



ZONING BOARD OF APPEALS

Minutes

September 3, 2019

7:00 PM

Present: Chairman Dudick, John Klimes, Lisa McCoy, Jerry Cifor, Michael Bloss, Chris Lemire, David Donohue, alternate.

Absent: Mario Fantini

Also Present: Anthony Morelli, Esq., ZBA Counsel
Steve Myers, Director, Building and Zoning
Meg Springli, Secretary

The meeting was called to order at 7:12 pm.

PLEDGE OF ALLEGIANCE

Mr. Dudick noted that Mr. Donohue would be a voting member in the absence of Mr. Fantini. Mr. Dudick reminded applicants that four out of seven members would need to vote "aye" in order to pass any variance.

OLD BUSINESS:

- 1) An application from Stormy View Stables, LLC Building proposed along Hubbs Road enlarged to accommodate needs of applicant (from 30' x 120' to 42' x 144') Only one variance now required from Section 208-12A: 80' setback required from front line for accessory buildings, 17' available, 63' variance required. Property is located at 427 Schaubert Road, Clifton Park, NY 12065. (Permit #81210)

The secretary read the notice as it was published in The Daily Gazette. Mr. Myers noted that a minor change was made to the application after it was submitted to the County and after publication. The Chief Zoning Officer stated that the new application would request a 64' variance, and noted that it was a minor change that would not require re-noticing.

Duane Rabideau, Vanguilder and Associates, represented the applicant as a consultant for Stormy View Stables. Mr. Rabideau stated that an earlier variance along Hubbs Road was granted a few years ago for a 35 foot setback, so that the actual variance at this time was for an additional 29 feet. Mr. Rabideau stated that the applicant was now requesting a larger single barn and may in the future rebuild the other structures in their current

footprints.

The Saratoga County Planning Board issued a statement of no countywide impact.

Mr. Dudick asked the owner to explain why there was a need to expand. Lois New explained that the owners of Stormy View Stables were making improvements to increase efficiencies of the operation. Discussion ensued regarding possible options for placement of the buildings. Ms. New explained that the current proposal was the preferred location for numerous reasons including using existing configurations for paddocks and access to barns.

Ralph Savage, 450 Schaubert Road, voiced his concerns for the project, stating that he felt some of the responses on the application were erroneous according to the presentation made this evening.

1. Agricultural data statement – part 1, proposal to remove sheds and barn and replace with 2 new barns
2. Area Variance Application 3c – applicant states not substantial because already in non-compliance
3. Safety and run off issues
4. 3d conditions will change the environment, large rainstorm runoff
5. SEAF – CR zoning with high residential in area not strictly agricultural

Mr. Rabideau responded

1,2, and 4. Remnants of earlier submitted agricultural data statement on application

3. Runoff will be addressed during site plan review if variance is granted
5. Felt that agricultural and rural responses were correct according to interpretation.

Ms. New stated that neighbors she had spoken to have remarked that they were in favor of the agricultural operation at this location.

Lydia Savage, 450 Schaubert Road, voiced her opposition to the proposal and stated that she

1. Objected to the statement that all neighbors supported the proposal
2. Felt the building might significantly impact traffic and site lines along the intersection
3. Vehicles stored at the property seemed too high for the number of horses on location

Mr. Dudick asked how many horses were kept on the property and Ms. New responded that there were 10 permanent and 2 temporary occupants. Ms. New also explained that she had multiple trailers for the operation of the farm and transporting of animals and that the trainers who worked with the horses also had a couple of trailers, but the trainer's trailers were not always kept on the site.

Mr. Myers stated that it was a Type II action pursuant to SEQR and no further action would be required. Mr. Myers then added that several issues were not purview of the ZBA, and that they would be addressed at site plan review if the project advances to the Planning Board. Mr. Myers then stated that he had no issues with the zoning code and building code as applied to the application and that he felt that CR and Rural were accurate designations on the SEAF.

There being no further comment, Mr. Dudick made a motion, seconded by Mr. Cifor to close the public hearing at 7:43 pm. All in favor, none opposed.

Mr. Dudick said that he considered there was room on the property to build the barn without the requested variance and that he found the level of activity might be too intense for the amount of space available. The Chairman then stated that it was a property of significant size, but that past zoning variances had allowed for limits to be placed on it and he was concerned that this proposal was trying to fit too large an operation on the existing acreage. Mr. Lemire stated that he agreed 100 percent with Mr. Dudick.

Mr. Cifor then stated that he felt that it was important to support farms in the community.

Mr. Cifor moved, seconded by Mr. Bloss to approve the request for a 64' area variance for 16' from the road.

Mr. Cifor stated that the area variance would not create undesirable change, and that he felt it might be an improvement, and that it would not be obtrusive to nearby properties. Then he stated that there were no other reasonable methods of achieving the result, although he felt that the proposal was substantial; he did not feel that it would create an adverse effect on the environment. The board member also noted that he felt the hardship was self-created, but not preclusive.

Ayes: Jerry Cifor, Michael Bloss, David Donohue
Noes: Chairman Dudick, John Klimes, Lisa McCoy, Chris Lemire
Application denied

NEW BUSINESS: - NONE

Approval of Meeting Minutes of 08/20/2019 –

Ayes: Chairman Dudick, John Klimes, Lisa McCoy, Michael Bloss, Jerry Cifor, David Donohue,

Abstain: Chris Lemire

Noes: None

Mr. Dudick moved, seconded by Mr. Bloss to adjourn the meeting at 7:54pm.

Next meeting: October 1, 2019

Respectfully Submitted,