

## **Clifton Park Zoning Board of Appeals Meeting Minutes**

**October 15, 2002**

Present: Dale Kelley, Chairman, Michael Dudick, Gil Kortz, Helmut Gerstenberger, Dale Gleason, Donna Lawton, Sandra Pace

Also Present: Oscar Schreiber, ZBA Counsel  
Don Clemens, Director of Building & Development

Mr. Kelley called the meeting to order at 7:30 PM. He gave each Board member a copy of information from the Association of Towns regarding zoning.

Mr. Kelley announced that the application from Saxton Sign for Taco Bell was adjourned by the applicant until the November 19, 2002 meeting.

### **NEW BUSINESS**

1. An application from Danny Benway, requesting an area variance from Section 208-12 from the required 80 ft. front yard setback for an accessory structure in a R-1 zone – proposed setback = 62 ft. - variance requested = 18 ft. The property is located at 705 Carlton Road, Clifton Park. Permit #80402.

Mr. Benway presented this application. He stated he would like to put up a pole barn and because of a stream in the rear of the property he is unable to meet the required setback.

Mr. Kelley asked if this was for business use. Mr. Benway responded it is for storage.

Mr. Clemens had no objections to this request.

There was no public comment. Mr. Kortz made a motion to close the public hearing; Mr. Gerstenberger seconded; approval unanimous.

Mr. Kelley noted that this is a reasonable request and will not disturb the stream.

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Mrs. Pace made a motion to approve this variance request. Mrs. Gleason seconded. Ayes: Kortz, Dudick, Gerstenberger, Pace, Gleason, Kelley, Lawton. Noes: None.

Mr. Kelley made a motion to approve the minutes of September 17, 2002, Mrs. Pace seconded; approval unanimous.

Mr. Kelley announced that the Board will go into Executive Session to discuss pending legal matters. Mr. Gerstenberger made a motion to adjourn into Executive Session at 7:40 PM,

Mr. Dudick seconded, approval unanimous.

Mr. Dudick made a motion to return to the regular meeting at 7:50 PM, Mr. Gerstenberger seconded, approval unanimous.

There was no further business to discuss. Mrs. Pace made a motion to adjourn the meeting at 7:50 PM; Mr. Gerstenberger seconded; approval unanimous.

Respectfully submitted,

Judy Lamb  
Secretary

cc: Town Clerk; Zoning Board Members; Oscar Schreiber, Counsel; Don Clemens, Department of Building and Development; Planning Board; ECC Members.