

8/1/22

**Town of Halfmoon Zoning Board of Appeals
Meeting – Monday, August 1, 2022
7:00 PM**

Chairwoman Curto called the meeting to order at 7:00 PM on August 1, 2022 this meeting is being held in person and via Microsoft Teams following members present:

Members- Chairwoman Curto, and Kevin Koval, Frank Griggs (absent), Leonard Micelli, Dave Maxfield
Planner - Paul Marlow
Town Attorney – Cathy Drobny

Mr. Koval made a motion to Approve the May 2 2022 Zoning Board of Appeals minutes, Mr. Micelli seconded, Minutes Approved.

New Business:

1605 Route 9 Showroom, 1605 Route 9- Area Variance

Mr. Pat Jarosz from Gilbert VanGuilder presented the application. The applicant is seeking to occupy the vacant single-family home at 1605 Route 9 and convert to a flooring showroom. As part of their proposal, they wish to construct a new ramp on the front of the building as well as expand the parking lot to six spaces. The current site is pre-existing/non-conforming and the lot does not meet several underlying area requirements. Because of the proposed expansion of the site and change in intensity of use, the applicant was denied at the June 27, 2022 Planning Board meeting in order to request the necessary variances from the Zoning Board of Appeals. They are back before the Board seeking variances related to lot area and front yard setback.

Mr. Micelli asked what the proposed use of the building would be; Mr. Jarosz noted it would be a flooring showroom.

Mr. Maxfield asked what is being done to the lot Mr. Jarosz explained they are expanding the parking lot and installing a handicap ramp.

Mr. Koval asked if it would be used for just a showroom, not warehousing; Mr. Jarosz confirmed it would only be a showroom.

Mr. Maxfield asked if there were any other site improvements; Mr. Jarosz stated that there were not.

A site visit will occur on August 20, 2022 at 9am.

Chairwoman Curto made a motion to hold a Public Hearing at the September 6, 2022 meeting, Mr. Koval Seconded. - Unanimous

DelSignore Blacktop Paving, 47 Clamsteam Road-Interpretation

Mr. Marlow presented the projected to the Board. At the September 7, 2021 ZBA meeting, the applicant was granted approval for their proposed expansion of a pre-existing/non-conforming use application. Since that time, the applicant has received final site plan approval from the Planning Board. Prior to the Chairman's signature of

the final plans, it was discovered that clarification was necessary from the ZBA as it relates to the final site plan. As part of their approval, the ZBA stipulated a condition that: *The applicant shall be limited to the use of the site within the designated areas shown on the July 1, 2021 map.* The July 1, 2021 map shows an approximate area limitation being 12.1 acres, however the approved plan from the Planning Board shows an approximate area limitation being 13.7 acres. The additional 1.6 acres was proposed to accommodate the necessary stormwater management practices and associated grading to meet NYSDEC requirements. This new area is not proposed to be utilized for any storage related to the business. They are seeking an interpretation/clarification on the proposed site boundary limitation imposed by the Board. Was it the intent of the Board that the active part of the site plan be limited to the foot print or was the intent that all grading and stormwater activity be in the limited footprint?

Mr. Koval noted that it does fit within the intent, it likely reduces the useable area, and the footprint of where vehicles and equipment can be parked which pulls it further away from houses across the street. It creates more green space and falls within the intent. They gain no usable space, Chairwoman Curto agreed.

Mr. Marlow asked if the Board feels that the plan is within the original intent of the ZBA's previous condition; all Board members agreed.

Chairwoman Curto made a motion to adjourn the meeting, seconded by Mr. Micelli. 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 7:12 PM.

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