

Zoning Board of Appeals
Meeting Minutes
January 7, 2008

Chairman Hansen opened the meeting of the Town of Halfmoon Zoning Board of Appeals at 7:00 p.m. on Monday, January 7, 2008 at the Halfmoon Town Hall with the following members present:

Members: Chairman Hansen, Vice-Chairman Tedrow, Mrs. Jordan, Mr. Rose,
Mr. Brennan

Alternates: Mrs. Smith-Law, Mr. Burdyl

Planner: Mrs. Zepko

Mrs. Jordan made a motion to approve the minutes of October 1, 2007 with a second made by Mr. Rose. Motion carried.

Mr. and Mrs. Elliott Hughes, 117 Dunsbach Road

Elliot and Bonnie Hughes submitted a proposal for a variance. A copy of the application was given to each Board Member by mail. Chairman Hansen commented that this meeting is to review the application and make sure it's complete. If we find it is complete we can set it for a public hearing. The site plan was shown to the members of the board. The Hughes' Attorney could not be present at tonight's meeting. Town Attorney, Bob Chauvin telephoned Chairman Hansen this morning and asked to set the public hearing for the March 3, 2008 meeting so that he could be present.

Chairman Hansen commented that this application is considerably more complete than the application that was previously filed. Vice-Chairman Tedrow commented that the application states that they [Mr. and Mrs. Hughes] are asking for a use change from R-1 to R-3. The R-3 requirements are that each building be on its own lot. From glancing at the map there is no subdivision being proposed to create a lot for either building. He questioned if it would be an issue when the public hearing is held or if this would make the application incomplete.

Chairman Hansen commented that there are other incomplete issues on this application that need clarification. That may be brought out at the hearing to either Mr. or Mrs. Hughes or their Attorney.

Mr. Rose asked if the zone designation would be changed to R-3 or just allow the use as R-3? Chairman Hansen commented that would have to be clarified at the public hearing. Its not officially part of the application but it is a question that needs to be determined before we make a decision on it. Does the variance request apply to the building or does it apply to the whole property?

Mrs. Jordan asked would it be the three-unit building and the duplex, or just the three-unit building? Chairman Hansen commented that it was just for the three-unit. The duplex was not a major point of issue with the court order. The duplexes are allowed in an R-1 Residential Zone but the three-unit buildings are not. Even though Mr. Hughes did not get a separate subdivision for the two-unit building it was apparently not a great concern to the court when they made their determination.

Chairman Hansen commented that he had a meeting between the Town Attorney and Hughes' Attorney before Christmas. It appeared that the Town didn't seem to be taking issue as an enforcement matter with the duplex. Chairman asked if there were any further questions. No one replied.

Mr. Tedrow made a motion to set a public hearing for Monday, March 3, 2008 at 7:00 p.m. seconded by Mr. Rose. Motion was carried.

Motion made by Mr. Rose and seconded by Mrs. Jordan to adjourn the meeting at 7:30 p.m. Motion was carried.

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