



The *Zoning Board of Appeals* of the Town of Schaghticoke met at the Town Hall, 290 Northline Drive, Melrose, NY 12121 on Thursday, December 6, 2018.

Ed McDonough made a motion to open the meeting. Jason Shover seconded.

Ayes: McDonough, Geddis, Griswold, Saheim, Shover

Nays: None

The meeting opened at 7:30 p.m. Roll call took place.

Present:

Ed McDonough, Chairman

Jason Shover, Chairman

Rich Geddis

Kristin Griswold

Lettie Saheim

Absent:

None

Kristin Pratt, Deputy Town Attorney, was present. Elizabeth Hale, Clerk, was present.

REGULAR MEETING

7:30 P.M. Ed McDonough made a motion to open the meeting. Rich Geddis seconded.

Ayes: McDonough, Geddis, Griswold, Saheim, Shover

Nays: None

The Board reviewed the minutes from the November 1, 2018 meeting. Lettie Saheim made a motion to accept the minutes as submitted. Kristin Griswold seconded.

Ayes: McDonough, Geddis, Griswold, Saheim, Shover

Nays: None

Chairman McDonough stated that, although no new applications submitted there were inquiries.

OTHER

Linda DeMarco contacted Chairman McDonough with regard to the possible subdivision of her 1.27± acre property which includes her residence (and an accessory apartment within the dwelling) located in an RA district at 3109 River Road. Ms. DeMarco reviewed the proposed subdivision with Frank Alessandrini, Chairman of the Planning Board. Mr. Alessandrini noted that should Ms. DeMarco choose to proceed with the proposed subdivision, area variances would be required and would be substantial for the proposed subdivision of .27± acres from the 1.27± acre lot. Since the Zoning Code does not allow the subdivision of a lot this size in the RA district and since the owner currently has an accessory apartment on the property, application for an area variance from the Zoning Code to allow subdivision would be required. Therefore, Mr. Alessandrini recommended that Ms. DeMarco reach out to Mr. McDonough, ZBA Chairman, to discuss the Zoning Code requirements and requirements that would need to be satisfied prior to applying for subdivision approval. Mr. McDonough reviewed the proposed subdivision with Ms. DeMarco and advised that the variances would be substantial, in that a variance for acreage density, a front yard setback and both side yard setbacks, would be required. Mr. McDonough advised Ms. DeMarco that he would not be in favor of the proposal as it was such a substantial deviation from many dimensional Zoning Code provisions, but that he could not speak for the Board and, that Ms. DeMarco was free to submit an application to permit the Board to consider the required variances.

The Building Inspector, Don Bugbee, contacted Mr. McDonough with regard to property located at the corner of North Linden and NYS Route 67, west and directly across from the Mechanicville Golf Course, in the HD of Hemstreet Park. A realtor phoned Mr. Bugbee and explained that he was in the process of selling the 100' X 200' lot and expressed concern about a "stream of water" that is flowing through the property. The realtor inquired about the source of water -whether it is run-off from the golf course or whether it is a creek, or defined as a type of water body that would require setbacks from a structure. Ultimately, the realtor would like to determine whether the property is a buildable. Atty. Pratt reviewed the definition of the types of water bodies and the setbacks for mapped creeks and rivers, found in the Zoning Code, with the Board members. Chairman McDonough stated that he would observe the lot and water flow in the daylight, determine the source of the water (if possible) and respond to the realtor's inquiry.

In addition, Chairman McDonough stated that he called Richard Harwell at 314 Pinehurst St. with regard to an erected 9.5' fence along Mr. Harwell's property line that does not meet and is in violation of the Zoning Code requirements. Mr. McDonough has not received a response from Mr. Harwell.

Lettie Saheim made a motion to adjourn the meeting at 7:45 p.m. Jason Shover seconded.

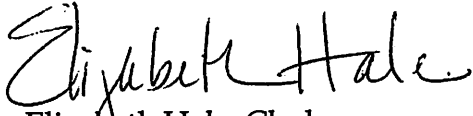
Ayes: McDonough, Geddis, Griswold, Saheim, Shover
Nays: None

Abbreviations
RA – Residential/Agricultural District

ZBA – Zoning Board of Appeals

Respectfully submitted,

date: January 3, 2019

A handwritten signature in cursive script that reads "Elizabeth Hale".

Elizabeth Hale, Clerk
Zoning Board of Appeals, Town of Schaghticoke