

**TOWN OF SCHODACK - COUNTY OF RENSSELAER - STATE OF NEW YORK
ZONING BOARD OF APPEAL MARCH 9, 2015
CALLED TO ORDER BY: CHAIRMAN CALARCO AT: 7:00 P.M.**

PRESENT

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

MEMBERS ABSENT

Ed Brewer

APPROVE MINUTES

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

4 Ayes. 0 Noes

Ayes: Calarco, Maier, Smith, Spada

Oppose: None

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

Timothy Howard published on March 2, 2015

public hearing open 7:12 p.m.

public hearing closed (adjourned)

Timothy Howard

Z732-15/RA/179.-5-6

3454 State Rt. 150 and Sagendorf

Proposed - 3rd Accessory Building and front yard setback

Timothy Howard, applicant was present for this meeting.

Mr. Howard spoke about his proposed ground mount solar project and explained his idea of putting a shed under the ground mounted solar structure.

Chairman Calarco explained to the applicant the need for a variance and the need for a special permit because of the third accessory structure being proposed.

There was discussion on the movement of the ground mounted solar structure to a different area of the property and the applicant was unwilling to remove some trees or to

place the solar on the roof of the other structures on the property. Because of this it was decided by the applicant to adjourn this public hearing for another date in order to try to get the electric company to move a pole from his yard giving him the ability to move the structure further from the setback of his front property line.

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.

Planning Board Approval * (Howard) RECOMMENDATIONS TO THE ZBA

Puccio moved, Johnson seconded a NO recommendation to the Zoning Board of Appeals. 6 Ayes. 0 Noes. Motion carried.

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

Oppose: none

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

Garth Briscoe published on March 2, 2015

public hearing open 7:09 p.m.

public hearing closed 7:10 p.m.

Garth Briscoe

Z733-15/R20/178.9-1-12.1

5 Inglewood Road

Proposed - Front Yard Setback

Garth Briscoe, applicant was present for this meeting.

Mr. Briscoe stated when they were renovating the house they decided to put in a front door and add a small porch to make the house more appealing. Not realizing they were encroaching into the front yard setback. So they are here for a front yard setback variance.

Mr. Maier asked if there were front steps.

Mr. Briscoe stated there was no front door to begin with, they had to put one in and the porch came after the install of the door.

There were no more questions for the applicant.

Zoning Review Action

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AREA VARIANCE CRITERIA

The Board members reviewed the 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? MP

6) Conditions:

- the structure can protrude no more than 5 feet from the house.

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

4 Ayes, 0 Noes, Motion carried.

Ayes: Calarco, Maier, Smith, Spada

Oppose: None

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

4 Ayes. 0 Noes. Motion carried.

Ayes: Calarco, Maier, Smith, Spada

Oppose: None

Calarco moved, Smith seconded that the area variance be **GRANTED the expansion of a pre-existing non-conforming structure.**

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

ADJOURN

Calarco moved, Spada seconded that the meeting be adjourned. There being no objections, Chairman Calarco adjourned the meeting at 8:00 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning