

Town of Clifton Park

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Zoning Board of Appeals



ZONING BOARD OF APPEALS

AGENDA

August 16, 2016 7:00 PM

OPEN PUBLIC NOTE: During a Public Hearing, each speaker shall state his/her name and address prior to addressing the Board and shall be granted the floor for up to five (5) minutes. In addition, the Board will accept project relevant comments or questions from any audience member who raises his/her hand after the presentation of each Agenda item. 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 will not start any new reviews after 11:00 p.m. All remaining items will be placed first on the next agenda.

OLD BUSINESS:

1. Application from **Craig Werner** for an area variance from Section 208-12A which requires 10' minimum setback from side or rear property lines for accessory structures, plus 1' for every foot the structure height exceeds 15' (taken at roof midpoint). Newest proposed structure requires 17' setback, 1' available. 16' variance required. Structure built in 1988 requires 12.5' setback. 7.1' available, 5.4' variance required. Applicant proposes to use easement area to meet setback requirements. Property is located at 677 Riverview Road, Rexford, NY 12148. (Permit #81080)
2. Application from **Dan Lill and Thomas Lill** for a use variance to construct multi-family dwelling units in a B4-A zone. 16 townhouses are proposed on a 1.56 acre lot, which is 2 lots combined. Allowed uses are anything permitted in a B-3 zone except dwellings which will not be allowed by special exception or otherwise. The area variances originally sought have been withdrawn from the application. Property is located at 13 and 15 Old Plank Road, Clifton Park, NY 12065. (Permit #81067)
3. Application from **Ruffigan Enterprises d/b/a Elements Massage** for an area variance from Chapter 171(C) (1)(a) and (b): 1) 2 max. window signs per building tenant; applicant requests 7 signs, variance required = 5 signs; 2) No more than 50% of windows covered or 8 SF whichever is less; applicant requests 159 SF; 151SF variance required; and 3) 100% coverage requested, 50% variance required. Property is located at 5 Southside Drive, Clifton Park, NY 12065. (Permit #81094)
4. Application from **Cellco Partnership d/b/a Verizon Wireless** for a use variance from Section 208-10, permitted uses in R-1 zone; from Section 208.95D(3)(h), new towers not allowed in R-1 zones; and from 208-95 E(3)(b), no new towers within 500' of the property line of an existing residential property. Applicant requests approval to construct a new cell tower. Property is located at 239 Moe Road, Clifton Park, NY 12065. (Permit #81091)

5. Application from **iLoveKickboxing.com** for area variances from Chapter 171-6C.(1) of Town Code for: 1) Window signs allowed = 2; 7 windows covered, 5 with words or images; variance required = 3 signs; and 2) Max. coverage = 50% of windows or 8 SF; coverage requested is 140 SF or 45.6%; 142 SF variance required. Property is located at 22 Clifton Country Road, Suite 10, Clifton Park, NY 12065. (Permit #81101)

NEW BUSINESS

1. Application from **Donald Cremeans** for area variances from 1) Section 208-65E(3) – 25' setback required for accessory structure (gazebo); 14' available - 11' variance required; 2) Section 208-65E(1) – parking in front yard not allowed, parking proposed facing both Ushers Road and Pierce Road; 3) Section 208-65B which requires 40% greenspace; 34% proposed - 6% variance requested; and 4) 208-65E(2) – no parking in 25' side setback/buffer area; 5' proposed – 20' variance required. Property is located at the Southwest corner of Pierce Road and Ushers Road, Clifton Park, NY 12065. (Permit #81102)
2. Application from **518 Remodel LLC** for an area variance from Section 208-12A which requires 80' front setback for accessory structures (garage); 67' available; 13' variance required. Property is located at 269 Lapp Road, Clifton Park, NY 12065. (Permit #81103).
3. Application from **John Bradley** for area variances from Section 208-11 which requires 1) 10' side setback; 0' available; 10' variance required; 2) 30' front setback; 25' available; 5' variance required and 3) 40,000 SF minimum lot size; combined residences will total 30,938 SF; 9,062 SF variance required. Property is located at 93 and 95 Eastside Drive, Clifton Park, NY 12065. (Permit #81105)

Next meeting: September 6, 2016

Next application deadline: August 16, 2016 for the September 6, 2016 meeting