

**TOWN OF SCHODACK - COUNTY OF RENSSELAER - STATE OF NEW YORK
ZONING BOARD OF APPEAL AUGUST 11, 2014
CALLED TO ORDER BY: CHAIRMAN CALARCO AT: 7:00 P.M.**

PRESENT

David Calarco, Chairman
Ed Brewer
Anthony Maier
Lou Spada
Attorney Robert Linville, Esq.

MEMBERS ABSENT

Nadine Fuda, Director of
Planning and Zoning
David Smith

APPROVE MINUTES - JUNE 9, 2014

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

Melissa Knights, Planning & Zoning, read the hearing notice(s) as published in the Troy Record on the following variance application(s):

Kevin Morris published on August 1, 2014

Public hearing open 7:00 p.m.

Public hearing closed 7:08 p.m.

Kevin Morris
1 Pinewood Ave.
Proposed - Area Variance

Z725-14/R20/177.12-6-12

Kevin Morris, applicant was present for this meeting.

Chairman Calarco asked the applicant what it is he wanted to do,

Mr. Morris stated they wanted to build a 25' x 12' 3 season room on the back of their house. And they were here for exceeding the 10% coverage.

Chairman Calarco asked about the distance from the new construction to the back property line.

Mr. Morris stated it is about 50 feet.

There was discussion on the lot size and the side and rear yard setbacks.

Approval by Planning Board * RECOMMENDATIONS TO THE ZBA

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

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, Church, D'Angelo, Johnson, LaVoie, Mayrer, 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.

The Board members reviewed the area variance criteria.

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

4 Ayes, 0 Noes, Motion carried.

Ayes: Brewer, Calarco, Maier, Spada

Oppose: None

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

4 Ayes. 0 Noes. Motion carried.

Ayes: Brewer, Calarco, Maier, Spada

Oppose: None

6) Conditions:

- **Like Construction**

-

Calarco moved, Maier seconded that the area variance be **GRANTED**.

Brewer	Calarco	Maier	Smith	Spada
Yes	Yes	Yes	Absent	Yes

Melissa Knights, Planning and Zoning, read the hearing notice(s) as published in the Troy Record on the following variance application(s):

John Allison published on August 1, 2014

John Allison

Z726-14/R20//201.16-1-31

37 Columbia Ave

Proposed- Area Variance

John Allison, applicant was present for this meeting.

Chairman Calarco asked the applicant to explain what it was they wanted to do.

Mr. Allison stated they would like to remove their attached one car garage and construct an attached 2 car garage (28x27).

Member discussion on the size of the lot, the overage and that the applicant will not be able to obtain another variance for this property.

Approval by the Planning Board --- RECOMMENDATIONS TO THE ZBA

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

7 Ayes. 0 Noes. Motion carried.

Ayes: Aubin, Church, D'Angelo, Johnson, LaVoie, Mayrer, 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.

The Board members reviewed the area variance criteria.

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

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

4 Ayes, 0 Noes, Motion carried.

Ayes: Brewer, Calarco, Maier, Spada

Oppose: None

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

4 Ayes. 0 Noes. Motion carried.

Ayes: Brewer, Calarco, Maier, Spada

Oppose: None

6) Conditions:

- Construction of like materials
- No further variances for coverage
- construction is to be 28 x 27 as shown on the submitted plans

Calarco moved, Brewer seconded that the area variance be **GRANTED** for the 10% coverage and the front yard setback.

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

ADJOURN

Maier moved, Brewer seconded that the meeting be adjourned. There being no objections, Chairman Calarco adjourned the meeting at 7:41 p.m.

Respectfully submitted,

Nadine Fuda

Director of Planning & Zoning