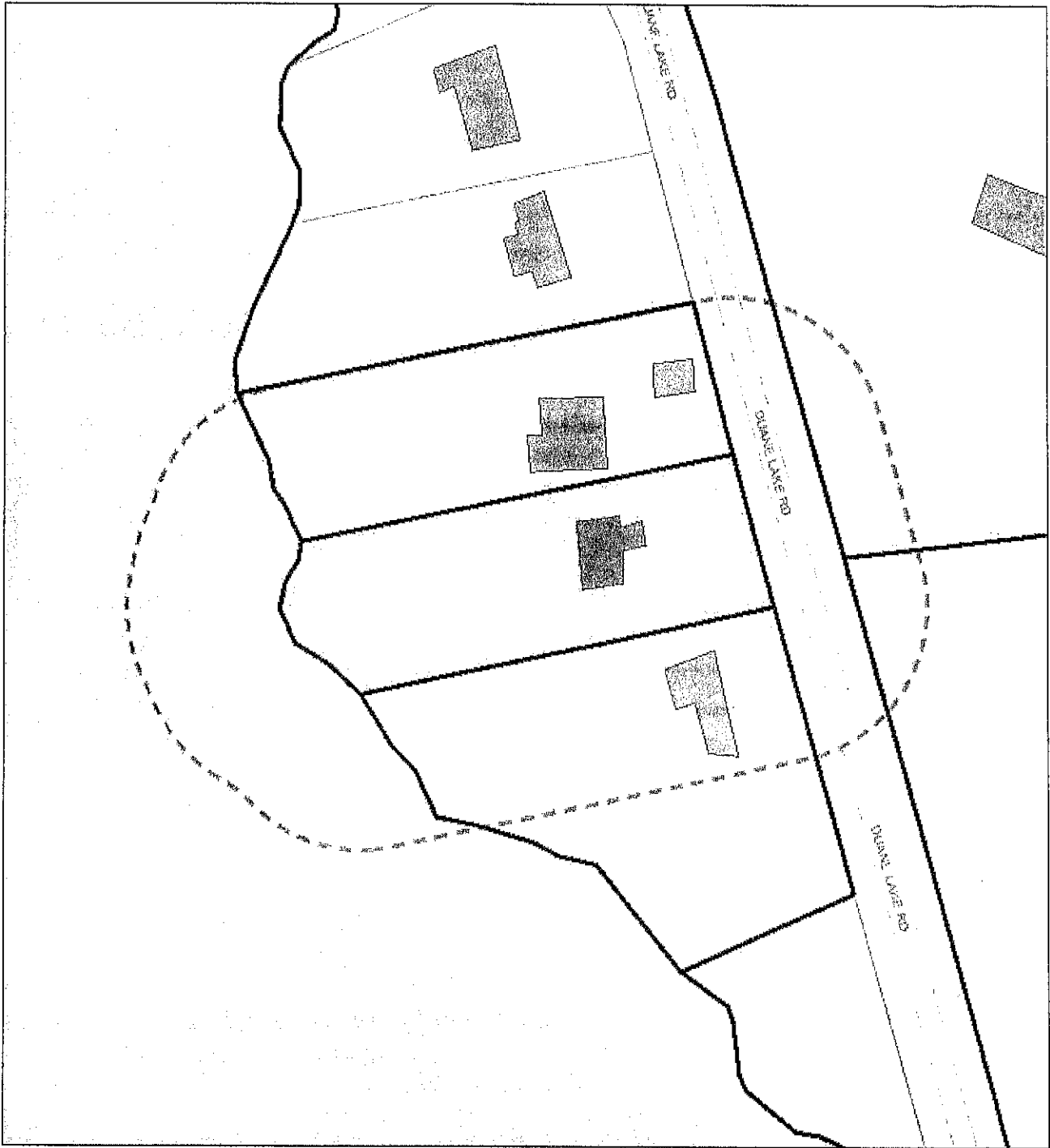
LAKE







DUANE LAKE RD

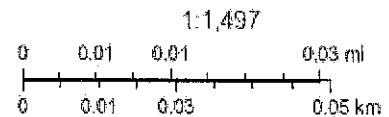


# Untitled Map



June 22, 2023

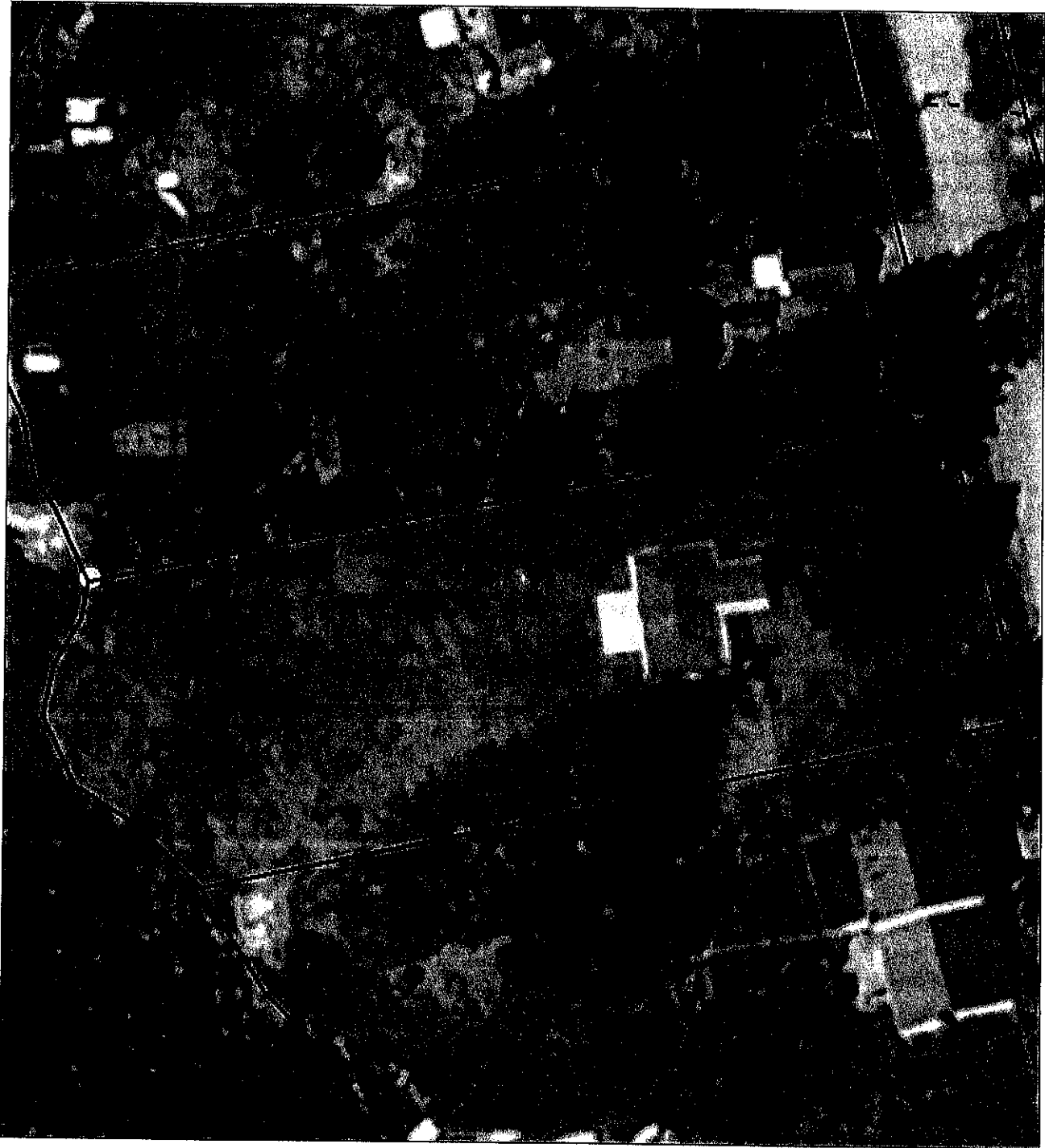
- Override 1  Parcels
- 1  Override 1  Building Footprints
-  Override 1



Esri Canada, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USOA

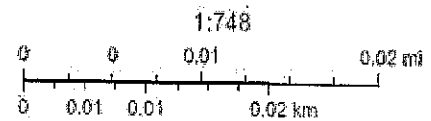
No Author  
This map and information is provided as is. We make no warranties or guarantees, expressed or implied.

# Untitled Map



June 22, 2023

- Override 1
- ▨ Override 1
- ▭ Override 1
- ▭ Parcels
- ▭ Override 1



New York State, Maxar, Microsoft

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

**VARIANCE APPLICATION  
TOWN OF DUANESBURG  
ZONING BOARD OF APPEALS**

Revised 03/5/15

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  
Duanesburg, NY 12056  
Property Owner Name (if different): Nicholas Attanasio ☐  
Property Address (if different): 430 Schoharie Turnpike Duanesburg, NY 12056  
Property Owner's Signature Nicholas Attanasio  
(Signature of owner indicates they have reviewed the proposal and give their permission)  
Proposal: (Brief description of request) Install 28' x 40' 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:**

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  - 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.

Nicholas Attanasio  
Applicant

6/15/23  
Date

State of New York, county of Schenectady sworn this 15 day of June 2023.  
Rensselaer

Justin M. Peabody  
Notary Public

Justin M. Peabody  
Notary Public, State of New York  
Qualified in Albany County  
No. 01PE6403513  
Commission Expires January 27, 2024

\*\*\*\*\* (For Office use only) \*\*\*\*\*  
Reviewed by \_\_\_\_\_ Date \_\_\_\_\_  
Fee \_\_\_\_\_ Date \_\_\_\_\_ Check# \_\_\_\_\_ Rec'd By \_\_\_\_\_  
Hearing Date \_\_\_\_\_ Approved: YES NO Approval Date \_\_\_\_\_

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Other Conditions include: \_\_\_\_\_

Authorized Signature \_\_\_\_\_ Date \_\_\_\_\_  
(ZBA Chairperson)