

Clifton Park Zoning Board of Appeals Meeting Minutes

October 5, 2004

Present: Dale Kelley, Michael Dudick, Scott Hughes, Jessica McCarthy, Gilbert Kortz, Robert Ritter
(arrived 7:05 PM)

Absent: Dale Gleason

Also Present: Louis Renzi, ZBA Counsel

Mr. Kelley called the meeting to order at 7:04 PM. He welcomed new board member Scott Hughes.

NEW BUSINESS

1. An application from Christopher Curtin, requesting an area variance from Section 208-12 from the required 80 ft. front yard setback for an accessory building in an R-1 zone - proposed setback from front property line = 37 ft. - variance requested = 43 ft.. The property is located at 28 Evergreen Avenue, Clifton Park. Permit #80517.

The secretary read the legal notice as it appeared in the Daily Gazette on September 30, 2004.

Mr. Curtin presented this application. He explained that he would like to build a shed for additional storage so that he could utilize his garage for its intended use. He will remove an old rusty shed currently on the property. He stated that the placement of the pool prohibits him from meeting the setback requirements.

Mr. Kelley noted that a variance would be needed no matter where he placed the shed on this lot. He explained that corner lots pose setback problems because there is not a great deal of flexibility where structures can be placed. He stated that he talked with Mr. Clemens about this request and he had no objections to this variance being granted.

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Mr. Dudick asked why he is not putting the shed closer to the pool area.

Mr. Curtin responded that he would like to keep it approximately 10-20 feet away. He explained that he would like to put the pump to the pool next to it at some point and use the top of the shed for solar heating for the water for the pool. He noted that the positioning of the shed is towards the south and gets sun all day and he would not have to purchase a gas heater.

Mr. Kortz asked why he is putting the shed in that location instead of closer the street.

Mr. Curtin responded he thinks this is the ideal spot because he will be storing the pool equipment in the shed. He also noted that he would like to keep it behind the fence.

Ms. McCarthy stated that she is familiar with the neighborhood and this request will not be detrimental to the neighborhood or obstruct anyone's view.

Mr. Renzi asked the height of the shed. Mr. Curtin responded approximately 10 feet.

There was some discussion on the actual setback and the amount of the variance that is needed. The applicant agreed that the variance should stand as stated on the application.

There was no public comment. Mr. Dudick made a motion to close the public hearing, Mr. Ritter seconded, approval unanimous.

Mr. Ritter made a motion to approve this variance as requested. Ms. McCarthy seconded. Ayes: Kelley, Dudick, Kortz, Hughes, McCarthy, Ritter. Noes: None.

Mr. Ritter made a motion to approve the minutes of September 21, 2004, Mr. Dudick seconded. Ayes: Kelley, Dudick, Kortz, McCarthy, Ritter. Abstained: Hughes.

Mr. Kelley made a motion to adjourn the meeting at 7:16 PM, Mr. Ritter seconded, approval unanimous.

Respectfully Submitted,

Judy Lamb
Secretary

cc: Town Clerk, Zoning Board Members, Louis Renzi, Counsel,
Don Clemens, Department of Building and Development, Planning Board, ECC,
Assessor