

**Town of Halfmoon Zoning Board of Appeals  
Meeting – Monday May 3, 2021  
7:00 PM**

Chairwoman Curto called the meeting to order at 7:00 PM on May 3, 2021 this meeting is being held via Microsoft Teams following members present:

Members- Chairwoman Curto, and Kevin Koval, Mr. Griggs  
Alternate Member - Leonard Micelli, Dave Maxfield (absent)  
Planner - Paul Marlow  
Town Attorney – Cathy Drobný

*Mr. Koval made a motion to Approve the April 5, 2021 Zoning Board of Appeals minutes, Mr. Micelli seconded, Minutes Approved.*

**Public Hearing:**

**Lot 6 Williams Way Single-Family, 5 Williams Way-Area Variance**

Mr. Tom Kaufmann, R&M Homes, presented the application. The applicant is before the Zoning Board of Appeals seeking an area related variance. The applicant constructed a single-family home at 5 Williams Way, and when preparing the necessary as-builts required for a Certificate of Occupancy (C.O.) it was found that the building was constructed in a fashion that would not meet minimum setbacks as required by Section 165, Attachment 1, Schedule A of the Town Code. Due to the setback infringements, the applicant is unable to obtain a C.O. for the house and requires a variance from front yard setback.

Chairman Curto closed the Public Hearing at 7:06, there was no public comment.

A site visit occurred on April 24, 2021 at 9am

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

- 1) Mr. Koval commented: There is no detriment to the area;
- 2) Mr. Koval commented: There is no other way, Mr. Micelli agreed;
- 3) Mr. Koval commented: The proposal is insignificant;
- 4) Mr. Koval commented: There will be no environmental impact;
- 5) Mr. Koval commented: The situation was created inadvertently.

*Chairwoman Curto made a motion to approve the Area Variances, seconded by Mr. Griggs, Motion was carried*

**New Business:**

**Schnitzer & Fiore Subdivision, 16 Oakhill Drive- Area Variance**

Mr. Duane Rabideau presented the application. The applicant filed a Minor Subdivision & Special Use Permit with the Planning Board to subdivide a 0.98 acre parcel from 14 Oakhill Drive and convey it to 16 Oakhill Drive. The parcel at 16 Oakhill Drive is a pre-existing land-locked parcel with no frontage on a Town Road and an

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accessory structure in the front yard. Due to the proposed conveyance it would increase the non-conforming nature of the parcel and as such they were denied by the Planning Board at the April 26, 2021 meeting. Due to the pre-existing nature of the site, the applicant is before the Board seeking variances related to the landlocked parcel and accessory structure in the front yard.

Mr. Micelli asked for clarification on the flag lot portion. Mr. Rabideau explained that the Town Code requires a minimum lot frontage of 20-feet but the applicant has a landlocked parcel with no road frontage and therefore need a variance.

Mr. Griggs asked for clarification on the subdivision. Mr. Rabideau explained that they will be subdividing a 0.98 acre parcel from 14 Oakhill Drive and convey it to 16 Oakhill Drive.

Mr. Griggs asked what the land make up consisted of. Mr. Rabideau noted it is a wood, semi-developed area.

Mr. Micelli asked if the flag pole portion would have two driveways, for 14/16. Mr. Rabideau noted there was a third house using the common access driveway.

Mr. Griggs asked for clarification on the front yard setback for the shed. Mr. Rabideau noted that because of how the front yard was delineated, the shed would be located in the front yard.

A site visit will occur on May 22, 2021 at 9am.

*Chairwoman Curto made a motion to hold a Public Hearing at the June 7, 2021 meeting, Mr. Koval Seconded. - Unanimous*

*Chairman Curto made a motion to adjourn the meeting, seconded by Mr. Koval. Motion was carried.*

*These are summary minutes and are not word for word at the request of the Zoning Board of Appeals.*

*Meeting adjourned at 7:11 PM.*

*Town of Halfmoon Zoning Board of Appeals*