

**TOWN OF SCHODACK - COUNTY OF RENSSELAER - STATE OF NEW YORK
ZONING BOARD OF APPEAL APRIL 10, 2017
CALLED TO ORDER BY: CHAIRMAN CALARCO AT: 7:00 P.M.**

PRESENT

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

MEMBERS ABSENT

APPROVE MINUTES

Brewer moved, Maier seconded that the minutes be approved as amended
4 Ayes. 0 Noes
Ayes: Brewer, Calarco, Maier, Spada
Oppose: None

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

Scott Seeberger published on MARCH 28, 2017

public hearing open 7:01 p.m.

public hearing closed 8:10 p.m.

Scott Seeberger
1939 South Old Post
Proposed - Area Variance

Z765-17/RA/199.-3-17.12

NOTE: there was no public for this public hearing.

Scott Seeberger, applicant was present for this meeting.

Mr. Seeberger stated he is looking to put a 28 x 31 steel 2 car garage on his property.

Mr. Spada asked is the steal building has the vertical sides like a normal steal building.

Mr. Seeberger stated yes it has the vertical steal panels.

Mr. Spada asked why is not going to be like the house.

Mr. Seeberger stated it is going to be the same color as his house but in steal not vinyl.

Mr. Brewer asked about the use of the building.

Mr. Seeberger stated it is a garage for his truck and is plow truck which will not fit in his current garage.

Chairman Calarco spoke about the setback of the property line and on the drawing the dimension is listed as 35 from the proposed garage to the front line but during his site visit he located the front pin and when they re-measured the setback is now 18 to 20 feet from the property stake. Which means the variance is greater than originally proposed.

Mr. Maier asked about the 54 feet and if that was from the back of the new shed and the front of the garage.

Mr. Seeberger state it's the distance from the existing house garage to the corner of the new building.

Chairman Calarco asked if the new building 8 feet from the property line.

Mr. Seeberger stated it is 8 to 10 feet depending because the lot itself is angled.

Mr. Calarco stated he just found out tonight that this is a steal building, basically a carport with sides.

Discussion on the new building and the moving of the shed to make the original 35 foot setback as stated on the application.

It was agreed by the board and the applicant that the shed would be moved back so the metal garage could be as close to the 35 feet as possible. And that a building permit would be issued for the new building.

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? YES

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

4 Ayes, 0 Noes, Motion carried.

Ayes: Brewer, Calarco, Maier, Spada

Oppose: None

Brewer moved, Calarco seconded a **NEGATIVE DECLARATION**.

4 Ayes. 0 Noes. Motion carried.

Ayes: Brewer, Calarco, Maier, Spada

Oppose: None

Calarco moved, Brewer seconded that the area variance be **GRANTED**. For the garage to be 35 feet plus or minus from the property line of South Old Post Road.

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

6) Conditions:

- The applicant has agreed to move the existing shed where ever he needs to, too accommodate the building at the 35 foot setback.

ADJOURN

Spada moved, Brewer seconded that the meeting be adjourned. There being no objections, Chairman Calarco adjourned the meeting at 8:10 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning