

**TOWN OF STILLWATER
ZONING BOARD OF APPEALS
July 23, 2012 @ 7:30 PM
STILLWATER TOWN HALL**

Present: Chairperson James R. Ferris (JF), Donald D'Ambro (DD), William Ritter (WR), Richard Rourke (RR) and Christine Kipling (CK)

Absent: N/A

Also Present: Daryl Cutler(DC), Attorney for the Town; Paul Cummings (PC) from The Chazen Companies; Ray Abbey (RA) Code Enforcement Officer; Richard Butler (RB), Director Building, Planning & Zoning;

(JF) Chairperson, called the meeting to order at 7:30PM.

Adoption of Minutes:

First order of business was the approval of the minutes of June 25, 2012.
Motion to approve the minutes was made by (DD), seconded by (RR). All in favor.

PUBLIC HEARINGS

(JF) Chairperson stated that the Board has 1 Public Hearing scheduled for this evening.

#1 7:35 PM Noirot Area Variances

SBL#261.44-1-24.14

Pittsburgh Avenue

-(JF) mentioned that the subject parcel is unique in that it is located adjacent to the City of Mechanicville and is accessed only via the City of Mechanicville city streets.

-Ms Nancy Hewitt Atty spoke on behalf of the Applicant. The Owners were also present. Ms Hewitt described the minor sub-division and more specifically the easternmost parcel which is the subject of this hearing. The proposed sub-division consists of three lots. The middle lot contains an existing dwelling unit. A slide show was presented showing existing photographs of the property. Ms Hewitt remarked that there are several existing lots in the neighborhood that are sub-standard in terms of area. The Applicants wish to build a home for themselves on the subject easternmost parcel.

-(JF) opened the public portion of the hearing.

-Barbara Marra, an adjacent property owner, spoke at length in opposition to the proposal. She asked many questions concerning the proposal and how it may affect her property. (JF) could not respond to her question regarding the path that water and sewer utilities would take to serve the parcel, since they are intended to be provided by the City of Mechanicville. Ms Marra

requested a copy of the proposed sub-division. *[a copy was provided to Ms Marra subsequent to the meeting]* (JF) mentioned that many of the questions asked would be more appropriately asked at the Planning Board stage of the review process, should the variances be granted.

-Vince Lavazzo of 20 Pittsburgh Avenue, spoke in favor of the proposal. He asked about the sewer and water supplies for the properties. He mentioned that there is a stream that may affect the development of the parcel.

-Jim Middleton of 33 Walnut Street asked what is allowed in the zoning district. Single family homes are intended to be constructed.

-(JF) closed the public portion of the hearing.

-(PC) mentioned that the Planning Board will address specific design issues that are not the prerogative of the Zoning Board, should the variances be granted.

-(JF) mentioned that by adjusting property lines the between the two easternmost parcels, the easternmost parcel could be made “legal” and not trigger the need for area variances. He asked the Applicant why they are not considering the adjustment of the property lines to avoid the necessity of variances. No answer was given.

-(JF) Asked that the hearing be tabled until the prior question of adjustment of the property line between the two easternmost parcels is answered.

- A motion to table was made by (DD) seconded by (RR). Roll call was unanimous.

OLD BUSINESS

-(RB) mentioned that the zoning revision sub-committee will meet directly after the adjournment of this meeting.

NEW BUSINESS

None

Building & Planning

None

Misc.:

-Motion to adjourn was made by (RR) seconded by (DD) at approximately 8:30PM.