

**Town of Halfmoon Zoning Board of Appeals  
Meeting – Tuesday September 3, 2019  
7:00 PM**

Chairman Curto called the meeting to order at 7:01 PM on September 3, 2019 at the Halfmoon Town Hall with the following members present:

Members- Chairman Curto, and Mr. Koval, Mr. Griggs (absent)  
Alternate Member - Mr. Micelli (absent), Mr. Maxfield  
Planner - Mr. Marlow  
Town Attorney – Cathy Drobny

*The Board could not adopt the August 5, 2019 meeting due to lack of quorum.*

**New Business:**

**The Klam'r Tavern & Marina, 32 Clamsteam Road- Expansion of a Pre-Existing/Non-Conforming Use**

Mr. Paul Dubec of The Klam'r Tavern & Marina presented the application. The applicant is before the Board seeking to expand a pre-existing/non-conforming use as it relates to the proposed expansion of The Klam'r Tavern & Marina. The site is a pre-existing/non-conforming lot that is zoned R-1 Residential and has been traditionally used as a restaurant. At this time the applicant wishes to expand the existing site plan, specifically to increase the existing deck from approximately 325 SF to 975 SF to allow for outside seating.

Chairman Curto asked how big the deck would be; Mr. Marlow stated it would be 975 SF.

Mr. Koval asked if the deck would be at ground level: Mr. Dubec stated it would be on the ground and would have a railing.

A site visit will be conducted September 28, 2019 at 9am

A Public Hearing will be held on October 7, 2019.

*Chairman Curto made a motion to hold a Public Hearing at the October 7, 2019 meeting, Mr. Koval Seconded. - Unanimous*

**Mantello Garage, 6 Shafer Drive- Area Variance**

Mr. Domenic Mantello presented the application. The applicant is before the Board seeking approval for an area variance as it relates to the construction of the proposed garage at 6 Shafer Drive. They wish to construct a new garage at their existing home but due to site constraints cannot meet Town Code as it relates the requirement for structure placement in an R-1 Residential zoning district. As it is proposed, they wish to construct the garage in the front yard, approximately 5-feet from the property line, Town Code requires all accessory structures to be located in the rear and/or side yard of the property. Because the applicant is unable to meet Town Code, the building permit was denied by the Building Department. The applicant is before the Board seeking a variance to allow for an accessory to be located in the front yard.

Mr. Koval asked what the grade in the rear was like; Mr. Mantello stated it is fairly flat but the septic system is in the rear and the cost of constructing a driveway to the back would not make the project cost effective.

Mr. Mantello noted that he submitted a petition of support from the neighbors.

Mr. Koval asked why it's only 5-feet from the front property line; Mr. Mantello noted the lot tapers and restrictions the location of the garage.

Mr. Maxfield noted that the garage is only 5-feet from the front property line, Mr. Mantello noted he was told he could have the garage 5-feet from the property line.

Chairman Curto asked if the garage would be where the driveway turnaround is; Mr. Mantello noted it would be right along the existing driveway and the front of the garage would face the street.

Mr. Koval noted that the garage doors would be oriented to be pointing towards the street; Mr. Mantello stated that was correct.

Mr. Maxfield asked if the garage would be located where the turnaround is; Mr. Mantello noted that it would be and it was approximately 25-30' from the edge of the road.

A site visit will be conducted September 28, 2019 at 9:30am

A Public Hearing will be held on October 7, 2019.

*Chairman Curto made a motion to hold a Public Hearing at the October 7, 2019 meeting, Mr. Koval Seconded. - Unanimous*

*Mr. Koval made a motion to adjourn the meeting, seconded by Chairman Curto. 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 7:16 PM.

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