

**TOWN OF SCHODACK - COUNTY OF RENSSELAER - STATE OF NEW YORK  
ZONING BOARD OF APPEAL OCTOBER 28, 2013  
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 FOR - JULY 8, 2013**

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

**APPROVE MINUTES FOR - AUGUST 12, 2013**

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

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

**Wade Landry published on 10-18-13**

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public hearing open 7:04 p.m.

public hearing closed 7:10 p.m.

**Wade Landry  
1082 South Schodack RD  
Proposed - Area Front yard set back**

**Z718-13/RA/209.-11-22**

Wade Landry, applicant was present for this meeting.

Mr. Landry stated he would like to put a porch on the front of his home.

Mr. Spada asked if the porch would be the full length of the front on the home

Mr. Landry stated yes

Chairman Calarco asked what the width of the porch will be

Mr. Landry stated the deck width is 7 feet and the stairs will be another 5 feet off the front of the porch.

#### **PLANNING BOARD APPROVAL - RECOMMENDATIONS TO THE ZBA**

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

5 Ayes. 0 Noes. Motion carried.

Ayes: Church, Johnson, LaVoie, Mayrer, Puccio

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.

#### **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**

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: 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**.

**6) Conditions:**

- Front porch in the setback 7 feet, front steps no more than 5 feet.

Brewer	Calarco	Maier	Smith	Spada
Absent	Yes	Yes	Yes	Yes

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

Pinette Area Variance published on 10-18-13  
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public hearing open 7:15 p.m.

public hearing closed : Left Open

Frank Pinette Jr.

Z719-13/R40/199.-7-14.2

1026 Maple Hill Road

Proposed - area and depth on Subdivision

Frank Pinette, applicant was present for this meeting.

**Need to adjust this**

Due to member discussion and discussion with Mr. Pinette this application was put on hold and will come back to the ZBA after the zoning violation of more than the allowed number of storage recreational vehicles (boats) are removed from the property.

One public comment from a neighbor was against the subdivision and the creation of an undersized lot with well and septic.

**PLANNING BOARD APPROVAL**

**RECOMMENDATIONS TO THE ZBA**

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

5 Ayes. 0 Noes. Motion carried.

Ayes: Church, Johnson, LaVoie, Mayrer, Puccio

Oppose: None

**ADJOURN**

Spada moved, Smith seconded that the meeting be adjourned. There being no objections,  
Chairman Calarco adjourned the meeting at 7:35 p.m.

Respectfully submitted,

Nadine Fuda

Director of Planning & Zoning