

The ***Zoning Board of Appeals*** of the Town of Schaghticoke met at the Town Hall, 290 Northline Drive, Melrose, New York 12121 on Thursday, September 5, 2024.

REGULAR MEETING

Roll call took place.

Present

Rich Geddis
Kristin Griswold
Lettie Saheim
Jay Shover

Absent

Ed McDonough, Chairman

David Brennan, Attorney, and Elizabeth Hale, Clerk, were present. In the absence of Chairman Ed McDonough, Jay Shover acted as Chairman.

REGULAR MEETING

7:00 PM. The Board reviewed the minutes from the meeting of August 1, 2024. Lettie Saheim made a motion to approve the minutes as submitted. Rich Geddis seconded.

Ayes: Geddis, Griswold, Saheim, Shover

Nays: None

Kristin Griswold made a motion to suspend the regular meeting and open the public hearing. Lettie Saheim seconded.

Ayes: Geddis, Griswold, Saheim, Shover

Nays: None

PUBLIC HEARING

7:05 P.M. **Malm Family Trust (Tax Map #41.-1-20)**. Jay Shover read the Notice of Hearing for Application #1-24 of John Malm, Trustee of the Malm Family Trust, of 37 Riverview Drive, Valley Falls, New York 12185, for property located at 1171 NYS Route

40, an area variance pursuant to Town Zoning Code – Dimensional Table for side yard setbacks of 14.1 and 20.1 feet where 30 feet are required in an RA zone. The applicant proposes to subdivide an existing lot which contains two houses so that one can be sold. Mr. Malm and his wife, Laurie, appeared to present the application for the Board's consideration for area variances required, prior to application to the PB for the proposed subdivision of a 2.99± acre parcel. John Malm, a Valley Falls resident, the executor of his mother's estate, stated that the parcel includes two 50 yr. old houses that are both located on a 2.99± acre parcel in an RA district at 1171 and 1177 NYS Route 40. Mr. Malm's brother, William, resides in one of the two dwellings. William Malm has indicated that he would like to continue to live where he is currently settled. John Malm would like to subdivide the property and sell the remaining residence and property. In order to achieve the desired results, John Malm plans to propose a subdivision of the parcel, each lot measuring 1.81± acres (to the south) and 1.13± acres (to the north), each lot retaining one of the two dwellings. Mr. Malm is seeking side yard area variances for the proposed lot in order to meet the Zoning Code.

Currently each property has its own well, but share a septic system. John Malm informed the Board that a septic system design has been created and that RCHD approval was granted.

Application, application fee and short form EAF were received. The Board issued a negative declaration under SEQRA.

There was no public comment. The public hearing was closed at 7:10 p.m.

Rich Geddis made a motion to close the public hearing and open the regular meeting. Kristin Griswold seconded.

Ayes: Geddis, Griswold, Saheim, Shover

Nays: None

REGULAR MEETING

Malm Family Trust (Tax Map #41.-1-20). John Malm appeared to present his proposal to ultimately subdivide a 2.99 acre parcel located in an RA district at 1171 NYS Route 40. In order to apply to the PB for a subdivision, Mr. Malm is requesting side yard setbacks of 14.1 and 20.1 feet where 30 feet are required in an RA zone. The Board reviewed Section XI, B,2,b, 1-4 with the applicant, John Malm, and determined that an undesirable effect or detriment to nearby properties will not be created by granting the variances, that the benefit sought by the applicant cannot be achieved by any other means, and that the proposed variances do not have an adverse effect or impact on the environment or neighborhood, nor was there any public opposition. Furthermore, the Board agreed that the appeal was not self-created since both houses were built within the 1950 period, pre-dating the establishment of the Town Zoning Code.

Kristin Griswold made a motion to grant the area variances as requested for Application #1-24 of John Malm. Lettie Saheim seconded.

Ayes: Geddis, Griswold, Saheim, Shover

Nays: None

With no further business at hand, Lettie Saheim made a motion to adjourn the meeting at 7:16 p.m. Kristin Griswold seconded the motion.

Ayes: Geddis, Griswold, Saheim, Shover

Nays: None

Abbreviations

EAF - Environmental Assessment Form

PB – Planning Board

RCHD – Rensselaer County Health Department

SEQRA – State Environmental Quality Review Act

Respectfully submitted,

Date:

Elizabeth Hale, Clerk