

**Pittstown ZBA Agenda**

**April 23, 2024**

**Zoning Board of Appeals Meeting**

**Call to Order Call meeting to order – 7:00 PM**

FREDERICK HOWARD, Chairman

RANDY HALL

COLTON HILL

DOUG JENSEN

DAVID SCHMIDT

COLLEEN THOMAS, Secretary

Approval of the March 26, 2024 Zoning Board of Appeals Meeting Minutes (Copy attached)

Any additions or corrections?

Motion to approve (as amended)

Moved \_\_\_\_\_ Second \_\_\_\_\_ Aye \_\_\_\_\_ Nay \_\_\_\_\_

Approval of April 23, 2024 Meeting Agenda

Any items to be added to the agenda?

Motion to approve (as amended)

Moved \_\_\_\_\_ Second \_\_\_\_\_ Aye \_\_\_\_\_ Nay \_\_\_\_\_

**Old Business**

1. Application by Thomas Hanson for a Special Use Permit to be allowed to establish a Mobile Home Park at 10-58 Lakeside Way, in the Highway Commercial Zone in the vicinity of 2780 NY 67. In keeping with the requirements of LL#4 – 2017 such usage requires a Special Use Permit issued by the Zoning Board of Appeals. Such usage is also subject to the applicable requirements found in Town of Pittstown ZONING SCHEDULE AND LAND USE REGULATION adopted March 11, 2019.

**Pittstown ZBA Agenda**

**April 23, 2024**

1. Motion to withdraw the Site Plan approval for the Hanson Lakeside Mobile Home Park

WHEREAS, evaluation of several comments received at and after the public hearing held March 26, 2023 related to this project’s proposed DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND, and

WHEREAS, investigation of the design shown on the plans revealed that it did not meet fire code requirements, and

WHEREAS, investigation further revealed that portions of the access road extending into proposed park units 4 and 5 were not surrounded by the required 50 foot right of way, and

WHEREAS, this intrusion of access road into park units 4 and 5 reduces their square footage to less than the required 10,000 square feet, and

WHEREAS, the proposed sewage pump station and generator, part of the mobile home park’s infrastructure, is also sited within park unit 5 further reducing this park unit’s square footage, therefore,

BE IS RESOLVED, that the lot layout approval granted at the February 27, 2024 Zoning Board of Appeals is hereby rescinded, and

BE IT FURTHER RESOLVED, that new compliant site plan alternative(s) are required for Board Acceptance prior to any further review and discussion by the Board, and

BE IT FURTHER RESOLVED, that the open written comment period is extended until 10 working days after the Board meeting where a compliant site plan is accepted by the Board.

Moved \_\_\_\_\_ Second \_\_\_\_\_ Aye \_\_\_\_\_ Nay \_\_\_\_\_

2. Chairman’s report regarding moving this project forward

a.) A site plan that meets the Town’s requirements must be provided, discussed and accepted by the board. Assuming it is a modification of the existing concept, it will be accepted as an adjustment resulting from comments received at the public hearing.

b.) Written responses are required to the documents provided by Kim Mero and Brad Cone that are the written documents that they read at the public hearing. Several annotations within these documents require written response from the Hanson team. (Attachment 3 and 4 to March 26, 2024 Board Minutes)

c.) The only written comment received by the board after the public hearing was an addendum to Kim Mero’s comments from the public hearing. The chairman annotated these, responding

**Pittstown ZBA Agenda**

**April 23, 2024**

directly to some comments, and forwarding it to Hanson for response. (See Attachment 1 – Mero April 11, 2024)

- 3. As of the April filing deadline, no written responses to the written comments made at the public hearing had been received.
- 4. Before the project will be scheduled on a future agenda, the site plan modification alternative(s) must be presented to the board on professionally prepared plan(s) full size plan sheet(s). A single sheet for each alternative to be considered is all that is required. Although the plans are to scale, as became evident at the Public Hearing, critical dimensions need to be added. In addition, indicate the length of frontage for each park unit on the access road. Correspondence with the developer’s engineer is attached for the Board’s information. (See Attachment 2 – Bond April 8, 2024).
- 5. In addition, written responses to public hearing comments must be provided. Of great significance is the issue of Mero access easement location on the project site.

Does any board member wish to add to this list of conditions?

Does the board endorse the comments and annotations that the Chairman has made, as may be added to by Board comments tonight, on the Board’s behalf?

Motion \_\_\_\_\_ Second \_\_\_\_\_ Aye \_\_\_\_\_ Nay \_\_\_\_\_

**New Business**

1. Application by Paul Goyette, of P27, Offroad, Inc., for a Mass Gathering Special Use Permit under the provisions of LL#3 2020. The event is proposed to take place Sunday, September 29, 2024, at 511 Cushman Road, TPID# 52.-2-10.22, in the Agricultural/Residential Zone. Such usage is also subject to the applicable requirements and procedures found in Town of Pittstown ZONING SCHEDULE AND LAND USE REGULATION adopted March 11, 2019.

Presentation of the proposed event by Paul Goyette or his representative

Questions from the Board

Questions from the Public

Is the SEQRA assessment complete? Moved that this be determined to be a Type II Action per “617.5(c)(21) minor temporary uses of land having negligible or no permanent impact on the environment;”

Moved \_\_\_\_\_ Second \_\_\_\_\_ Aye \_\_\_\_\_ Nay \_\_\_\_\_

**Pittstown ZBA Agenda**

**April 23, 2024**

Does the board find that the application is complete and move to schedule the required Public Hearing for the May 21, 2024 meeting?

Moved that the board finds the application to be substantially complete and calls for scheduling a Public Hearing on this matter for May 21, 2024 at 7:00 PM.

Moved \_\_\_\_\_ Second \_\_\_\_\_ Aye \_\_\_\_\_ Nay \_\_\_\_\_

Discuss process going forward and any issues with applicant.

**Open Applications**

- 1). Application by Nick and Elaine DiLorenzo, 320 Cooksboro Road, Troy, NY 12182, regarding subdivision of property located on the North side of Cooksboro Road, Tax Parcel ID# 62.-2-48.1 in the Residential/Agricultural Zone. Active before the Planning Board. Month Count suspended so long as progressing.
- 2). Application by Redemption Christian Academy for a Special Use Permit to be allowed to modify the operation of their non-public school located at 92 Parker School Road, Tax Parcel ID 54.-6-21. This 15.27 Acre property is in the Residential/Agricultural Zone. E-mail informing ZBA that design activities are ongoing. Recent communication has been received and the project remains open.
- 3). Application by Dunco. Inc. doing business as Duncan Country Store, 2579 NY 67, Johnsonville, NY 12094, Tax Parcel ID# 14.-2-17.12. Second month – no contact.

**Communication Received by Board**

- 1). Questions regarding the future modification of the Gristmill Property Antique Store in the Hamlet of Raymertown.
- 2). Invitation to “Planning and Zoning: An Introduction and Solar Energy Regulation” registration form attached.

**Next Meeting**

The next regular meeting will be held Tuesday, May 21, 2024, at 7:00 PM at the Town Hall if there is any business to be considered.

Any Other Business?

**Motion to Adjourn**

Moved \_\_\_\_\_ Second \_\_\_\_\_ Aye \_\_\_\_\_ Nay \_\_\_\_\_