

ZONING BOARD OF APPEALS OCTOBER 25, 2022

A meeting of the Zoning Board of Appeals was held on October 25, 2022. The meeting was called to order by Chairman Fred Howard at 7:02 PM.

PRESENT WERE:

Frederick Howard, Chairman
Member Randy Hall
Member David Schmidt
Secretary, Colleen Thomas

ABSENT:

Member Colton Hill
Member Scott Reiter

MINUTES:

Member Randy Hall made the motion to adopt the minutes of September 27, 2022 with Member Dave Schmidt seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

AGENDA:

Member Randy Hall made the motion to approve the Zoning Board Agenda of October 25, 2022 with Member Dave Schmidt seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

PUBLIC HEARING

1. On the application of Alyla French-Goldman 16 St. Monica Lane, Tax Parcel ID # 23.2-1-1.1 in the Johnsonville Hamlet Zone to keep chickens on a 1.33 acre parcel. This requires a Special Use Permit since the parcel is less than 10 acres in area which is required for maintaining farm animals such as chickens under the provisions of the Town of Pittstown ZONING SCHEDULE AND LAND USE REGULATION adopted March 11, 2019.
Colleen Thomas, Zoning Board Secretary read the public hearing notices. Chairman Fred Howard received a letter from adjoining property owner. Chairman Fred Howard read the letter received to the Board. Applicant stated that the Town's building inspector contacted her husband on complaint made by a neighbor. The neighbor thought they had guinea hens. Chairman Fred Howard asked if there were any questions or comments from the Board. There were no questions or comments from the Board. Member Randy Hall made the motion to close the public hearing with member Dave Schmidt seconding the motion. A vote was taken. The motion was carried unanimously by the Board.
Determination that this project 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 the Part.”

Chairman Fred Howard made the motion to approve a determination that this is a Type II action with Member Randy Hall seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Proposed conditions of SUP Permit:

- a) There shall be no more than 12 chickens permitted for this site, which is in keeping with established ZBA guidelines.
- b) The chickens shall be confined in the existing run/coop area at all times and not allowed to free range on the property.
- c) No roosters are permitted in accordance established ZBA Policy.
- d) The assurances made by the applicant in their Special Use Permit application shall be followed.

Member Randy Hall made the motion to grant approval of the French-Goldman Use Permit 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 bill has not yet been received for publication of the Legal Advertisement for the Public Hearing. Once the bill is received the applicant will need to make out a check for payment and send/give it to Michele Hoag, Town Clerk

OLD BUSINESS

1. Bugbee Solar on Kautz Hollow Road. The applicant was looking to expand the scope of the project. They wanted to include the Bugbee’s other piece of property. Chairman Fred Howard received a phone call from Pittstown Planning Board Chairman, Gordon Bushway stating that the applicants decided not to expand the project. They are going to stick with their original plan.
2. Chairman Howard stated that he has not heard on more on the report on Shire event on Cushman Road.

3. Art Miclette owns a parcel with 4 houses on it. He is looking to subdivide 2 parcels with one house each off. He is also proposing to subdivide a third parcel off with 2 houses on it. Currently there are 4 houses on 1 lot. This proposal would separate 2 houses off to their own parcel. There will be a third parcel with 2 houses on it.

ADJOURNMENT

Member Randy Hall made the motion to adjourn with Member Dave Schmidt seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

Respectfully Submitted By:

Colleen Thomas
Zoning Board Secretary

Dated