

**TOWN OF SCHODACK - COUNTY OF RENSSELAER - STATE OF NEW YORK
ZONING BOARD OF APPEAL JULY 15, 2019
CALLED TO ORDER BY: CHAIRMAN CALARCO AT: 6:00 P.M.**

PRESENT

David Calarco, Chairman
Anthony Maier
Lou Spada
Craig Crist, Esq.
Nadine Fuda, Director of Planning and Zoning
Melissa Knights, Assistant to Director

MEMBERS ABSENT

William Loveridge
Ed Brewer

APPROVE MINUTES: MAY 13, 2019

Spada Moved, Maier seconded that the minutes be approved as amended
3 Ayes. 0 Noes
Ayes: Calarco, Maier, Spada
Oppose: None

Stewarts Shops Corp.
1538/1542 Columbia Turnpike
Proposed- new store/with gas sales

Z778-19/HC/178.-14-5/178.-14-6/178.-14-7

Chairman Calarco stated this meeting is about Stewarts Shops and the application for the variance under the water quality act. And there was an article 78 filed against the Town. So after a discussion with the attorneys a decision was made that the best course of action for us would be to rescind the boards motion to grant from the February 11, 2019 meeting.

The Chairman read the resolution to the members and the public. (SEE BELOW)

RESOLUTION

WHEREAS, Applicant Stewarts Shops Corp. previously applied to the Zoning Board of Appeals (“ZBA”) requesting that it be granted a variance under Chapter 223 of the Town Code of the Town of Schodack, Water Quality Control, with respect to the Applicant’s proposed construction of a convenience store with underground fuel tanks for the storage of gasoline, to be sold on site, with respect to property located at 1538/1542 Columbia Turnpike (Tax Map Nos. 178.-14-6 and 178.-14-7); and

WHEREAS, at a meeting of the ZBA held on February 11, 2019, the ZBA adopted Resolutions in connection with the foregoing application by which the ZBA (1) declared itself lead agency for purposes of the State Environmental Quality Review Act (“SEQRA”); (2) issued a negative declaration under SEQRA; and (3) granted the requested variance; and

WHEREAS, the ZBA wishes to rescind the foregoing Resolutions in order to undertake such additional proceedings in connection with the application as it may deem appropriate.

NOW, THEREFORE, IT IS HEREBY RESOLVED, that the Resolutions previously adopted on February 11, 2019 in connection with the application of Applicant Stewarts Shops Corp., by which the ZBA (1) declared itself lead agency for purposes of SEQRA, (2) issued a negative declaration under SEQRA, and (3) granted the requested variance, be and the same hereby are rescinded.

Calarco moved, Maier seconded **the RESOLUTION be adopted.**

3 Ayes. 0 Noes. Motion carried.

Ayes: Calarco, Maier, Spada

Oppose: None

<u>Calarco</u>	<u>Maier</u>	<u>Spada</u>
Yes	Yes	Yes

ADJOURN

Maier moved, Spada seconded that the meeting be adjourned. There being no objections, Chairman Calarco adjourned the meeting at 6:08 p.m.

Respectfully submitted,
Nadine Fuda
Director of Planning & Zoning