

APPROVED 3/22/23

Town of Claverack
Zoning Board of Appeals
P.O. Box V
Mellenville, NY 12544
MINUTES: September 28, 2022

Chairman David Graziano called the September 28, 2022 meeting of the Town of Claverack Zoning Board of Appeals to order at 7:30 p.m.

Members in attendance were: Chairman David Graziano, August Abatecola, John Porto, Chris Post, Steven Melnyk, engineer; George Schmitt and secretary; Jodi Keyser

Absent with regret: attorney; Rob Fitzsimmons

Chairman Graziano led members of the Board and audience with the Pledge of Allegiance

Review the minutes of the August 24, 2022 meeting. Chairman Graziano informed the secretary that the minutes were missing the attendance of Board members.

Motion to accept the minutes of August 24, 2022 with corrections of attendance was made by Steven Melnyk with a second from John Porto. All members were in favor. Motion carried.

John Campeta Area Variance: Tax Map #133 . 1 – 34 Located at 44 Green Acres Rd. Area Variance of 42-feet for side yard setback to construct a 24-foot by 24-foot garage. Side yard setback in RC zone is 50-feet.

Mr. Campeta was present for the application. Mr. Campeta reviewed the application for the Board that his client is seeking a side yard set back variance of 42-feet where a 50-foot set back is required. Mr. Campeta informed the Board that he installed the meeting notice sign the next day after the August meeting. Chairman Graziano informed Mr. Campeta that on the EAF one question was left blank and that was whether the action would meet or exceed the NYS Energy requirements. George Schmitt stated that Chairman Graziano could mark that answer as yes meets all requirements.

Chairman Graziano opened the meeting to public hearing at 7:36 p.m. No comments were heard. Chairman Graziano closed the public hearing at 7:37 p.m.

Chairman Graziano reviewed the answers to the 5-criteria for granting an area variance and reminded Mr. Campeta that not all answers need to be met. Chairman Graziano stated that in his opinion the applicant has not met two of the five criteria. Chairman Graziano stated that in his opinion this is a substantial area variance and the second the hardship that is caused was self-created.

Motion to grant a 42-foot Area Variance for the construction of a 24-foot by 24-foot detached garage was made by John Porto with a second from August Abatecola. All members were in favor. Motion carried.

Mr. Campeta paid mailing fees of \$4.80.

New Business:

Rob Panadi from EDP Solar was present for the Clover Meadows Solar field requesting an extension of the Building Permit due to supply chain issues and issues with National Grid interconnections. Mr. Panadi reminded the Board that the application was approved in August 2022 and they were approved for 6-months. Chairman David Graziano stated that he has no issues with a 6-month extension of the building permit but would like to check with Town attorney Rob Fitzsimmons. George Schmitt informed the Board and Chairman Graziano that they are fully able to grant an extension of their approval and it is not an issue.

Motion to grant a extension of the Clover Meadows Solar Field with the condition that the Town of Claverack attorney and the Town of Claverack Planning Board are also in favor of granting an extension was made by John Porto with a second from Steven Melnyk. All members were in favor. Motion carried.

Motion to adjourn was made by Chris Post with a second from Auggie Abatecola. All members were in favor. Motion carried. Meeting adjourned at 7:45 p.m.

Respectfully submitted,

Jodi Keyser, secretary