

**Town of Sand Lake
Zoning Board of Appeals (ZBA)
February 15, 2024**

The minutes, as follows, are intended to provide a general summary of the Agenda items and Public Hearings. Quotes presented are not verbatim, nor is all discussion which occurred presented herein. This document should not be relied upon as a transcript or the actual proceedings. The transcript of this meeting is on a digital voice recorder and available at the Town Hall.

CALL TO ORDER: Melissa Toni opened the meeting at 7:00PM

MEMBERS PRESENT: Melissa Toni (MT), Nancy Perry (NP), Joel Abelove (JA), Scott A. Blair (SB), Daniel Hogle (DH), Craig Crist, Esq. (CC)

MEMBERS ABSENT:

OTHERS PRESENT: Josh Fodrowski, Kevin McGrath, Don Weizhold, Kyle Weizhold, Justin Farrell, Lance Farrell, Dan Espery

RECORDING CLERK: Sarah Jones (SJ) Clerk for Planning Board and ZBA

Area Variance Application

Nadine and Joshua Fodrowski
Olmstead Rd
Sand Lake, NY 12153
R- Residential Zoning District

Tax Map #: 159.-1-71
Lot Size: 77.65 +/- acres
Proposed Lot 1: 8.88 +/- acres
Proposed Lot 2: 68.78 +/- acres

An area variance application for insufficient lot depth and insufficient lot width associated with a proposed minor subdivision to create one new lot.

Kevin McGrath and Josh Fodrowski were in attendance and presented the Area Variance Application to the Board. Mr. McGrath said that Josh purchased roughly 77 acres and he would like to subdivide the land for his parents to build on. The remaining lands do not meet the acceptable 3:1 ratio which is why the variance is being applied for.

MT explained that the main goal of the ZBA was to not issue any variances, in this matter there is no way to meet the 3:1 ratio. MT also confirmed the need for individual septic systems.

JA asked about the SEQR short form question 12a. *Does the site contain a structure that is listed on either the State or National Register of Historic Places?* Being marked "YES". Mr. McGrath said that it is automatically filled out based on the address entered and, that question, is always marked "YES" as a default. MT echoed Mr. McGrath.

NP asked when you first purchased the property was it your intention to put two homes on it. Mr. Fodrowski said "yes".

With no further questions from the board MT motioned, seconded by NP and unanimously approved to deem the application complete.

MT motioned seconded by SB unanimously approved to schedule a public hearing for this application on March 14, 2024, at 7:00PM.

Mr. McGrath agreed to adjourn all necessary time frames in relation to this matter.

Area Variance Application

Justin Farrell
98 Snake Hill Rd
Sand Lake, NY 12153
RR- Rural Residential Zoning District

Tax Map #: 148.-1-9.1
Lot Size: 55.74 +/-acres
Proposed Lot 1: 3.11 +/- acres
Proposed Lot 2: 3.14 +/- acres
Proposed Lot 3: 52.73 +/- acres

An area variance application for insufficient lot depth and lot width associated with a proposed minor subdivision to create two new lots.

JA recused- he has represented the applicant previously.

Justin Farrell presented his Area Variance Application explaining he was looking for a 3-lot subdivision. He has adequate frontage for each lot. The Variance is specific to the remaining lands as it does not meet the 3:1 depth to width ratio. There are two access points to the remaining lands. One towards the Lands of Loporto and the other on Snake Hill Rd.

NP asked what the address for the 3rd lot (AKA remaining lands) would be. Mr. Farrell said he did not know what that would be.

MT requested permission to perform a site visit. Mr. Farrell was agreeable.

Mr. Farrell agreed to adjourn all necessary time frames in relation to this matter.

With no further questions from the board MT motioned, seconded by SB and unanimously approved to deem the application complete, contingent on the applicant emailing the depth to width ratio numbers to SJ.

MT motioned seconded by NP and all approved to schedule a public hearing for this application on March 14, 2024, at 7:00PM.

Area Variance Application

Suzanne M. Long & Wendy Hijos
Holser Rd/Huntley Rd/Perry Way
Averill Park, NY 12018
R –Residential Zoning District

Tax Map #: 159.4-1-37
Original Lot Size: 29.7+/- acres
Proposed Lot 1: 10.04 +/- acres
Proposed Lot 2: 19.66 +/- acres

An area variance application for insufficient lot depth and width associated with a proposed minor subdivision to create one new lot.

Mr. McGrath presented the Area Variance Application for Suzanne Long and Wendy Hijos. Mr. McGrath said he has reviewed this with the Planning Board, the Town of Sand Lake Building Department, contracted Planner for the Town of Sand Lake and Rensselaer County 911. He said they are looking to separate the two properties which are land-hooked across a public access. Because these properties are not clearly contiguous a secondary Tax ID for the property previously would have been beneficial. Mr. McGrath explained that they are looking to separate the properties so that one parcel can be sold.

CC said the Planning Board has sought Lead Agency status and the ZBA should consent to that. The Planning Board will make a determination regarding the Minor Subdivision Application contingent upon the approval of the Area Variance from the ZBA.

With no further questions from the board MT motioned, seconded by SB and unanimously approved to deem the application for Long-Hijos complete contingent on the applicant emailing the depth to width ratio numbers on both lots to SJ.

Minutes 2/15/2024 ZBA

MT motioned, seconded by SB and unanimously approved to accept the Planning Boards request to be Lead Agency on this application for SEQR meaning the ZBA will not be making a SEQR determination on this application.

MT motioned, seconded by and unanimously approved to schedule a public hearing for this application on March 14, 2024, at 7:00PM.

Mr. McGrath agreed to adjourn all necessary time frames in relation to this matter.

DRAFT RESOLUTION FOR APPROVAL

Area Variance for Ostrander & Chuckta AV-23-13

MT motioned, seconded by NP and unanimously approved, to waive the full reading of the draft Resolution. JA abstained.

MT motioned, seconded by NP and unanimously approved to accept the draft resolution as final. JA abstained.

DRAFT MINUTES FOR APPROVAL

MT motioned, seconded by NP and unanimously approved to waive the reading of the December 14, 2023, minutes. JA abstained.

MT motioned, seconded by DH and unanimously approved to accept the December 14, 2023, minutes as presented. JA abstained.

ADJOURNMENT – MT motioned, seconded by NP unanimously approved to adjourn the meeting at 7:39PM. JA abstained.