

**TOWN OF SCHODACK - COUNTY OF RENSSELAER - STATE OF NEW YORK
ZONING BOARD OF APPEAL FEBRUARY 10, 2014
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.

MEMBERS ABSENT

Nadine Fuda, Director
of Planning and Zoning

APPROVE MINUTES - JANUARY 13, 2014

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

5 Ayes. 0 Noes

Ayes: Brewer, Calarco, Maier, Smith, Spada

Oppose: 5

John Paige Jr.

Z721-13/HC/210.-7-31.171

20 Lape Road

Proposed - Use / remove caretaker house from HC lot.

Applicant asked to postpone this until March due to illness

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

Patrick Rohl published on February 1, 2014

Public hearing open 7:02 p.m.

Public hearing closed 7:15 p.m.

Patrick Rohl

Z722-14/R20/201.16-1-34

5 Washington Ave

Proposed - area variance

Patrick Rohl, applicant was present for this meeting.

Chairman Calarco stated the planning board has given a favorable recommendation and that Rensselaer County Bureau of Economic Development stated local consideration shall prevail. (see below)

RECOMMENDATIONS TO THE ZBA February 3-2014

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

5 Ayes. 0 Noes. Motion carried.

Ayes: Church, D'Angelo, Johnson, LaVoie, Puccio

Oppose: None

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.

Chairman Calarco asked the applicant to explain what he proposed.

Mr. Rohl stated his current home is 24 by 20 and on piers, it was built as a camp back in the 50's and what he wants to do is tear it down and put up a modular home the new home will be closer to the side yard and the road then the current home.

Mr. Spada asked if the new home will be on a foundation.

Mr. Rohl stated yes.

Mr. Spada asked if the septic and well are in compliance.

Mr. Rohl stated yes and showed the board on the map where they are located on the property.

Chairman Calarco asked about the size of the shed and if he was leaving it.

Mr. Rohl stated the shed is used for his wood and he is not sure it could be 10 x 10. But he is looking to extend the roof line and store his wood there and take the shed down.

Chairman Calarco stated the shed was left off the calculations of the coverage and this will add to the over 10%. With the shed in place Mr. Rohl will not be able to put a deck on the new house.

Mr. Rohl asked if he removed the shed could he get the deck.

Chairman Calarco said yes but the shed has to come down prior to the deck construction and that condition will be added to the variance.

Mr. Rohl stated he has no problem with that condition.

There was no public comment.

Maier moved, Calarco 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

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

5 Ayes. 0 Noes. Motion carried.

Ayes: Brewer, Calarco, Maier, Smith, Spada

Oppose: None

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**

6) Conditions:

- Removal of 10 x 10 shed at time of construction
- No more than a total of 200 square feet for the overage, the current 61 sq. ft. and the remaining for 139 sq. ft. to be applied to the new deck

Maier 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

ADJOURN

Calarco moved, Brewer 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