

3/6/23

**Town of Halfmoon Zoning Board of Appeals
Meeting – Monday, March 6, 2023
7:00 PM**

Chairwoman Curto called the meeting to order at 7:00 PM on March 6, 2023 this meeting is being held in person and via Microsoft Teams following members present:

Members- Chairwoman Curto, and Kevin Koval, Frank Griggs, Leonard Micelli, Dave Maxfield
Planner - Paul Marlow
Town Attorney – Cathy Drobny

Mr. Kovali made a motion to Approve the February 6, 2023 Zoning Board of Appeals minutes, Mr. Maxfield seconded, Minutes Approved.

Public Hearing:

Hickok Duplex, 4 & 6 Lansing Lane- Area Variance & Use Variance

Mr. Paul Hickok presented the application. The applicant is before the Board seeking approval to construct a new duplex on the two vacant parcels at 4 & 6 Lansing Lane. They intend to consolidate the two parcels into one lot and construct a new duplex. The applicant was before the Planning Board at the January 23, 2023 meeting to present the application; they were subsequently denied as the proposed use is not permitted in the C-1 Commercial Zoning District. They are before the Board seeking a Use Variance as it relates to the proposed duplex as well as two area variances. The area variances requested are Lot Width Section 165, Attachment 1, Schedule A: Requires a minimum 150-foot lot width. The proposed lot width is 115-feet, thus requiring a 35 foot variance; and 3.Lot Area: Section 165, Attachment 1, Schedule A: Requires a minimum lot area in the C-1 zoning district being 25,000 square feet (SF). The lot area will be approximately 15,246 SF or 0.35 ac thus requiring a variance of 9,754 SF. The proposed duplex would be likely utilized for family at this point. He noted that this parcel, at one point maintained single-family home.

Chairwoman Curto asked when the home was removed; Mr. Hickok noted it was approximately 1988-89.

Mr. Koval asked what the zoning on 2 Lansing Lane was; Mr. Hickok stated he could not tell, it was tough to tell. It appears residential may be more appropriate. Mr. Scott Hickok stated he looked online, this is what I have for our lots; it's hard to determine.

Mr. Koval noted this will need to be figured out, transition yard setbacks are different than residential; that the zoning may impact the necessary variances. We don't want to issue a variance and not have it be correct.

Chairwoman Curto noted that the Board should table the application to allow staff to resolve the zoning questions.

Mr. Koval noted we do not issue a variance and have it be incorrect.

Mr. Hickok noted he owned the adjacent parcel, he could make them both residential; Mr. Koval stated that it is not necessarily switching to residential, it would remain C-1; it's a matter of if this is the right setback. It may require one more variance, we want to make sure we do it right.

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Chairwoman Curto adjourned the Public Hearing to allow staff to clarify questions raised related to zoning and transitional yard requirements.

A site visit occurred on February 18, 2023 at 9am.

New Business:

Tang Duplex, 20 Stone Quarry Road- Area Variance

Mr. Pat Jaroz, Gil VanGuilder Land Surveyors presented the application. The applicant is seeking approval to subdivide the existing 2.26 ac..parcel and construct a new duplex. The parcel is currently 2.26 acres and contains an existing duplex. They wish to subdivide a flag lot in the rear and construct a second duplex on the new parcel. If approved, the lots will be Lot A= 0.9182 acres, Lot B= 1.34 acres. The subdivision request leave the existing duplex lot (proposed Lot A) short on road frontage. The Town Code requires a minimum 150' minimum lot frontage for a duplex lot. Following the subdivision, Lot A would be approximately 131.5'. Therefore, Lot A would be made non-conforming if the subdivision is approved. The applicant appeared before the Planning Board at the February 13, 2023 meeting and was subsequently denied as the lot would not meet minimum front yard lot-width requirements. The applicant is before the Board for the following variance: Lot Width Section 165, Attachment 1, Schedule A: Requires a minimum 150-foot lot width. The proposed lot width is 131.5-feet, thus requiring an 18.5 foot variance.

Mr. Jaroz provided a map to the Board showing uses in the project area.

Mr. Griggs asked if the lot was a treed lot or if there were any wetlands; Mr. Jaroz noted that he was not aware of any.

Mr. Maxfield asked where the shed was going to be move to; Mr. Jaroz noted he was not aware but would find out.

A site visit will occur on March 25, 2023 at 9am.

Chairwoman Curto made a motion to hold a Public Hearing at the April 3, 2023 meeting,

Chairwoman Curto made a motion to adjourn the meeting, seconded by Mr. Micelli. Motion was carried.

These are summary minutes and are not word for word at the request of the Zoning Board of Appeals.

Meeting adjourned at 7:17 PM.

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