

Pittstown ZBA Agenda

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

Any additions or corrections?

Motion to approve (as amended)

Moved _____ Second _____ Aye _____ Nay _____

Approval of July 23, 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 Christine Simmons for a Special Use Permit to be allowed to keep 20 chickens and 2 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.

1.) Reading of the NOTICE OF PUBLIC HEARING

Presentation of the proposal by Christine Simmons or her representative.

Pittstown ZBA Agenda

July 23, 2024

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 25, 2024 ZBA Meeting.

4.) Conditions of SUP Permit

- a) That the applicant always confines the animals to her own property.
- b) That no roosters are allowed.

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

Moved _____ Second _____ Aye _____ Nay _____

6.) Payment for legal ad.

OLD BUSINESS

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.

Pittstown ZBA Agenda

July 23, 2024

- 1.) Reading of the Communication from the Planning Board Chairman (attached)

Presentation of the Approved subdivision map showing deeded road frontage on Cooksboro Road for each of the three lots.

At its November 28, 2023 regular meeting the DiLorenzo's discussed this concept with the ZBA. At the time the sense of the board was that this concept of limited deeded frontage would be approved if the other items required for this subdivision were developed and approved by the Planning Board.

Questions from the public.

Questions from the Board.

Motion to approve the DiLorenzo Special Use Permit.

Whereas, This parcel is approximately 40.68 acres in area and the owners desire to subdivide it into three lots; and

Whereas, the Planning Board has approved a subdivision plan entitled MAP OF SUBDIVISION OF LANDS OF NICHOLAS DiLORENZO AND ELAINE DiLORENZO, dated April 4, 2024, prepared by William C. Darling, P.L.S. subject to Zoning Board Approval of a Special Use Permit allowing road frontage of less than 200' for each of the approved lots; and

Whereas, Lot 1 is approximately 33.57 acres in area, with deeded frontage of 41.56 feet; and

Whereas, Lot 2 is proposed to be approximately 2.61 acres in area, with deeded frontage of 30.01 feet; and

Whereas, Lot 3 is proposed to be approximately 4.50 acres in area, with deeded frontage of 30.16 feet; and

Whereas, The parcel configuration cannot provide 200' of road frontage on Cooksboro Road for each of these lots; and

Whereas, A shared driveway has been designed that conforms to the Town's Shared Driveway requirements and dead end fire access road code requirements; now therefore

Be It Resolved that the applicant's Special Use Permit Application to allow deeded road frontage of less than 200 feet for each of these lots is hereby approved.

Pittstown ZBA Agenda

July 23, 2024

Moved _____ Second _____ Aye _____ Nay _____

2). 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.

Questions, comments by the Board Members.

Questions, comments by the Public

a. Determination of Environmental Significance

At the February 27, 2024 meeting the board determined that this was an unlisted action.

The board received a revised Long Form EAF at the June Meeting reflecting that this is now an 8 unit design. The overall environmental effects are similar to the previous form completed for 9 units, although slightly reduced. The determination that this is an unlisted action is still valid

Part 2 and 3 determination form attached.

Motion that “As no moderate to large adverse environmental impacts are anticipated as the result of this project, that a determination of no significant adverse environmental impacts will result from this project located in the Highway/Commercial zone.”

Moved _____ Second _____ Aye _____ Nay _____

Proposed Conditions of Approval

1. The facility will be constructed in conformance with the SITE PLAN SET, PROPOSED MOBILE HOME PARK, LAKESIDE WAY, RENSSELAER COUNTY , NEW YORK, last revised June 10, 2024 as amended by Addendum 1, dated 7/19/24.

Pittstown ZBA Agenda

July 23, 2024

2. The facility will be operated as documented in Hanson’s Lakeside Mobile Home Park Operational Plan, January 2024, as amended by Addendum 1, dated 7/19/24.
3. Upon completion of construction, the Mero Access easement will be along the new improved park access road paved with asphalt 20’ wide, to the newly paved 12’ wide drive leading to the Mero gate.
4. Preparation of an access maintenance concept that insures access to the Mero property continuously during construction. In circumstances when access will be diminished during critical construction activities, such as paving the access road and path to Meros’ gate, 72 hour advance notice shall be given by Hanson to Mero and the Building Inspector; such work shall not take place on weekends or holidays. Cooperation is encouraged between the involved parties. The access maintenance concept plan shall be submitted to, and approved by, the building inspector, with an approved copy provided to the Meros.
5. A building permit is required prior to start of construction. Supporting documents shall include: Rensselaer County Department of Health approvals for domestic water and wastewater disposal systems; and NYSDOT work permit for work within the right of way for prepping and paving the park access road;
6. Prior to issuing final approval, the Building Inspector must receive the approval of plans required under Title 10/Part 17 - Mobile Home Parks from the Rensselaer County Health Department.
7. A set of “As Built Plans” shall be provided to the Building Inspector upon completion of construction.

8. _____.

9. _____.

Board comments.

Pittstown ZBA Agenda

July 23, 2024

Motion that “ The Proposed Conditions of Approval are complete, and that they are hereby approved.”

Moved _____ Second _____ Aye _____ Nay _____

Motion to Approve the Hanson Special Use Permit

Whereas, Thomas Hanson seeks the Special Use Permit required to establish a mobile home park on his property in the Highway/Commercial zone on Lakeside Way; and

Whereas, the plan and related documents must conform to the requirements of LL#4 – 2017, Pittstown Mobile Home Park Law, such usage requires a Special Use Permit issued by the Zoning Board of Appeals; and

Whereas, a Public Hearing on the matter by the Zoning Board of Appeals was held on Tuesday, March 26, 2024. Extensive public and engineering input was received which continued through the June 25, 2024 board of appeals meeting. The final site plan being considered by the board now shows 8 units, additional screening, a compliant fire apparatus turn around and less dense development of this 5.25 Acre site; and

Whereas, Thomas Hanson accepts the fact that the Mero family, or their successors in title, have the right to access their property via a 12 foot wide easement over the Hanson property and are providing such access during construction with such easement being permanently located on the paved mobile home park access road with paved 12 foot wide access drive leading to the existing Mero gate; and

Whereas, Thomas Hanson has gone through numerous iterations of plan development to respond effectively to public, board, and engineering input to modify his design to address expressed concerns and meet the local requirements; now therefore

Be It Resolved, that the Board finds that the current plan and related materials conform to the requirements of LL#4 – 2017 and the Boards customary interpretation of the Special Use Permit requirements found in the Town of Pittstown ZONING SCHEDULE AND LAND USE REGULATION adopted March 11, 2019; and

Be it further resolved, that the Hanson Mobile Home Park Special Use Permit is hereby approved Subject to the Conditions of Approval that have been established for this project.

Moved _____ Second _____ Aye _____ Nay _____

Pittstown ZBA Agenda

July 23, 2024

Open Applications

- 1). 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.
- 2). 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). Johnsonville Solar quarterly schedule update as required by our Special Use Permit deadline extension. Project construction continues and National Grid has recently approved the offsite infrastructure modification needed to carry the produced power to their substation. The nexamp schedule reflects a final acceptance date of August 5, 2025. A number of inquiries about various properties from potential buyers.
- 2). Screening planting has finally been completed on the former Monolith Solar site on NY 7 in the Pittstown Hamlet. This frees the Building Inspector to provide the current owners to divest the site to the new owners.

Next Meeting

The next regular meeting will be held Tuesday, August 27, 2024, at 7:00 PM at the Town Hall.

Any Other Business?

Motion to Adjourn

Moved _____ Second _____ Aye _____ Nay _____