

**ZONING BOARD OF APPEALS  
MINUTES OF MAY 4, 2021**

A meeting of the Zoning Board of Appeals was held on May 4, 2021. The meeting was called to order by Chairman Fred Howard at 7:02 P.M.

**PRESENT WERE:**

Fred Howard, Chairman  
Randy Hall  
Colton Hill  
Scott Reiter  
David Schmidt  
Colleen Thomas, Secretary

**Approval of Minutes**

A motion was made by Member Scott Reiter to approve the minutes of May 4, 2021 with Member Dave Schmidt seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

**Public Hearings**

1. Application by Edesse Murphy located at 19 Woodview Road, Tax Parcel ID#71.-4-4 in the Residential/Agricultural Zone to keep 10 or fewer chickens on a 2.84 acre parcel. This requires an Area Variance since the parcel is less than 10 acres in area which is required for maintaining farm animals such as chickens.
  - A. The public hearing notice was read by Zoning Board Secretary, Colleen Thomas.
  - B. Edesse Murphy presented her project to the Board. They are using the existing shed for this project.
  - C. Chairman Fred Howard asked the public and the board if they had any questions. They did not.
  - D. Member Colton Hill made the motion to close the public hearing with Member Scott Reiter seconding the motion. A vote was taken. The motion was carried unanimously by the Board.
  - E. The Board reviewed the SEQRA evaluation. Determination that this is a Type II action by the Board.
    - a) 617.5(c)(18) “reuse of a residential or commercial structure, or of a structure containing mixed residential and commercial uses, where the residential or commercial use is a permitted use under the applicable zoning law or ordinance, including permitted by special-use permit, and the action does not meet or exceeds any of the thresholds in section 617.4 of this Part;”
    - b) A motion was made by Chairman Fred Howard to approve this project as a Type II action under SEQRA with Member Colton Hill seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

- F. A motion was made by Member Scott Reiter to grant conditional approval for the Murphy Special Use Permit application with Member David Schmidt seconding the motion. The conditions of the Special use Permit are as follows:
- a) Chickens must be confined to the Murphy properties.
  - b) No roosters allowed.

A vote was taken. The motion was carried unanimously by the Board.

## **New Business**

1. Application by Frances H. Lockrow, 111 Hall Road, Tax Parcel ID#54.-4-22, for an area variance to allow a new home that was built too close to Hall Road and to the westerly lot line. This requires an Area Variance since a building location in the Agricultural/Residential Zone is required to be 75 feet from the centerline of Hall Road, but is actually 68.3 feet "As Built", and 25 feet from the westerly lot line, but is actually 16.8 feet "As Built"
  - A. Presentation of the proposed project was made by Brian Holbriiter. Sale of the new home is pending. The purchaser's financial institution required a survey to document the location of the house on the property which led to the discovery that the foundation had been placed too close to Hall Road and to the eastern property line. The current owner is required to pursue getting an area variance before the buyers can close on the purchase of the home.
  - B. Chairman Howard asked if there were any questions by the public or the board. There were not questions from the public or the Board.
  - C. A motion was made by Chairman Fred Howard that the Board finds the application and supporting documentation on this project to be complete with Member David Schmidt seconding the motion. A vote was taken. The motion was carried unanimously by the Board.
  - D. A motion was made by Chairman Fred Howard to schedule a public hearing on this matter for May 18, 2021 at 7:00 PM with Member David Schmidt seconding the motion. A vote was taken. The motion was carried unanimously by the Board.
2. Application by Heather and Shane Watkins for an area variance for an 8' kitchen addition to be added to the front of the residence, which requires a front yard setback from the SR 67 right of way is 50'. Upon completion of the 8' addition, the setback would be 48'. The existing home 60' from the center line of the road. Previously built garage. The existing fence line in the Watkins front yard is very close to state right of way line based on aerial photos of the site. It has a 25' setback. A 50' setback is required. Chairman Fred Howard informed the applicant that another application would need to be submitted with a picture of the property and re-measured final offset.
  - A. A motion was made by Chairman Fred Howard and seconded by Member Randy Hall to schedule a public hearing on this matter for May 18, 2021 at 7:00 PM depending

on submission of another application and supporting materials. A vote was taken. The motion was carried unanimously by the Board.

### **Activity Since Last ZBA Meeting**

1. Correspondence received in relation to 92 Parker School Road. No one has followed through. The only thing that someone who purchased the parcel without a special use permit is that it is suitable for a single family home.
2. Inquiries have been made regarding the Pittstown Country Store site.
3. An inquiry was made related to living in an RV on a residential lot for up to a 2 year period until a new home can be built due to the cost of lumber. A variance would not be issued for this type of inquiry.
4. An inquiry related to allowing conversion of an existing outbuilding to a second detached dwelling unit. Chairman Fred Howard stated that we have not done that in the past.
5. Reclassification of an existing home from a 1 family unit to a 2 family unit.
6. Establishment of a horse stable and horse training facility. Haven't heard back from that inquiry.
7. Extension of the conditional approval given to Tamarac Solar farm in 2019. They would like to extend until 2023. The applicants are 2 weeks past the deadline for the extension request.

The next regular meeting May 18, 2021 at 7:00 PM at the Town Hall. Masks and social distancing will be required.

### **Adjournment**

Member Colton Hill made the motion to adjourn with Member Scott Reiter seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Respectfully Submitted By:

Colleen Thomas  
Zoning Board Secretary

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Approved: \_\_\_\_\_ Date: 05/18/21