

Final Agenda

ZONING BOARD OF APPEALS AGENDA July 21, 2015 7:00 PM

OPEN PUBLIC NOTE: Each speaker shall state name and address prior to addressing the Board and shall be granted the floor for a single time frame of up to five minutes. The Board asks that members of the public respect the opportunity of the speaker at the podium to be heard, and asks that the public refrain from conducting side meetings within the meeting room. In an effort to ensure that the widest number of community viewpoints are heard, the Board asks members of groups or the public to withhold comment, if their viewpoints have already been presented. The Board thanks everyone in attendance for their understanding and also for their desire to actively participate in the Town decision making process.

Roll Call:

OLD BUSINESS:

An application from **Clifton Park Plaza Associates, LLC** for 16 variances for commercial shopping center redevelopment of existing Clifton Park Plaza.

Rite Aid (front facing Rt 146) – 3 variances

- 1) 208-98 – 130' bldg front to centerline req; 117.5 avail; reqd variance = 12.5'
- 2) 208-38C - 80' to front prop line; 50.1' avail, reqd variance=30'
- 3) 208-38C – 30' front pkg req; 4.8' avail, reqd variance =25.2'

10,000 sq.ft Retail (front facing Vischer Ferry Road) - 2 variances

- 1) 208-98 – 130' bldg front to centerline (VF Road) reqd; 15.9' avail, reqd variance =114.1'
- 2) 80' to front property line req; 15.9' avail, variance reqd = 64.1'

General variances for plaza – 4 variances

- 1) 208-38G – Greenspace required 35%; 15.5% shown on print, 16.6% in text, 24.8% existing, variance reqd = 19.5%
- 2) 208-39 - 1 entrance/exit per establishment; 2 proposed for Rt 146
- 3) 208-40 – 10' buffer required; east side 6' avail; south side 2.5' avail; north and west sides 0' avail in places
- 4) 208-99B – 378 spaces needed for parking; proposed = 322, variance reqd = 56 spaces

Per allowed uses in Section 208-37 shopping center subject to provisions of Section 208-89. – 7 variances

- 1) 208-98A 10 acres required; 7.656 acres avail, variance reqd = 2.344

- 2) 208098E 375 spaces required; 322 proposed, variance reqd = 56 spaces
- 3) 208-98G – 100’ setback for bldgs. from all property lines
 Price Chopper 31’; variance reqd = 69’
 Rite Aid 50.1’; variance reqd = 49.9’
 Retail 15.9’; variance reqd = 84.1’
- 4) 208-98G – Parking shall be 50’ from property lines
 Retail/Price Chopper 11.4’; variance reqd = 38.6’
 Rite Aid 4.8’; variance reqd = 45.2’

Property is located at 1028 & 1016 Route 146, Clifton Park, NY 12065 (Permit #81031)

NEW BUSINESS

1)An application from Northway Nine Plaza Associates for a variance from the Sign Law, Chapter 171, Table I. Allowable signage = 43.75 sq. ft., 48.85 sq. ft. installed, variance required = 5.15 or 6 sq. ft.
 Property is located at 805 Route 146, Clifton Park, NY 12065 (Permit #81035) **withdrawn**

2)An application from Stephen Nappe for a variance from Section 208-12A which requires 80’ setback from front property line for accessory structure. 59’ avail, Variance required =21’
 Property is located at 4 Teakwood Drive, Clifton Park, NY 12065 (Permit #81037)

3)An application from Clifton T Hilderley for a variance from Section 208-98, special setback lines which requires 100’ setback from centerline of Grooms Rd. Structure proposed at 57’ setback; variance required=43’
 Property is located at 283 Sugar Hill Road, Rexford, NY 12065 (Permit #81038)

4) An application from Amy Pollard for a use variance from Section 208-16D, permitted use in CR zone, for 2000 sq. ft. building (dog grooming, training, indoor boarding). Bordering properties zoned “HM” where use would be allowed. Wetlands on property makes majority of property unbuildable.
 Property is located at 1117 Rte 146A, Clifton Park, NY 12065 (Permit#81039)

5)An application from Caseo Hospitality, LLC for new variances for hotel, due to further subdivision of property than previously approved in Variance #80814

- 1)Section 208-50.3C: 30’ side yard bldg. setback req; bldg. height requires addnl setback at 2’ per extra ft of height over 35’ = 50’ setback; 29.8’ avail; variance required=50.2’
- 2)Section 208-50.3C: 20’ parking side setback reqd; 0’ available; variance required =20’
- 3)Section 208-50.3C: 30’ existing bldg. side setback reqd; 0’ available; variance required = 30’
- 4)Section 208-50.3C: 20’ existing parking side setback reqd; 0’ available; variance required = 20’
- 5)Section 208-50.3D: 30’ existing bldg. rear parking reqd; 0’ available; variance required =30’

Property is located at 1747-1749 Rte. 9, Clifton Park, NY 12065 (Permit #81040)

Deferred to August 21, 2015

6)An application from **Robert & Philomena Tabone** from Section 208-11 & 208-16 for a 2 lot subdivision in the CR Zone

1)208-11: 40,000 SF req for septic system; 21,849 avail., variance required =18,151SF

2)208-11C: 200' frontage req on Vischer Ferry Rd; 110' avail. Variance required=90'

3)208-16E.2(a) if < 3 acres, 1 dwelling allowed; proposed to subdivide 1.5 acres into 2 lots

4)208-16E(2)(c) one time exception for family members, need 10 acres, variance required

5)208-16E(2)(c) new lot needs to be a min. of 2 acres; .5 acres proposed; variance required =1.5 acres

6)208-16E.(2)(c) new lot must be a minimum of 50' from all property lines; proposed=13';variance required =37'

7)208-16E.(3)(a) permanent open space must be 25% unconstrained land; 22.7% proposed; variance required =2.3%

Property is located at 1 Clute Circle, Rexford NY 12148 (Permit #81041)

7)An application from **Stephen Murdza** for variance to subdivide 2 acre parcel into 3 single family building lots. Section 208-11 requires 50' front setback in R-1 zone. 30' available, variance required=20'. Reason for variance request is presence of wetlands at rear of created lots.

Property is located at 269 Lapp Road, Clifton Park, NY 12065 (Permit #81042)

Next meeting: August 18, 2015

Next submittal deadline: July 28, 2015 for August 18, 2015 meeting