

**Town of Halfmoon Zoning Board of Appeals  
Meeting - Tuesday, September 8, 2015  
7:00 PM**

Chairman Rose called the meeting to order at 7:03 PM on Tuesday, September 8, 2015 at the Halfmoon Town Hall with the following members present:

Members - Mr. Hansen, Mr. Burdyl  
Vice-Chairman Tedrow and Mr. Brennan - absent  
Alternate Member - Mrs. Curto – Voting tonight  
Secretary - Mrs. Mikol  
Planner - Mr. Marlow  
Councilmen - Mr. Connors - absent  
Town Attorney - Ms. Cathy Drobny

Minutes from August 3, 2015 will be presented at the October 5, 2015 meeting,

**OLD BUSINESS:  
PUBLIC HEARING:**

**Charles & Dorothy Hill and Mark & Jean Hill, 114 & 116 Beach Road –  
Area Variance - (SBL# 284.4-2-57 and SBL# 284.4-2-56)**

Mr. Duane Rabideau, VanGuilder Associates commented: Mr. Hill is requesting an Area Variance for an existing home on Beach Road from the required 50' to 14' therefore a 36' Variance is being requested.

Chairman opened the public hearing at 7:05 PM. The notice was not read. No one chose to speak. The Board had no questions.

**Pursuant to Article XIV, Section 165-79, the following resolution was made:**

Mr. Burdyl commented: There will not be an undesirable change to the nearby neighborhood.

Chairman Rose commented: The house was built in 1830 and can't be moved.

Mr. Hansen commented: It is substantial but there is no other alternative.

Mr. Hansen commented: It will not have an adverse effect or impact to the existing neighborhood.

Mr. Hansen commented: It is self-created, in this instance it should not preclude the granting of the area variance.

Mr. Hansen made a motion to approve the area variance, seconded by Mr. Burdyl. Motion was carried unanimously.

**NEW BUSINESS:****Planet Fitness/Rockin' Jump, 5 Halfmoon Crossing - Area Variance  
(SBL# 272.-2-67.2)**

Mr. Todd Fischer was present from Equinox Construction. He received a denial from the Director of Planning to construct a 40,000 SF building. Pursuant to Section 165-61(b)(3) of the Town Code, the minimum rear yard setback is 100' of open space, 50' must be used for landscaping or a no-cut buffer when abutting residential uses or district. The rear yard setback of the proposed building is located adjacent to a residential use (multi-family apartments). The proposed rear yard setback is 52.7' and the proposed pavement is 14.7' from the rear yard property line. The applicant is requesting a variance of 47.3' for open space and 35.3' for landscaping or no-cut buffer.

The Board had discussions regarding ingress/egress, storm water management area, and parking. There will be a site visit on Saturday, September 19, 2015.

Mr. Hansen made a motion to set a public hearing for Monday, October 5, 2015, seconded by Mr. Burdyl. Motion was carried unanimously.

**These are summary minutes and are not word for word at the request of the Zoning Board of Appeals. A copy of the recorded tape is available by FOIL through the Town Clerk.**

Meeting adjourned at 7:30 PM.

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