

**TOWN OF SCHODACK - COUNTY OF RENSSELAER - STATE OF NEW YORK
ZONING BOARD OF APPEAL MARCH 14, 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

 moved, seconded that the minutes be approved as amended

 Ayes. Noes

Ayes: Brewer, Calarco, Maier, Smith, Spada

Oppose:

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

Juanita Jackson published on March 4, 2016

Public hearing open 7:04 p.m.

Public hearing closed 7:30 p.m.

Juanita Jackson
75 Nantasket Rd
Proposed - Area Variance
10% and Setback

Z749-16/R-20/201.12-2-11

Juanita Jackson, applicant was present for this meeting.

Miss Jackson stated she is looking to renovate the home and put an addition out the side of the house for her mother. The home is currently listed as a 2 bedroom and she will be expanding those rooms and creating a true 2 bedroom home. She also had a survey done and received the map just today and handed one to Mr. Calarco for review. She already had a building permit to take down the porch but did not want to start anything in the back until she was ready to do the remodel.

Chairman Calarco asked how long she owned the home.

Miss Jackson stated she purchased the home in about a year and a half.

Chairman Calarco asked if the house was lived in prior to purchase.

Miss Jackson there was an elder woman lived there until she went to live with her family then the house was empty for 8 months. But they kept the heat and elect on the entire time.

Mr. Brewer asked when the home is complete how many bedrooms will it have.

Miss Jackson stated 2

Mr. Brewer asked if the well and septic were tested.

Miss Jackson stated the water was tested but the septic has not.

Mr. Maier stated before you put forth a major expense you might want to have the well and septic tested. So you're not surprised after the project is completed.

There was discussion on the front porch and the distance to the road.

Chairman Calarco stated what she is proposing is a 17 foot remaining setback in the front., 12 on the side and 32 in the rear of the house. And she will be 561 feet over in coverage on the lot.

PLANNING BOARD 3-7-2016 / RECOMMENDATIONS TO THE ZBA

Mayrer moved, Puccio 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

Rensselaer County Bureau of Economic Development / 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 - Rear Yard

- 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

AREA VARIANCE CRITERIA - Front Yard

- 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

AREA VARIANCE CRITERIA - Side Yard to remain 12 feet

- 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

AREA VARIANCE CRITERIA - 10% Coverage

- 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

Calarco moved, Smith 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

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

5 Ayes, 0 Noes. Motion carried.

Ayes: Brewer, Calarco, Maier, Smith, Spada

Oppose:

Calarco moved, Brewer 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:

- Need approval on well and septic
- like construction

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

Edward and Linda Kraus published on March 4, 2016

Public hearing open 7:34 p.m.

Public hearing closed 7:40 p.m.

Edward and Linda Kraus

Z750-16/RA/209.-11-25.125

351 Clove Rd

Proposed - Area Variance

Apartment under 600Sq Ft. over detached Garage

Edward and Linda Kraus, applicants were present for this meeting.

Mrs. Kraus stated they would like to put a studio apartment above the garage for her brother who has PDSD.

After a discussion with the board the applicant decided to put this on hold to look into other options for her brother's living space, such as the basement of the main home.

ADJOURN

Spada moved, Smith seconded that the meeting be adjourned. There being no objections, Chairman Calarco adjourned the meeting at 7:50 p.m.

Respectfully submitted,

Nadine Fuda

Director of Planning & Zoning