

**TOWN OF SCHODACK - COUNTY OF RENSSELAER - STATE OF NEW YORK  
ZONING BOARD OF APPEAL MAY 9, 2016  
CALLED TO ORDER BY: CHAIRMAN CALARCO AT: 7:00 P.M.**

**PRESENT**

David Calarco, Chairman  
Ed Brewer  
Anthony Maier  
David Smith  
Lou Spada  
Attorney Robert Linville, Esq.  
Nadine Fuda, Director of Planning and Zoning

**MEMBERS ABSENT**

**APPROVE MINUTES**

Calarco moved, Smith seconded that the minutes be approved as amended

Ayes.    Noes

Ayes: Brewer, Calarco, Maier, Smith, Spada

Oppose:

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**Nadine Fuda, Director, read the hearing notice(s) as published in the Troy Record on the following variance application(s):**

Robert Camadine published on April 29, 2016

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Public hearing open 7:02 p.m.

Public hearing closed 7:08 p.m.

Robert Camadine  
917 Ridgeview Circle

Z752-16/R-20/199.17-1-31

Proposed - area Variance over on 10 %

Robert Camadine, applicant was present for this meeting.

Mr. Camadine stated he is looking to turn his existing deck into an addition on his home, the addition will not be on a foundation but will remain on the existing footings with added support and the area will be skirted from the elements.

Mr. Smith asked if the pipes with be enclosed.

Mr. Camadine stated the floor will be insulated and skirted.

Mr. Calarco asked how long they have owned the home.

Mr. Camadine stated 5 years

Planning Board Approval

**RECOMMENDATIONS TO THE ZBA for over the 10% allowed coverage**

Puccio moved, Shaughnessy seconded a **"FAVORABLE"** recommendation to the Zoning Board of Appeals.

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, Mayrer, Puccio, Shaughnessy

Oppose:

**Zoning Review Action**

Please be advised that the Rensselaer County Bureau of Economic Development and Planning has acted on the above subject as follows:

After having carefully reviewed the information submitted as part of the subject referral, the Bureau of Economic Development and Planning has determined that the proposal does not have a major impact on County plans and that local consideration shall prevail.

The Board members reviewed the area variance criteria.

**AREA VARIANCE CRITERIA**

- 1) Can the benefit be achieved by other means feasible to the applicant? NO
- 2) Will the granting of the variance create an undesirable change in the character of the Neighborhood or to nearby properties? NO
- 3) Is the request substantial? NO
- 4) Will the request have an adverse physical or environmental effect? NO
- 5) Is the alleged difficulty self-created? YES

Smith moved, Maier seconded that the Zoning Board of Appeals be **LEAD AGENCY** relative to the variance only.

5 Ayes, 0 Noes, Motion carried.

Ayes: Brewer, Calarco, Maier, Smith, Spada

Oppose: None

Spada moved, Maier seconded a **NEGATIVE DECLARATION.**

5 Ayes. 0 Noes. Motion carried.

Ayes: Brewer, Calarco, Maier, Smith, Spada

Oppose: None

Calarco moved, Smith seconded that the area variance be **GRANTED**.

<u>Brewer</u>	<u>Calarco</u>	<u>Maier</u>	<u>Smith</u>	<u>Spada</u>
Yes	Yes	Yes	Yes	Yes

**6) Conditions:**

- Not to exceed 750 sq. ft.
- Like construction
- No further overage

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**Nadine Fuda, Director, read the hearing notice(s) as published in the Troy Record on the following variance application(s):**

Keller Construction published on April 29, 2016

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public hearing open 7:15 p.m.

public hearing closed 7:30 p.m.

Keller Construction

Z753-16/HC/210.-4-15.1

Additions to office building

1435 Rte. 9

Proposed - area variance front yard setback

John Keller, applicant was present for this meeting.

Mr. Keller stated they are looking to build an addition onto the office and they are into the front yard setback for the highway (Rt. 9).

Chairman Calarco asked why they did not move the addition back the 8 feet to the property line.

Mr. Keller stated they wanted to keep the addition in line with the original building.

Mr. Maier asked how long has the original building been there.

Mr. Keller stated his grandfather built Keller Construction office in 1958.

Planning Board Approval

**RECOMMENDATIONS TO THE ZBA**

Puccio moved, Johnson seconded a **"FAVORABLE"** recommendation to the Zoning Board of Appeals.

6 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, D'Angelo, Johnson, Mayrer, Puccio, Shaughnessy

Oppose: None

### **Zoning Review Action**

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The Board members reviewed the area variance criteria.

### **AREA VARIANCE CRITERIA**

- 1) Can the benefit be achieved by other means feasible to the applicant? NO
- 2) Will the granting of the variance create an undesirable change in the character of the neighborhood or to nearby properties? NO
- 3) Is the request substantial? YES
- 4) Will the request have an adverse physical or environmental effect? NO
- 5) Is the alleged difficulty self-created? NO

Spada moved, Calaroc seconded that the Zoning Board of Appeals be **LEAD AGENCY** relative to the variance only.

5 Ayes, 0 Noes, Motion carried.

Ayes: Brewer, Calarco, Maier, Smith, Spada

Oppose: None

Maier moved, Smith seconded a **NEGATIVE DECLARATION**.

5 Ayes. 0 Noes. Motion carried.

Ayes: Brewer, Calarco, Maier, Smith, Spada

Oppose: None

Calarco moved, Brewer seconded that the area variance be **GRANTED**

Brewer	Calarco	Maier	Smith	Spada
Yes	Yes	Yes	Yes	Yes

### **6) Conditions:**

- No more than 8 feet from the property line
- like construction.
-

## **Withdrawn**

Suzanne Rappazzo  
225 County Rte. 7

Z747-15/R-20/201.12-5-18

Proposed- area variance rebuild of a non-conforming Structure

Susanne Rappazzo, applicant was not present for this meeting.

Mrs. Rappazzo came into the Planning office today May 9, 2016 and presented Mrs. Fuda with a letter withdrawing her application to the zoning board.

Chairman Calarco read her letter ( see file ) this also removes the stay on this property, Mrs. Fuda the Planning Director is to send a letter to Mrs. Rappazzo stating the stay has been lifted and the applicant needs to do what is necessary to secure the building to make it safe. And the boards' attorney Robert Linville is to send a letter to Mrs. Rappazzo attorney Kevin Engel the same.

## **ADJOURN**

Maier moved, Brewer seconded that the meeting be adjourned. There being no objections, Chairman Calarco adjourned the meeting at 7:45 p.m.

Respectfully submitted,  
Nadine Fuda  
Director of Planning & Zoning