

Minutes

Town of New Scotland

Zoning Board of Appeals

February 25, 2020

7:00 p.m.

Zoning Board Members

Jeff Baker, Chairman

Lance Moore, Dean Sommer, Edie Abrams, Erin Flynn Casey

Lori Saba, Recording Secretary, Jeremy Cramer, Building Inspector

Crystal Peck, Zoning Board Attorney; Garrett Frueh, Town Engineer (Stantec Engineering)

Absent: Garrett Frueh

Public Hearing 7:00 p.m.

- 1) Variance Application #541:** Application submitted by Taza Schaming requesting relief from Article XIII, Section 190-99 (B) of the Town of New Scotland's Zoning Law that states each buildable lot shall have no less than fifty foot of fee frontage on a public road. The parcel is owned by Peter and Teal Schaming, is located within the "RF" district at 168 Duck Hill Road, and is identified as New Scotland tax parcel i.d.#105.-1-1.2. Applicant is requesting 25.25 feet of relief to allow for an existing parcel to have 24.75 feet of fee frontage.

Mr. Cramer explained that there was a positive recommendation from the Planning Board. Albany County decision was defer to local.

Ms. Schaming explained that the property is on the border line of the Town of New Scotland and Berne. They would like to build a single family home on Duck Hill Road. There is some controversy as to whether Duck Hill Road is a Town road or not. So they have decided to build their driveway starting at the edge of their property, which would allow for 24-feet of road frontage for the parcel. They will access their property on the Berne side of Duck Hill Road. The property does not extend into Berne, it is 100% in the Town of New Scotland. The Town of Berne has agreed to maintain the road up to the driveway. Mr. Schaming stated he will put in a turnaround for the Town of Berne's plow. There are no neighbors.

Mr. Baker opened up the meeting to the public. No public comments.

Mr. Moore moved to close the public hearing and Ms. Casey seconded the motion; all in favor; motion so carried.

Vote: 5-0

Mr. Baker went over the variance standards:

- Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.
 - o No
- Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance;
 - o No
- Whether the requested area variance is substantial;
 - o Yes
- Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the district or neighborhood; and
 - o No
- Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the ZBA, but shall not necessarily preclude the granting of the area variance.
 - o No

Mr. Moore moved to approve variance application #541 as presented and Ms. Casey seconded the motion; all in favor; motion so carried.

Vote: 5-0

Regular Meeting:

Discussion/Action minutes of January 28, 2020: Ms. Casey moved to approve the January 28, 2020 minutes and Mr. Moore seconded the motion; all in favor; motion so carried.

Vote: 5-0

Motion to adjourn: At 7:22 p.m. Mr. Moore moved to adjourn and Ms. Abrams seconded the motion; all in favor; motion so carried.

THE NEXT TENTATIVELY SCHEDULED MEETING IS MARCH 24, 2020

Respectfully submitted,

Lori Saba