

Town of Halfmoon Zoning Board of Appeals  
Meeting Minutes  
June 3, 2013

Chairman Rose called the meeting to order for the Town of Halfmoon Zoning Board of Appeals at 7:00 p.m. on Monday, June 3, 2013 at the Halfmoon Town Hall with the following members present:

Members: Vice-Chairman Tedrow, Mr. Hansen, Mr. Brennan

Alternates: Mr. Burdyl, Mrs. Smith-Law

Town Attorney: Mr. Chauvin

Town Liaison: Mr. Polak

Secretary: Mrs. Mikol

The minutes from the May 6, 2013 meeting will be presented to the Board at the July 1, 2013 meeting.

Chairman Rose commented: Mr. Burdyl will be voting tonight as an alternate in place of Mrs. Jordan. Mr. Brennan should be here shortly.

Chairman Rose commented that for the record the meeting schedule, agenda and minutes are available on the Town's web site it is up to the applicant and any neighbors interested in what is on the agenda to research the topics and come to the meeting.

Matthew Johnson, 135 Cary Road

Chairman Rose commented that tonight is an agenda meeting. The public hearing will be in July if we should find the application to be complete. The applicant is applying for an area variance to construct a pole barn on a flag lot at 135 Cary Road. Under Article 165-34 of the Code of the Town of Halfmoon, it states that an accessory structure buildings height and location cannot be located in the front yard. The pole barn cannot exceed 20' in height. The applicant received a denial for a building permit.

Mr. Johnson of 135 Cary Road commented that he would like to build a pole barn on what he calls his front yard. He explained that he lives on a flag lot. He is looking to build on the front corner of his lot. Mr. Johnson believes the placement of the pole barn is his only option.

Chairman Rose asked Mrs. Mikol how many copies were submitted to the Board, she replied ten.

Chairman Rose opened the questions up to the Board Members.

Mr. Hansen commented: The dimensions for the pole barn shown on your plan were originally different than what is shown now. Which dimensions are you using the one closer to the property line?

Mr. Johnson commented: Yes they were closer to the front property line.

Mr. Hansen commented: The rear yard, the area behind the garage will be 40' instead of 20'.

Mr. Johnson commented: It was 10' and 20'.

Mr. Hansen commented: That you're giving yourself more space behind there. The driveway connection to that garage will go out straight to your flag lot driveway.

Mr. Burdyl commented: You have an area designated on your map, as Area A What is that for? Is that your neighbor?

Mr. Johnson commented: There is a dwelling all the way to the front of Cary Road about 30-40 yards off the road. His home is centered on his lot.

Mr. Burdyl commented: Does he have an accessory structure on his lot near your proposed building?

Mr. Johnson commented: He does not.

Mr. Burdyl commented: That is open area? All brush?

Mr. Johnson commented: His driveway comes in next to mine; he has trees in the open area.

Chairman Rose commented: Who owns that property in that area?

Mr. Johnson commented: In front of me are the Lands of Vince; sorry I can't remember his last name.

Mr. Hansen commented: Is this where you start back down Cary Road toward Staniak on the right hand side? Is there a mobile home just down the road?

Mr. Johnson commented: The mobile home is the property adjacent to Cary Road; it's the next property.

Mr. Hansen commented: This is the one that they wanted to put in a third flag lot in a few years ago and we turned him down. Did you install the well on the property?

Mr. Johnson commented: No, I bought the property with the well already on it.

Mr. Hansen commented: That is strange because the guy that owns the lot next to you behind further off the road wanted to put a house there and I'm surprised he would have put a well there. Is there another access next to this?

Mr. Johnson commented: There is another driveway to the left of the well?

Vice-Chairman Tedrow commented: When you bought the property was the house already on it?

Mr. Johnson Commented: No, I built the house.

Vice-Chairman Tedrow commented: So you chose this orientation of having it sort of kiddy corner on the lot. How big is your septic field?

Mr. Johnson commented: Yes I did put the house on an angle. My septic field is 28' to the pole barn toward the rear of my house. NYS Code is 20' away, mine is 28'.

Chairman Rose commented: Do the Members have any more questions?

Motion was made by Vice-Chairman Tedrow to set a public hearing for Monday, July 1, 2013, seconded by Mr. Burdyl. Motion was carried.

The Board will be making a site visit on Saturday, June 29, 2013 at 9:30 am.

Mr. Hansen made a motion to close the meeting and was seconded by Vice-Chairman Tedrow. Motion was carried.

Respectively submitted by Denise Mikol, Secretary  
Town of Halfmoon Zoning Board of Appeals