

**TOWN OF SCHODACK - COUNTY OF RENSSELAER - STATE OF NEW YORK
ZONING BOARD OF APPEAL MARCH 10, 2014
CALLED TO ORDER BY: CHAIRMAN CALARCO AT: 7:00 P.M.**

PRESENT

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

MEMBERS ABSENT

Lou Spada

APPROVE MINUTES - February 10, 2014

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

4 Ayes. 0 Noes

Ayes: Brewer, Calarco, Maier, Smith

Oppose: None

This application is continued from the January 13, 2014 Meeting.

Public hearing open 7:19 p.m.

Public hearing closed 7:26 p.m.

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

John Paige Jr. published on January 13, 2014

John Paige Jr.

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

20 Lape Road

Proposed - Use / remove caretaker house from HC lot.

Donald Zee, Attorney for the applicant & John Paige, applicant were present for this meeting.

Attorney Zee handed in and spoke about the following that has been add to the file.

Exhibit A1 - Certificate of Occupancy dated June 9, 2006

Exhibit A2 - Pictures of the home.

Exhibit B - tax map parcel highlighted.

Exhibit C - worksheet on the cost of the home and 10 acres.

Exhibit D - worksheet on the rough Estimate of the cost of the home

Exhibit E - Capital Region Multiple Listing Services dated December 27, 2011

Exhibit F - Capital Region Multiple Listing Services dated April 30, 2014

Exhibit G - Albany, NY Office MarketView (4Q 2013)

Exhibit H - Worksheet cost of converting the house to a commercial entity.
Exhibit I - Areal view of the area dated 3-10-14
Again this is all part of the file.

After the presentation from Attorney Zee the board adjourned to an attorney client privilege

Calarco motion, Smith seconded for the board to adjourn for an attorney, client privilege meeting.

Adjourn: 8:22 reconvened: 8:38

The board returned and went over the use variance criteria and spoke about the conditions of the decision.

USE VARIANCE CRITERIA

- 1) Cannot realize a reasonable return - substantial as shown by competent financial Evidence. **Yes**
- 2) Alleged hardship is unique and does not apply to substantial portion of district or neighborhood. **Yes**
- 3) Requested variance will not alter essential character of the neighborhood. **Yes**
- 4) alleged hardship has not been self-created. **Yes**

Maier moved, Smith 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	absent

ADJOURN

Calarco moved, Maier seconded that the meeting be adjourned. There being no objections, Chairman Calarco adjourned the meeting at 7:40 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning