

**ZONING BOARD OF APPEALS  
MINUTES OF FEBRUARY 22, 2022**

**PRESENT WERE:**

FREDERICK HOWARD, CHAIRMAN  
DAVID SCHMIDT  
RANDY HALL  
COLTON HILL  
SCOTT REITER  
COLLEEN THOMAS, SECRETARY

**MINUTES:**

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

**AGENDA:**

Member Colton Hill made the motion to adopt the agenda of February 22, 2022 with Member Reiter seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

**NEW BUSINESS:**

1. Application by Brian Falzo for a Special Use Permit to be allowed to establish a dog daycare service on his residential property located at 12 George Way, Tax Map Parcel ID 54.-6-15.133, The 1 acre property is located in the Residential/Agricultural Zone. The service will care for 8 or fewer dogs each day and there will be no overnight boarding. Such usage requires a Special User Permit under the provisions of the Town Of Pittstown ZONING SCHEDULE AND LAND USE REGULATION adopted March 11, 2019. Brian Falzo presented his proposed business project to the Board. He is using an existing structure to create a doggy daycare. The daycare will run only during the day. There will be no overnight guests. The dogs can either be picked up and returned home by the daycare operators or dropped off and picked up by their owners.

There will be barking control devices to monitor the dogs. Alarm will alert if dog(s) get out of control. Someone will be on the site as long as there are dogs on the site.

Chairman Fred Howard asked if the Board had any questions. They did not.

Chairman Fred Howard asked if the public had any questions they did not. Chairman Fred Howard stated that a Short Form EAF must be completed by the applicant and be received at the town hall by close of business on Wednesday March 9, 2022.

Member Randy Hall made the motion that the Board finds the application and supporting documentation to be sufficiently complete with Member Colton Hill seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Member Fred Howard made the motion to schedule a public hearing on this matter for March 22, 2022 at 7:00 PM with Member Dave Schmidt seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Chairman Fred Howard informed the applicant that the public hearing notice would run in the Express. The cost generally is \$40 which the applicant is responsible to pay. Applicant was informed that he could bring a check for the ad to the next Zoning Board meeting.

2. Application by 2112-2124 NY 7, LLC for a Special Use Permit to be allowed to relocate the Edelman Polaris and KTM dealership to this 18.5 acre parcel, Tax Map Parcel ID#63.-5-5.111 located in the Raymertown Hamlet. This site is developed, originally being built by the Matzen Construction Company for its own use and having several buildings to provide office space, materials storage, equipment maintenance and eventually an ACE Hardware store. The site was sold by Matzen Construction and changed ownership twice in the ensuing years before recently being purchased by 212-2124 NY 7, LLC. The site has hosted limited activity for a number of years, there are several small operations currently active on the site. Most of the site will be occupied by the Edelman Polaris and KTM dealership for display and sales, servicing, and storage of inventory. Such usage requires a Special Use Permit under the provisions of the Town of Pittstown ZONING SCHEDULE and LAND USE REGULATION adopted March 11, 2019.

Brian Holbriiter presented the project to the Board. This is the old Matzen place. The applicant would like to relocate his established business to the former Matzen site. There are a couple of existing businesses on site. Tim Edelman stated that they would not be reusing the office building at this time. The office building needs to be restored. Back where the Ace Hardware was located they plan on having the showroom/maintenance area. The pole barn will be used for storage of new merchandise until ready to assemble. Tim Edelman stated they are hoping to sell the large fuel tanks and keep the smaller one. First Fuel Propane has a satellite spot and used only for refilling the truck making local delivery. The equipment parking/storage area on the western end of the property has a valid SUP obtained by Todd Boomhower allowing this. The sign that is there now, they are going to use.

There is a vehicle charging station with a valid SUP. There are eight stations. Northeast Motorworkz is coming in for a permit. Moonlite Motors is going to be leaving by the end of June, 2022. Chairman Fred Howard stated that he has not heard from Northeast motors.

Member Dave Schmidt questioned if First Fuel Propane had a special use permit. Chairman Fred Howard responded that he thought it was grandfathered in. Member Schmidt recalled that it was originally installed as a permitted commercial use in the Hamlet are at the time.

Member Colton Hill questioned if they have any intention of cleaning the place up. The applicant responded he did. Member Colton Hill questions if the gate was operational. The applicant responded that they would like to get it operating again.

Chairman Fed Howard asked if the Board had any questions. They did not.

Chairman Fred Howard asked if the public had any questions. They did not. Chairman Fred Howard stated that a completed Short Form EAF must be received at the town hall by close of business March 9, 2022. Brian Holbriiter stated that he would have it in the town hall by then.

Member Dave Schmidt made the motion that the Board finds the application and supporting documentation to be sufficiently complete with Member Colton Hill seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Chairman Fred Howard made the motion to schedule a public hearing on this matter for March 22, 2022 at 7:00 PM with Member Scott Reiter seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Chairman Fred Howard informed the applicant that they are responsible for the costs of running the ad in the express. The cost is usually around \$40. Applicant was informed that they could bring a check to pay for the ad at the next Zoning Board meeting.

**OLD BUSINESS**

None

**Activity Since Last ZBA Meeting**

- 1) Tamarac Solar – working out financial security with the Town Board. Looks like construction won't be until 2023.
- 2) One Applicant at a Time Policy attached to December minutes

**Next Meeting**

The next regularly scheduled meeting will be held March 22, 2022 at 7:00 PM at the Pittstown Town Hall.

**ADJOURN**

Member Dave Schmidt made the motion to adjourn with Member Colton Hill 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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**Date**