



**ZONING BOARD OF APPEALS
MINUTES
February 18, 2020**

Present: Chairman Dudick, David Donohue, Mario Fantini, Chris Lemire, Lisa McCoy, Randall Gifford, Alternate

Absent: Jerry Cifor, John Klimes

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

The meeting was called to order at 7:05 pm.

PLEDGE OF ALLEGIANCE

Mr Dudick stated that there were 6 members in attendance at the meeting, so that 4 out of 6 members would need to vote “aye” in order to pass any variance. The chairman offered that any applicant that would prefer to wait until there were more members present, they could be placed on the next agenda. Mr. Gifford was designated as a voting member in the absence of Mr. Klimes.

OLD BUSINESS:

1. An application from **Ray Sign** was withdrawn at the request of the applicant (Permit #81237)

NEW BUSINESS:

- 1) An application from **Robert T. Frazier** requesting a variance to construct a new house on lot. Lot is 29,192 sf. Variances required: 1) 40,000 sf required for house with septic, 29,192 available, 10,808 sf variance required, Section 208-11. 2) Section 208-98 minimum lot width required= 200', 57.69' available, 142.31' variance required. 3) Section 208-98, 100' setback from road center line required. 50' available, 50' variance required. 4) Section 208-11, 50' front setback from property line required, 17' available, 33' variance required. Property is located at 973 Main Street, Clifton Park, NY 12065. (Permit #81239)

The secretary read the notice as it was published in The Daily Gazette.

Duane Rabideau from VanGuilder and Associates represented the applicants. Mr. Rabideau stated that the parcel was currently vacant and he distributed an aerial photographic map of the lot and its neighbors. Mr. VanGuilder noted that Main Street was listed as a special road in Town Code and required a longer setback from the center line of the road than other homes within the R-1 Zone. He added that the applicant would like to be able to line up the front of the proposed house with the other existing homes in the vicinity. Mr. Rabideau also stated that public water and onsite septic are proposed as shown on the plan and that the applicant intends to build an ADA compliant house for a family member.

Robert Frazier stated that he has lived in 974 Main Street since 1974 and purchased 973 across the street at the same time. Mr. Frazier stated that his son had recently retired and would be moving into 974 Main Street and assisting with caring for a disabled adult sibling and Mr. Frazier would like to build a smaller home on 973 Main Street that is ADA compliant to enable family members to live near each other and assist with day-to-day living.

Discussion ensued about whether this new home could be considered a rebuild of a previously demolished building. Mr. Myers stated that the footprint of the proposed home was in a different location than the prior building and so it was not considered a rebuild. Mr. Myers also said that the big concern that the applicant would have to prove is that the septic as proposed would be able to work. Mr. Myers stated that the septic would have to meet the separation distance from the water source of the neighboring home.

Mr. Myers added that it was a Type II action and no further review pursuant to SEQRA was required. He noted that it was similar to earlier approvals granted on this street.

Mr. Myers questioned whether adjacent neighbors were sent notification letters and it was noted that they had not, therefore the public hearing would remain open until the next meeting. Mr. Rabideau was informed that if letters were sent by Friday, February 21, it would allow the public hearing to be continued on the agenda for March 3rd. Further discussion of the project was postponed until proof of mailings were received.

A motion to approve meeting minutes of February 4, 2020 was called by Chairman Dudick and seconded by Mr. Gifford.

Ayes: Chairman Dudick, Mario Fantini, Chris Lemire, Lisa McCoy, Randall Gifford

Abstain: D. Donohue

Meeting adjourned at: 7:38pm

Respectfully Submitted

Meg Springli