

ZONING BOARD OF APPEALS  
MINUTES OF DECEMBER 21, 2021

PRESENT WERE:

Frederick Howard, Chairman  
David Schmidt  
Randy Hall  
Scott Reiter  
Colton Hill – Absent  
Colleen Thomas, Secretary

Member Randy Hall made the motion to adopt the minutes of November 23, 2021 with Member David Schmidt seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Member David Schmidt made the motion to adopt the meeting agenda of December 21, 2021 with Member Randy Hall seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

**PUBLIC HEARINGS**

Douglas Senecal and Renee Buckley – Requate Road

Application by Douglas Senecal and Renee Buckley located at 228 Requate Road, Tax Parcel ID# 23.-3-3.2 in the Residential/Agricultural Zone to keep 2 horses on a 2.86 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 horses. Colleen Thomas, Zoning Board Secretary, read the public hearing notice that was published in the Free Press. Applicants were before the Board last month and presented the project to the Board. The applicants stated that they moved the cow off of the property. They will only have 2 horses on the property. Chairman Fred Howard asked if the Board had any questions. They did not. Chairman Fred Howard asked the public if they had any questions. They did not. Chairman Fred Howard proposed that the following conditions be imposed:

- a) The horses must be confined to 228 Requate Road except when they are being ridden or walked under human control off the property.
- b) The fencing shown as part of the application materials must be installed and maintained in keeping with these materials and the minutes of the November 23, 2021 ZBA Meeting.
- c) Manure and used bedding must be removed from the property on a regular basis and disposed of by spreading, composting, or other recognized acceptable agricultural practice.
- d) That all representations made to the Zoning Board of Appeals on November 23 and December 21, 2021 must be followed.

PUBLIC HEARINGS PITTSTOWN ZONING BOARD (continued)

- e) This Area Variance maximizes the number Farm Animals that may be maintained on this site.

Member Randy Hall made the motion to grant approval for the Senecal and Buckley Variance with Member Dave Schmidt seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Kelli Reilly - Cooksboro Road

Application by Kelli Reilly for a Special Use Permit to be allowed to establish a horse boarding facility, boarding 10 or fewer horses, and to conduct riding and horse care training on her 27.86 acre property located at 271 Cooksboro Road, Tax Parcel ID no. 72.-4-12, in the Residential/ Agricultural zone. Colleen Thomas, Zoning Board Secretary, read the public hearing notice that was published in the Express. The applicant, Kelli Reilly presented her project to the Board. She provided maps for the Board to review. Chairman Fred Howard asked if the Board or the public had any questions. They did not. Member Dave Schmidt made the motion to close the public hearing with Member Randy Hall seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

- a. The Board reviewed the SEQRA evaluation. Chairman Fred Howard made the motion that the proposed action is an Unlisted Action and based on the information and analysis of the EAF and any supporting documentation that was provided, that the proposed action will not result in any significant adverse environmental impact with Member Dave Schmidt seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Chairman Fred Howard made the motion to grant approval for the Grace Stables Special Use Permit with the following conditions:

- a) The horses must be confined to the Reilly except when they are being ridden or walked under human control off the property.
- b) The fencing shown as part of the application materials must be installed and maintained in keeping with these materials and the minutes of the November 23, 2021 ZBA Meeting.
- c) Manure and used bedding must be managed using recognized acceptable agricultural practice.
- d) That the facility will be operated in conformance with representations made to the Zoning Board of Appeals on November 23 and December 21, 2021.

Member Dave Schmidt seconded the motion. A vote was taken. The motion was carried unanimously by the Board.

## **NEW BUSINESS**

1. Proposed Farm Animal Area Variance Policy  
The Board reviewed the proposed farm animal area variance policy (see attached). Member Scott Reiter made the motion to adopt the attached Farm Animal Area Variance with Member Randy Hall seconding the motion. A vote was taken. The motion was carried unanimously by the Board.
2. Policy Limiting Matters Before The Board  
Adoption of a policy limiting application(s) requiring action(s) by the Board on a specific parcel of land to one applicant at a time. The first application(s) considered to be “Complete” by the Chairman will be the applicant that is included on the agenda for the next meeting. If the Board then finds the application to be “Complete”, and accepts it for Public Hearing at the next meeting, it will continue to be the only application being advanced.  
Subsequent application(s) received will be placed in a queue in order received. When received, the Chairman will determine if they are considered “Complete” and remain in the queue, with notification of status to the applicant. If they are determined to be incomplete by the Chairman, they will be returned with comment to the applicant and lose their place in the queue. Member Dave Schmidt made the motion to adopt the policy with Member Randy Hall seconding the motion. A vote was taken. The motion was carried unanimously by the Board.
3. Closing of two inactive files – 3205 NY 7 Roy Fowler, and 3092 NY 7 – JNR Excavating. Member Dave Schmidt made the motion to close the two inactive files with Member Randy Hall seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

## **OLD BUSINESS**

There was no old business to review.

## **ACTIVITY SINCE LAST ZBA MEETING**

1. Adoption of ZBA Meeting Schedule for 2022. Chairman Fred Howard had the Board review the attached ZBA Meeting Schedule for 2022. Chairman Fred Howard made the motion to adopt the attached ZBA Meeting Schedule for 2022 with Member Scott Reiter seconding the motion. A vote was taken. The motion was carried unanimously by the Board.
2. An additional active interested party contacted the Chairman requesting Zoning information for the Parker School Property. The proposal involved using the property for an aquaculture operation. The property is over 10 acres in size, aquaculture is a recognized form of agriculture (From the US Agriculture Department: <https://nifa.usda.gov> > topic > aquaculture A rapidly growing sector of agriculture, aquaculture is expected to provide almost two-thirds of the fish intended for global

consumption by 2030. Aquaculture involves the breeding, rearing, and harvesting of freshwater and marine species of fish, shellfish, and aquatic plants.) Therefore it was the determination that this agricultural use of the property would not require a Special Use Permit.

#### **NEXT MEETING**

The next regular meeting will be held on January 25, 2022 at 7:00 PM at the Town Hall.

#### **ADJOURNMENT**

Member Dave Schmidt 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:

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Colleen Thomas, Zoning Board Secretary

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DATED

Attachment: Adoption of a policy limiting matters requiring action(s) by the Board on a specific parcel of land to one applicant at a time.