

**ZONING BOARD OF APPEALS
MINUTES OF MAY 17, 2022**

A meeting of the Zoning Board of Appeals was held on May 17, 2022. The meeting was called to order by Chairman Fred Howard at 7:00 PM

PRESENT WERE:

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

EXCUSED: Dave Schmidt

Approval of Minutes

A motion was made by Member Colton Hill to adopt the minutes of April 26, 2022 with Member Randy Hall seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Approval of May 17, 2022 Meeting Agenda

A motion was made by Member Scott Reiter to approve the agenda of May 17, 2022 with Member Randy Hall seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Public Hearings

1. Application by Tyler Glasser for a Special Use Permit to be allowed to continue to operate Northeast Motorworkz Automotive Repair Shop at 2112 NY 7, TPID#63.-5-5.111. The facility exists on the 2112-2124 NY 7, LLC (Edelmann) 18.15 acre property in the Highway Commercial zone. 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.
 - A. The public hearing notice was ready by Zoning Board Secretary, Colleen Thomas.
 - B. Tyler Glasser presented his project to the Board.
 - C. Chairman Fred Howard asked if the Board or the public had any questions on this project. They did not.
 - D. The Board reviewed the SEQRA evaluation. Chairman Fred Howard made the motion the proposed project is an Unlisted Action (not a Type 1 requiring full environmental review, nor a Type II which is specifically exempted). With Member Colton seconding the motion. A vote was taken. The motion was carried unanimously by the Board.
 - E. Chairman Fred Howard made the motion granting this project a Determination of Significance causing no significant adverse environmental impacts with Member

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

- F. Proposed conditions for approval of the Northeast Motorworkz Automotive Repair Shop Special Use Permit
 - a. The facility will be operated in conformance with the SUP application materials and with representations reflected in the April 26, 2022, and May 17, 2022 ZBA Meeting Minutes.
 - b. The repair shop will be operated in compliance with all NY state regulatory requirements and local requirements imposed by the Pittstown code official.
- G. A motion was made by Member Scott Reiter to grant approval for the Northeast Motorworkz Automotive Repair Shop Special Use Permit with Member Randy Hall seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Chairman Howard informed the applicants that they could either mail or drop off a check to Town Clerk, Michelle Hoag for the cost of the public hearing notice.

- 2. Application by Redemption Christian Academy for a Special Use Permit to be allowed to establish a non-public school in the existing Parker School building located at 92 Parker School Road, Tax Parcel ID 54.-6-21. The 15.27 acre property is located in the Residential/Agricultural Zone. The initial projection is that approximately 50 students with 15 support staff and volunteers will be involved there and this will increase to up to 100 students as the program develops. The school year will run from September through June. The daily class schedule will be from 8:30 a.m. to 3:00 p.m. As is typical of other secondary schools, there will sometimes be extracurricular activities that may occur in the afternoon, the evening, and on weekends. The summer program is typically for a six week period beginning in July. 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.
 - A. The public hearing notice was read by the Zoning Board Secretary, Colleen Thomas.
 - B. Andy Brick, Attorney for Redemption Christian Academy, Laura Holmes, Vice Principal, Administration, Staff, and supporters (parents, students) were in attendance.
 - C. The project was presented to the Board and the public. Staff, parents, and students spoke before the Board describing how the school is run and how beneficial it is to the students and staff. The project will have no impact on the well and the septic. They are not proposing any new structures beyond the improvements to the building. The building will have minimal changes beyond the repairs. The fire alarm system is a mechanical system. Pamphlets were passed out to the community of the school.
 - D. Chairman Fred Howard asked if there were any questions from the public. Chris Manapella who resides at 98 Parker School Road questioned if they were housing the students or transporting them back and forth? Laura Holmes responded that the students would be transported back and forth. Chris stated that he moved to Pittstown for the view. Do they plan on adding to the building that would block his

review? Applicant responded that there were going to be no new additions made to the building. Only improvements and updates that needed to be made. Anything beyond that they would have to reapply. Chris wanted to make sure that there wasn't going to be troubled children. He asks for the safety of him and his family. Laura Holmes responded that the staff shares the same concerns as he does. They want the children to be safe. That is why they want to move here. They want the students and staff to be in a safe environment.

- E. Chairman Fred Howard asked if the Board had any questions they did not. Member Randy Hall 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.
- F. The Board reviewed the SEQRA evaluation prepared by the applicant. Member Colton Hill made the motion that the proposed project is an Unlisted Action under SEQRA (not a Type 1 requiring full environmental review, nor a Type II which is specifically exempted) with a determination of significance under SEQRA causing no significant adverse environmental impacts with Member Scott Reiter seconding the motion. A vote was taken. The motion was carried unanimously by the Board.
- G. Chairman Fred Howard made the motion with Member Randy Hall seconding the motion for the following proposed conditions for approval of the Redemption Christian Academy Special Use Permit:
 - a. The facility will be operated in conformance with the SUP application materials with representations reflected in the April 26, 2022, and May 17, 2022 ZBA Meeting minutes
 - b. A code evaluation report, prepared by Architect/Engineer NYS licensed professionals will be filed with the Pittstown Code Official Evaluation shall include, but not be limited to Handicap accessibility issues including provisions for parking, and life safety systems within the building.
 - c. Copies of available record plans for the existing building will be provided to the Code Official
 - d. Building renovation and modification shall take place pursuant to building permit(s) issued by the Town of Pittstown Building Inspector.
 - e. The domestic water and waste water treatment systems shall be approved for operations by the Rensselaer County Health Department.
 - f. The underground fuel storage tank shall be registered, if required, with the NYSDEC.
 - g. The building shall not be placed into service until a Certificate of Occupancy has been issued by the Building Inspector.A vote was taken. The motion was carried unanimously by the Board.
- H. Chairman Fred Howard made the motion to grant approval for Redemption Christian Academy with Member Randy Hall seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

New Business

1. Application by Karie Tallman for a Special Use Permit. The applicant did not attend.

Old Business

1. Tamarac Solar – should be coming in soon.
2. Small Farm – Meadows – level of commercial activity. Have to come get zoning board approval.
3. Monolith Solar Receivership- 2 acre parcel right out of the hamlet of Pittstown. Separate lots and sell separately.
4. Saint Monica Lane Use Variance

The next regular meeting will be held on June 28, 2022 at 7:00 PM at the Town Hall.

Respectfully Submitted By:

Colleen Thomas
Zoning Board Secretary

Approved Date

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