

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  
Link Pettit, Board Member  
Daniel Boggs, Board Member  
Matthew Ganster, Board Member  
Charles Leoni, Board Member

Town of Duanesburg  
Zoning Board Minutes  
September 20<sup>th</sup>, 2022  
**Final Copy**

RECEIVED  
OCT 19 2022  
TOWN OF DUANESBURG  
TOWN CLERK

**MEMBERS PRESENT:** Nelson Gage- Chairperson, Jonathan Lack- Vice Chairperson, Matthew Ganster (Via Zoom), and Danial Boggs. Also attending Clerk -Melissa Deffer.

**INTRODUCTION:**

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

**OPEN FORUM:**

Nelson Gage opened the open forum at 7:01 pm.  
Lynne Bruning located at 13388 Duanesburg Rd (**Please See Attachment**)  
Nelson Gage closed the open forum at 7:05 pm.

**PUBLIC HEARINGS:**

**#22-07 Tiscione, Matthew:** SBL#35.06-5-25, (L-1) located at 365 Spring Rd is seeking an area variance and side yard variance to replace an existing structure with a new structure under sections 7.1.5; 7.1.6(2) of the Town of Duanesburg Zoning Ordinance.

Mr. Tiscione gave his presentation to the public.

**Gage/Lack** made a motion to open opened the public hearing for the **#22-07 Tiscione, Matthew** application.

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

Brice Hill located at 400 Spring Rd would like to know what does the 34,000 sqft means.

Board Member Lack explained that in the Town of Duanesburg Zoning Law in a L-1 zoning district a buildable lot is 1 acre and this particular lot is preexisting undersized lots that needs a variance for the square footage.

Shirley Venette located at 404 Spring Rd would like to know if the 10 ft strip is a right of way to the lake for the public that's to the left of the property. (Which is to be determined)

**Gage/Lack** made a motion to close the public hearing for the **#22-07 Tiscione, Matthew** application.

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

**Ganster/Boggs** made a motion to approve the application of **#22-07 Tiscione, Matthew:** SBL#35.06-5-25, (L-1) located at 365 Spring Rd for a 34,960 sqft area variance, 8ft front yard variance and a 4 ft east side yard variance to construct an approximately 28X50 one and a half story dwelling on a preexisting undersized lot under sections 13.1.2 ;7.1.5; 7.1.6(1)(2) of the Town of Duaneburg Zoning Ordinance providing a building permit but obtained within 6 months and all other aspects of the Zoning Ordinance be followed. Ganster aye, Boggs aye, Gage aye, Lack aye. **Approved.**

**#22-08 May, Denise:** SBL#67.04-1-6, (L-2) located at 234 Duane Lake Rd is seeking a right-side yard variance of 4.5ft and left side yard variance of 6.4 ft to replace an existing structure with a new structure under section 7.2.6(2) of the Town of Duaneburg Zoning Ordinance.

Mitchel Blackfield from Clayton homes is representing Denise May. Mr. Blackfield gave his presentation to the public.

**Gage/Boggs** made a motion to open opened the public hearing for the **#22-08 May, Denise** application.

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

Alan R. Knight located at 1399 W. Duane Lake Rd (**Please See Attachment**)

Patricia Huff located at 252 Duane Lake Rd is very concerned with the septic system that is going to be a half raised mounded system. The changing of the shape of the lawn will affect the water runoff. Patricia is worried that if it fails her lawn will become contaminated.

Stated also was that about two feet down is nothing but bedrock. Another concern is that the shared driveway that is going to be used the corner of the house shown on the plans will be roughly four feet away and, in the wintertime, will be a very tight when the plow goes through. Patricia stated multiple times that she is very concerned with the septic system and would like to know who to contact if it does indeed fail.

Nancy Weis located at 236 Duane Lake Rd is towards the end of the private shared driveway and would like to know what is the chances that putting in a new well 100ft away from her well will affect how much water she gets. Every year in the spring her property floods and she calls it "the little Duane Lake". A swale was put a long time ago down the shared driveway and Mrs. Weis would also like to know if the new landowner would not affect this as it helps divert the runoff down the road. With all the construction equipment coming in and out of the property if the landowner would also repair the damage that may be caused? (Dominic DeCarlo is the contact for DOH)

Mr. Backfield explained that since the machines are going to already be at the location, that he will ask the landowner if she will be willing to help with the water runoff and landscaping concerns.

**Gage/Lack** made a motion to close the public hearing for the **#22-08 May, Denise** application. Gage aye, Lack aye, Boggs aye, Ganster aye. **Approved.**

**Lack/Gage** made a motion to approve the application of **#22-08 May, Denise:** SBL#67.04-1-6, (L-2) located at 234 Duane Lake Rd for a north side yard variance of 6 ft and a south side yard variance of 4ft to construct an approximately 30X52 one story dwelling under section 7.2.6(2) of the Town of Duaneburg Zoning Ordinance providing a building permit but obtained within 6 months and options for different septic's to be explored.

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

**New Business:**

None

**OLD BUSINESS:**

None

**OTHER:**

**#22-06 Callahan, Paul:** SBL#67.00-2-11.41, (R-2) located at 646 W Duane Lake Rd is seeking an Area Variance to sell an existing undersize lot as a building lot in a R-2 Zoning District under section 8.5(1) of the Town of Duanesburg Zoning Ordinance. Mr. Callahan was not in attendance and no new information was submitted to the Board.

**Lack/Gage** made a motion to table the **#22-06 Callahan, Paul** application until the October 18<sup>th</sup>, 2022, meeting.

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

**MINUTES APPROVAL:**

**Lack/Boggs** made a motion to approve the August 16<sup>th</sup>, 2022, Zoning Board minutes with minor corrections.

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

**ADJOURNMENT:**

**Boggs/Ganster** made a motion to adjourn at 8:46 pm.

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

PO Box 160  
Quaker Street, NY 12141

Nelson Gage, Chairman  
Zoning Board  
Town of Duanesburg  
5853 Western Turnpike  
Duanesburg, NY 12056

Transmitted via email: [jhowe@duanesburg.net](mailto:jhowe@duanesburg.net)

September 20, 2022

Re: Privilege of the Floor September 20, 2022 - website zoning board transparency and accountability

Dear Chairman Gage and the Zoning Board,

At the September 8, 2022 town board meeting Council member John Ganther announced his departure from the board in October 2022. The board did not discuss how or when a replacement council member would be appointed.

Two items that may improve the zoning boards transparency and accountability with the taxpayers.

1. Concerned citizens have to hunt and peck through the town website to find the meeting agenda and then manually type the zoom meeting information into the zoom application.

Town board meeting notifications include zoom log on details and a hot-link to the zoom platform. This notification is posted on the town website home page. Residents may easily find meeting notifications and participate in town meetings.

The September 2022 planning board meeting notification was posted on the town homepage and provided a hotlink to the zoom meeting.

Zoning board meeting notification and zoom log on details are found on the agenda and do not provide a hotlink to the zoom platform.

Please provide log on information for zoom meetings on the town website home page in the same manner as the town board and planning board meetings.

2. The town website provides a link to "Legal Notices and Public Notices <https://www.duanesburg.net/legal-notice-and-public-notice>

This page lists:

"September 2021

Public Hearing Notice for Local Law No. 2 of 2021 entitled "2021 Temporary Moratorium Law on Major Solar Energy Systems including Battery Energy Storage Systems."

October 2018

- October 30, 2018 Public Hearing for Cable Agreement
- October 25, 2018 Public Hearing for Preliminary Budget and LL# 7 of 2018
- October 25, 2018 Sewer District Assessment Roll Public Hearing
- October 4, 2018 Town Board Special Meeting

September 2018

- September 27, 2018 Special Town Board Meeting Budget Workshop
- September 22, 2018 Special Town Board Meeting
- Instructions for Spectrum Broadband cost aid in construction
- Seebold/Livingston Public Notice
- Schworm/BEB Drilling Public Notice

August 2018

- Dog Control Law Amendment
- Zoning Board of Appeals Public Hearing

July 2018

- Public Hearing on the proposed improvements to Mariaville Lake Sewer District #2 pursuant to Town law §202-b.

June 2018

- Hawes Major subdivision Public Hearing
- Hawes Special Use Public Hearing

May 2018

Town Board Supplemental bond Resolution Legal Notice

Town Board Local Law #3 of 2018 Legal Notice

DiCaprio Planning Board Legal Notice

Schworm Planning Board Legal Notice

Schworm #2 Planning Board Legal Notice

April 2018

Residents may now connect to Sewer District #3

## Sewer District 1 & 3 Legal Notice

March 2018

Unserviced Roads- Please confirm your road is listed. If it is not let us know so we can update our records.

February 2018

Fire Protection District #3 Contract Public Hearing

January 2018

- Schenectady County Recreational Facilities Closure Notice

June 2017

- Sewer User Public Notice

## Archived Legal Notices

- View Older Public Notices and Announcements

[https://www.duanesburg.net/legal-notices-and-public-notices/pages/archived-legal-notices"](https://www.duanesburg.net/legal-notices-and-public-notices/pages/archived-legal-notices)

Is the zoning board their best to inform the taxpayers of board actions and public hearings?

Is the zoning board doing their best to be transparent and accountable about board actions and public hearings?

I request that the zoning board follow the town board's standard of providing a meeting notice including the zoom hot-link on the town website home page.

I request that public hearing notices are posted on the town webpage for "Legal Notices and Public Notices."

Thank you for your time and consideration.

Respectfully,

Lynne Bruning

720-272-0956

[lynnebruning@gmail.com](mailto:lynnebruning@gmail.com)

(No subject)

Patricia Huff <pathuff1@hotmail.com>

Tue 9/20/2022 5:55 PM

To: Patricia Huff <pathuff1@hotmail.com>

**I am president of the Duane Lake Association and I am here in that capacity. The mission of our association is stewardship of the waters of the lake. This is no frivolous task. About half the homes around the lake use the lake for their household water supply and a third use it for drinking water. Why? Because very commonly deeply drilled wells at Duane Lake find no water.**

**The variance being discussed tonight pertains to septic systems. This is important. Nobody at Duane Lake wants to be drinking a neighbor's septic effluent. And some water tests of the lake do show evidence of E. coli . . . a product of septic effluent.**

**It is crucial that septic systems at Duane Lake be as effective as possible. It is a matter of public health.**

**New technology exists--and has been approved for Schenectady County--that treats septic effluent before it reaches the septic. drainage field. These systems have undergone rigorous EPA testing and are being installed now at Lake George, Saranac Lake, and Skaneateles Lake--the primary reservoir for the city of Syracuse.**

**They cost less than conventional backyard septic systems, do a better job of protecting lakes, and require smaller septic drainage fields than conventional septic systems.**

**If such a system were installed at the property in question, this variance would not be needed. The customer would save money, and the lake would be better protected.**

**On behalf of the 62 homeowners who are dues-paying members of the Duane Lake Association---as well as the other 10 or so who are not--I strongly encourage this Board to recommend such applicants at Duane Lake utilize this better technology.**

**Respectfully,  
Alan R. Knight  
President**