



The *Zoning Board of Appeals* of the Town of Schaghticoke met, in accordance with amendments to the New York State Public Officers Law, via videoconferencing/teleconference utilizing the Zoom Application on Thursday, October 7, 2021.

PUBLIC HEARING

There were no public hearings scheduled.

REGULAR MEETING

Kristin Pratt, Deputy Town Attorney, explained the Zoom Application. Attorney Pratt stated that the Zoom meeting notice was posted in the newspapers, that the meeting was being recorded, would be available on the Town of Schaghticoke website and would be transcribed at a later date. In addition, Atty. Pratt stated that minutes were being taken and recommended the use of the chat feature, should any technical questions arise during the meeting. Any comments were encouraged to be spoken in order to be recorded.

Chairman McDonough opened the meeting at 7:30 p.m. with roll call.

Present:

Ed McDonough, Chairman
Rich Geddis
Kristin Griswold
Lettie Saheim
Jason Shover

Absent:

None

Kristin Pratt, Deputy Town Attorney, and Elizabeth Hale, Clerk, were present. Anthony Luchi stated that he was present to watch and listen to the meeting, that he had no comments, and that he was currently in the forefront of politics.

The Board reviewed the minutes from the meeting of September 2, 2021. Lettie Saheim made a motion to approve the minutes as submitted. Jason Shover seconded.

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

Chairman McDonough stated that he received two inquiries prior to this month's meeting.

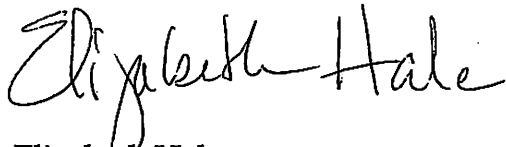
- 1.) Mr. McDonough stated that he received a complaint with regard to a barking dog from Joe Johnson who resides at 22 Haughney Road. The rear of Mr. Johnson's property is contiguous to Haughney Road with the front facing River Road. Mr. Johnson complained that a neighbor's dog barks incessantly during night time hours and that other neighbors hear the barking as well. The dog is licensed by the owner, Kathryn Davis, who keeps the dog as protection for her sheep who have access to open sheds for shelter. Attorney Pratt stated that as a nuisance complaint, Mr. Johnson could reach out to the sheriff and that the complaint has been presented to the Town Code Enforcement Officer, Brian Davidson. Mr. Davidson has contacted Ms. Davis who referenced the NYS Agricultural and Market regulations which she believes protect her right to keep the dog for the protection of the sheep.
Mr. McDonough last spoke with Mr. Johnson on September 10, 2021.
- 2.) On September 28, 2021 Mr. McDonough received a phone call from Matt Rifenburgh, who resides at 804 Master St. Mr. Rifenburgh stated that his parents purchased the property, including a residence and a partially-burned secondary structure at 804 Master St. in 1990. Mr. Rifenburgh is currently caring for his parents at that address, would like to raze the secondary buildings, currently used for storage, and construct an addition to the existing residence. Mr. McDonough informed Mr. Rifenburgh that the Zoning Code would require a variance, as the density regulations would not be met. In addition, Mr. McDonough reached out to Atty. Pratt who discussed the matter with the Planning Board Chairman, Frank Alessandrini. It was determined that there is a provision in the Zoning Code for the existence of two residences on a singular property through application for a Special Use Permit. Mr. McDonough relayed the information to Mr. Rifenburgh and advised him to contact the Planning Board Chairman and to apply for a Special Use Permit to allow for the existence of two residential structures on one tax map parcel.

Chairman McDonough asked Kristin Pratt for an update on the Open Meetings Law in view of COVID 19 recommendations. Atty. Pratt informed the Board that the statute has currently been amended to allow meetings in person or via a virtual platform until the end of 2021. The Board agreed that the agenda dictate the decision and that with no business, a virtual meeting might be more appropriate.

Ed McDonough made a motion to adjourn at 7:52 p.m. Jason Shover seconded.
Ayes: McDonough, Geddis, Griswold, Saheim, Shover
Nays: None

Respectfully submitted,

date: November 7, 2021

A handwritten signature in black ink, reading "Elizabeth Hale". The signature is written in a cursive style with a large, stylized "E" and "H".

Elizabeth Hale,
Zoning Board of Appeals, Town of Schaghticoke