

TOWN OF COEYMANS PLANNING/ZONING BOARD MEETING  
July 28, 2021

Attendees

Members Present: Mr. Schmitt, Mr. Nolan, Ms. Hopkins, Ms. Tutay, Mr. Collins

Members Absent: Mr. Gonzalez, Mr. Harris, Mr. Boomer

Also Present: Mr. Brick, Mr. Cashin, Ms. Ziegler

Public Present:

Call to Order/Pledge of Allegiance

Meeting was called to order at 7:00 p.m. There was a quorum – three members absent. Mr. Schmitt led the Pledge of Allegiance. Mr. Schmitt read the public notices for the public hearing.

Approval of Minutes

Mr. Schmitt made motion to approve the minutes of July 12, 2021; seconded by Mr. Nolan; all in favor.

Report of the Building Inspector

Mr. Cashin stated that in addition to those items carried over from previous meetings, there is an area variance and subdivision for Entrott on tonight's agenda.

Public Hearing

**Stanton Legacy Farm, LLC 21-005 SD:** An application for a two lot subdivision on property owned by Stanton Legacy Farm, LLC, located on Biers Road, Tax Map #131.-3-5.24; 135.4 acres to be divided into two lots: Lot #1 to be 49.1 plus or minus acres and Lot #2 to be the remaining 86.1 plus or minus acres.

Mr. Schmitt opened the public hearing and provided the telephone number (518-756-6006 extension 3) for the public to call in their comments.

Applicant was not present.

No one from the public called in. Mr. Collins made motion to close the public hearing; seconded by Ms. Tutay; all in favor.

Mr. Schmitt made motion to declare this a minor two lot subdivision and for SEQRA an unlisted action and a negative declaration; seconded by Mr. Nolan; all in favor.

Subdivision will be reviewed at Albany County Planning Board meeting on August 19 and will be on our Planning/Zoning Board agenda for August 25, 2021.

#### Use Variance

**Kathleen Palmer, LLC, 21-002 ZUV:** An application for a use variance on property owned by her at 11 Second Street, Coeymans NY, Tax Map #168.12-2-8. She is requesting a use variance to turn the first floor of the existing garage into a Bagel Shop.

Applicant was present.

Mr. Schmitt made motion to declare the Planning/Zoning Board lead agency under SEQRA; seconded by Ms. Hopkins; all in favor.

Albany County Planning Board recommendation: Modify local approval to include (1) Review by the Albany County Department of Health for food service and other required permits and (2) The applicant proposes few indoor tables for dine-in purposes, hence, the applicant should provide ADA compliant bathrooms and entrances.

The Board discussed with the applicant the four tests which must be met for approval of a use variance: reasonable return; unique circumstances/hardship; alter character of the neighborhood; and self-created hardship. It was determined that the applicant met all four of the tests.

Mr. Schmitt made motion to declare this an unlisted action and negative declaration; seconded by Ms. Tutay; all in favor.

Ms. Tutay made motion to approve the use variance for a bagel shop on the bottom floor with two apartments above conditioned upon the obtaining all of the approvals required by the Department of Health including ADA compliant bathroom and entry way; seconded by Mr. Collins; all in favor.

#### Area Variances

**Kathryn Pilhofer 21-006 ZAV:** An application for an area variance on property owned by her located at 1018 Starr Road, Ravena NY, Tax Map #132.-5.1. She is requesting a 28 foot rear yard variance to the lot line for placement of a rear deck.

Motion was made by Mr. Collins to close the public hearing; seconded by Ms. Hopkins; all in favor.

Applicant was not present. Albany County Water Board had no issues.

The Albany County Planning Board recommendation was defer to local consideration; no significant countywide or inter-municipal impact.

Mr. Schmitt made motion to approve the area variance; seconded by Mr. Nolan; all in favor.

**Daniel Therrien 21-005 ZAV:** An application for an area variance on property owned by him located at 125 Alcove Road, Tax Map #166.-1-52. He is requested a ten foot variance to the lot line for the placement of a storage shed.

Mt. Therrien was not present. This is a type 2 action – no SEQRA required.

Albany County Planning Board recommendation: defer to local consideration; no significant countywide or inter-municipal impact.

Motion was made by Ms. Tutay to approve the area variance; seconded by Mr. Collins; all in favor,

Area Variance and Subdivision:

**James Entrott 21-007 ZAV:** An application for an area variance on property owned by him located a 1638-1642 US 9W, Tax Map #144.-1-17. He is requesting a ten foot relief to the 100 foot lot width requirement.

**James Entrott:** An application for a two lot subdivision on property owned by him located at 1638-1642 US 9W, Tax Map #144.-1-17; 2.5 acres to be divided into two lots: Lot #1 1.25 plus or minus acres and Lot #2 to be 1.25 plus or minus acres.

Mr. Entrott was not present; authorized Mr. Cashin to represent him. Discussion was held and included: needs 100 foot lot width/road frontage; splitting two lots; has to be sent to Albany County Planning Board for their review.

Mr. Nolan made motion to declare this a minor subdivision; seconded by Mr. Collins; all in favor.

Mr. Schmitt made motion to schedule public hearing for both the area variance and subdivision on August 25, 2021; seconded by Mr. Nolan; all in favor.

Mr. Schmitt made motion to declare Planning/Zoning Board lead agency under SEQRA for both applications; seconded by Mr. Collins; all in favor.

Adjournment

Mr. Schmitt made motion to adjourn; seconded by Mr. Collins; all in favor.