

**ZONING BOARD  
MINUTES OF APRIL 23, 2024**

A meeting of the Zoning Board of Appeals was held on April 23, 2024. The meeting was called to order by Chairman Fred Howard at 7:00 PM

**PRESENT WERE:**

Fred Howard, Chairman  
Member Randy Hall  
Member Colton Hill  
Member Doug Jensen  
Member Dave Schmidt  
Secretary Colleen Thomas

**MINUTES**

Chairman Fred Howard made the motion to approve the minutes of March 26, 2024 with Member Doug Jensen 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 agenda of April 23, 2024 as amended with Member Dave Schmidt seconding the motion. A vote was taken. The motion was carried unanimously by the Board.

**OLD BUSINESS**

1. Application by Thomas Hanson for a Special Use Permit to be allowed to establish a Mobile Home Park at 10-58 Lakeside Way, in the Highway Commercial Zone in the vicinity of 2780 NY 67. In keeping with the requirements of LL#4-2017 such usage requires a Special Use Permit issued by the Zoning Board of Appeals. Such usage is also subject to the applicable requirements found in Town of Pittstown ZONING SCHEDULE And LAND USE REGULATION adopted March 11, 2019.

Chairman Howard stated that he has not heard from or received any information from the applicant on this project.

The following motion was made by Chairman Fred Howard with Member Randy Hall seconding the motion:

Motion to withdraw the Site Plan approval for the Hanson Lakeside Mobile Home Park

WHEREAS, evaluation of several comments received at and after the public hearing held on March 26, 2023 related to this project's proposed DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND, and

WHEREAS, investigation of the design shown on the plans revealed that it did not meet fire code requirements, and

WHEREAS, investigation further revealed that portions of the access road extending into proposed park units 4 and 5 were not surrounded by the required 50 foot right of way and

WHEREAS, this intrusion of access road into park units 4 and 5 reduces their square footage to less than the required 10,000 square feet, and

WHEREAS, the proposed water pump house and standby generator for the water and sewer systems, part of the mobile home park's infrastructure, are also sited within park unit 5 further reducing this park unit's square footage, therefore

BE IT RESOLVED, that the lot layout approval granted at the February 27, 2024 Zoning Board of Appeals is hereby rescinded, and

BE IT FURTHER RESOLVED, that new compliant site plan alternative(s) are required for Board Acceptance prior to any further review and discussion by the Board, and

BE IT FURTHER RESOLVED, that the open written comment period is extended until 10 working days after the Board meeting where a compliant site plan is accepted by the Board.

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

Kim Mero stated that the applicant can submit another plan. She questioned at what point do you close the application? How long does the applicant have to present responses?

Chairman Fred Howard stated that he doesn't want the town to act without more clarity on the location of the Mero access easement, which is disputed by the two involved private property owners. He stated that the once a response is received from the Hanson team related to this, that it will be forwarded along with information previously provided by the Mero interests to the Town Attorney for advice. He stated that, in his personal opinion, until the Zoning Board has something firmer than what they have now, they should not proceed.

Mr. Hanson is not in attendance at this meeting. The Board has not heard from them. After 4 meetings of no communication the application will be closed. The Board needs

to receive written responses to all questions and comments that were made at and after the public hearing.

### **NEW BUSINESS**

1. Application by Paul Goyette, of P27, Offroad, Inc., for a Mass Gathering Special Use Permit under the provisions of LL#3 2020. The event is proposed to take place Sunday, September 29, 2024, at 511 Cushman Road, TPID #52.-2-10.22, in the Agricultural/Residential Zone. Such usage is also subject to the applicable requirements and procedures found in Town of Pittstown ZONING SCHEDULE AND LAND USE REGULATION adopted March 11, 2019.

Member Colton Hall questioned if the applicant could receive a special use permit that could be used for multiple years. Chairman Fred Howard responded that he did not believe so. The Mass Gathering Special Use Permit local law states that it needs to be issued every year.

The SEQRA assessment is complete. Chairman Fred Howard moved that this project be determined to be a Type II Action per "617.5(c)(21) minor temporary uses of land having negligible or not permanent impact on the environment;". Member Colton Hill seconded the movement.

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

Member Colton Hill moved that the Board finds the application to be substantially complete and calls for scheduling a Public Hearing on this matter for May 21, 2024 at 7:00 PM with Member Dave Schmidt seconding the movement.

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

### **OPEN APPLICATIONS**

1. Application by Nick and Elaine DiLorenzo, 320 Cooksboro Road, Troy, NY 12182, regarding subdivision of property located on the North side of Cooksboro Road, Tax Parcel ID #62.-2-48.1 in the Residential/Agricultural Zone. Active before the Planning board. Month count suspended so long as progressing.
2. Application by Redemption Christian Academy for a Special Use Permit to be allowed to modify the operation of their non-public school located at 92 Parker School Road, Tax Parcel ID 54.-6-21. This 15.27 Acre property is in the Residential/Agricultural Zone. E-mail informing ZBA that design activities are ongoing. Recent communication has been received and the project remains open.
3. Application by Dunco. Inc. doing business at Duncan County Store, 2579 NY 67, Johnsonville, NY 12094, Tax Parcel ID#14.-2-17.12. Second month with no contact. If

the Board does not hear from them next month, they will be contacted and notified that without response that their application will be closed.

**COMMUNICATION RECEIVED BY THE BOARD**

1. Questions regarding the future modification of the Gristmill Property Antique Store in the Hamlet of Raymertown. They want to double size. They own the house next door. Question on whether this can be done. The questions of whether there will be room for parking and septic.

**NEXT MEETING**

The next regular meeting will be held on Tuesday, May 21, 2024, at 7:00 PM at the Town Hall if there is any business to be considered.

**MOTION TO ADJOURN**

Member Colton Hill made the motion to adjourn with Member Randy Hall 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