

Town of Halfmoon Zoning Board of Appeals  
Meeting - Monday, February 2, 2015  
7:00 p.m.

Chairman Rose called the meeting to order for the Town of Halfmoon Zoning Board of Appeals at 7:00 p.m. on Monday, February 2, 2015 at the Halfmoon Town Hall with the following members present:

Members: Vice-Chairman Tedrow, Mr. Hansen, Mr. Burdyl, Mr. Brennan  
Alternate Member: Deborah Curto - absent  
Secretary: Mrs. Mikol - absent  
Mr. Marlow - Planner  
Councilmen: Mr. Connors  
Town Attorney: Ms. Cathy Drobny

The minutes from the January 5, 2015 meeting will be held off to the next meeting.

**New Business:**

**Ushers Machine & Tool Co. Inc., 180 Ushers Road – 260.9-1-2, 260.-1-44**

Chairman Rose commented: The Zoning Board received an application from Mr. Donald Lincoln for a 2,300 SF addition to the existing 18,000 SF facility at 180 Ushers Road. This is an M-1 Industrial Zone and an office is an allowable use when incidental to the primary use. The Planning Board denied their request at their regular meeting of January 15, 2015, and the applicant is hereby requesting a front yard and rear yard area variance.

Under Section 165-31 and Schedule A, the Town Code requires a 50' front yard setback from a principal structure. The proposed addition and existing building front yard setbacks are 20.3' from Ushers Road, requiring a variance of 29.7'. Under Section 165-34.C the Town Code requires a 10' rear yard setback for an accessory structure in the M-1 Zoning District. The existing structure is located 0.0' from the property line, requiring a 10' variance.

Mr. Jon Chetwynd, Machnick Builders, One West Street, Green Island, NY commented: I am hopefully going to be the General Contractor for this project. I am representing MMH Holding & Ushers Machine & Tool at 180 Ushers Road in Round Lake. We are requesting a front yard variance from the 50' required to 20.3' for the existing building. We are also requesting an accessory structure variance from the 10' required to 0.0' setback for a structure that is pre-existing.

Chairman Rose commented: Please take us through the map and orient us as to what we are looking at.

Mr. Chetwynd commented: Right now there is a 504 SF office building attached to the main building. We are proposing to take this building and put in its place a 2300 SF building which would take up the existing building by 100'. This addition, since it is being attached in-line with the front of the building would need this variance. The other existing accessory structure is a small metal shed at the rear of the property it will remain as is.

Chairman Rose commented: I am not sure if I understand you, are you going to build a metal shed back there?

Mr. Chetwynd commented: No, it is a pre-existing non-conforming condition. The metal shed is currently at 0.0' off the rear property line and will require a 10' variance.

Chairman Rose commented: Ok, it's a pre-existing non-conforming use.

Mr. Chetwynd commented: Yes, both are pre-existing non-conforming uses.

Chairman Rose commented: What is the area right behind the metal shed? It says Lands of Delaware Railroad?

Mr. Chetwynd commented: Yes, its railroad tracks. The tracks are in from the property line. They are approximately 40' – 45' from the edge of property line.

Vice-Chairman Tedrow commented: Are the tracks actively used? Are they in service?

Mr. Chetwynd commented: Yes, they are.

Vice-Chairman Tedrow commented: So, you are not getting any closer to the road then you already are? You are just matching the line?

Mr. Chetwynd commented: No, we are just keeping the front of the building and the proposed addition in line with the existing building.

Chairman Rose commented: During the agenda meeting the Members ask questions so I will open it to the Members at this time.

Mr. Brennan commented: On the plan, the proposed office addition located near the edge of the existing larger building, I see a note there that says concrete pad with canopy. What is underneath where the office addition is going? Is that a concrete pad under it, is there any structure, or is it just grass?

Mr. Chetwynd commented: Right now, other than the existing building; there is a concrete pad being used as an emergency exit. The area along side the building is a grassy area now.

Chairman Rose commented: Are there any other questions from the Board?

Vice-Chairman Tedrow made a motion to set a public hearing for the Monday, March 2, 2015 at 7:00 PM, seconded by Mr. Hansen. Motion was carried unanimously.

Chairman Rose commented: We will start the process for a public hearing. We will set up a site visit for Saturday, February 28, 2015 at 9:00 AM; the Board will meet you there in the parking lot in front of the building across the street. Thank you.

Mr. Hansen made a motion to adjourn the meeting, seconded by Vice-Chairman Tedrow. Motion was carried unanimously.

Respectively submitted by Denise Mikol, Secretary  
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