

Pittstown ZBA Agenda

June 25, 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 May 21, 2024 Zoning Board of Appeals Meeting Minutes (Copy attached)

Any additions or corrections?

Motion to approve (as amended)

Moved _____ Second _____ Aye _____ Nay _____

Approval of June 25, 2024 Meeting Agenda

Any items to be added to the agenda?

Motion to approve (as amended)

Moved _____ Second _____ Aye _____ Nay _____

Public Hearing

1). Application by Philip Rice for a Special Use Permit to be allowed to establish an agricultural and retail sales venture on a 6.83 acre parcel of land located at 94 Northern Turnpike, TPID# 43.-2-9.1, in the Residential/Agricultural zone. Maintaining farm animals on a property less than 10 acres in area requires a Special Use Permit. A roadside stand is a Permitted Principal Use in the R/A Zone. Such usage is subject to the applicable requirements found in Town of Pittstown ZONING SCHEDULE AND LAND USE REGULATION adopted March 11, 2019.

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1.) Reading of the NOTICE OF PUBLIC HEARING

Presentation of the proposed project by Phillip Rice or his representative.

Questions from the public.

Questions from the Board.

Compliance with the Board’s animal variance policy.

2.) Motion to close Public Hearing.

Moved _____ Second _____ Aye _____ Nay _____

3.) SEQRA Evaluation – Determined that this is a Type II action at the May 21, 2024 ZBA Meeting.

4.) Conditions of SUP Permit

- a) That the applicant follows the livestock schedule and operations plan submitted and approved by the Board.
- b) The assurances made by the applicant in his Special Use Permit application and at Board meetings shall be followed.

5.) Motion to grant approval for the Rice Special Use Permit

Moved _____ Second _____ Aye _____ Nay _____

6.) Payment for legal ad.

2. Application by Chris Halse for a Special Use Permit to allow him to conduct 2 off road racing events on his 75.09 acre property located in the Residential/Agricultural zone at 1780 Tamarac Road, TPID# 54.-6-15.131. Each event will be a two day event with a practice day on Saturday and race day on Sunday. Fewer than 250 people will be on site during the events avoiding the need for a Mass Gathering Special Use Permit. A Special Use Permit is required as such usage is subject to the applicable requirements found in Town of Pittstown ZONING SCHEDULE AND LAND USE REGULATION adopted March 11, 2019.

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Although the application includes a request to be allowed to conduct 4-6 such events in subsequent years, insufficient data is available to consider this, and therefore this SUP covers the summer and fall 2024 events only.

1.) Reading of the NOTICE OF PUBLIC HEARING

Presentation of the proposed event by Chris Halse or his representative

Questions from the Board

Describe the site preparation and modification that will be required.

Will participants be allowed to access the power easement for riding when not involved with specific events?

Coordination with County Health Department re: for two events overnight camping

Will require input from County as it is on a county road.

Questions from the Public

2.) Motion to close Public Hearing.

Moved _____ Second _____ Aye _____ Nay _____

3.) SEQRA Evaluation

Determination that this is a Type II action by the Board

a. 617.5(c)(21) “minor temporary uses of land having negligible or no permanent impact on the environment;”

b. Motion to approve a determination that this is a Type II action

c. Moved _____ Second _____ Aye _____ Nay _____

4.) Conditions of Special Use Permit

a. The 6/5/24 HALSE OPERATION PLAN shall be followed.

b. Parking on Tamarac Road by event participants and spectators is not permitted.

c. Quiet Hours ??PM to 8:00 AM

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- d. EMS on site during racing events
- e. Town of Pittstown to be provided with a copy of the General Liability Policy naming the Town as an additional insured.
- f. How will riders accessing the site from the power easement be controlled?

5.) Motion to approve Halse Special Use Permit

Moved _____ Second _____ Aye _____ Nay _____

6.) Payment for Legal Ad

New Business

1). Application by Christine Simmons for a Special Use Permit to be allowed to keep chickens and goats on a 3.00 parcel of land located at 109 Brundige Road, in the Residential/Agricultural zone. Maintaining farm animals on a property less than 10 acres in area requires a Special Use Permit. Such usage is subject to the applicable requirements found in Town of Pittstown ZONING SCHEDULE AND LAND USE REGULATION adopted March 11, 2019.

Presentation of the proposed project by Christine Simmons or her representative.

Questions by the Board.

How many chickens does she plan to keep

Discussion of the Board’s animal variance policy.

How are the chickens and goats going to be confined birds to the premises.

Questions from the Public.

SEQRA - Determination that this is a Type II action, in accord with Board practice and

617.5(c)(4) “agricultural farm management practices, including construction, maintenance and repair of farm buildings and structures, and land use changes consistent with generally accepted principles of farming,”

Motion to approve a determination that this is a Type II action

Moved _____ Second _____ Aye _____ Nay _____

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Does the Board find the application to be complete?

Moved _____ Second _____ Aye _____ Nay _____

If complete:

Motion to schedule a Public Hearing on this matter for July 23, 2024 at 7:00 PM.

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. Second month no contact.

Presentation of the modifications to the project plans by the Applicant or his representative.

Review comments on the modified plans by the Town Designated Engineer.

Presentation of Legal Opinion related to the status of the Mero easement passing through the Applicant’s property.

Questions, comments by the Board Members.

Legal Opinion has been referred to Town Attorney seeking guidance for the Board

Questions, comments by the Public

a. Motion to approve the revised Site Plan.

Moved _____ Second _____ Aye _____ Nay _____

b. Outstanding Items

Submission of Revised Plans to RCDOH for water and sewer systems approval

Response from Town Attorney

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Do we need a revised Short Form EAF?

- c. What documents will be included specifically as part of the Special Use Permit?

Final Plans which will be used by the Building Inspector to ensure that lot layout, screening planting and installation, and slab placement is in keeping with Board Approval.

Operational Plan

Board members to consider other documents, items for consideration at July Meeting when conditions of SUP will be voted on and a motion to approve SUP considered.

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. Public Hearing for the project has been scheduled by the Planning Board for July 11, 2024. The need for a SUP is included in the scope of the hearing. The Planning Board will then refer the applicants to the ZBA for the required SUP for substandard road frontage.
- 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. Project still active.

Communication Received by Board

- 1). A number of inquiries about various properties from potential buyers.

Next Meeting

The next regular meeting will be held Tuesday, July 23, 2024, at 7:00 PM at the Town Hall.

Any Other Business?

Motion to Adjourn

Moved _____ Second _____ Aye _____ Nay _____