

ZONING BOARD OF APPEALS
TOWN OF STUYVESANT
STUYVESANT, NEW YORK 12173

MINUTES OF FEBRUARY 27, 2007

**** Approved at 3/27/07 meeting**

MEMBERS PRESENT:

Mr. William Vick, Chairman
Ms. Margaret Pino
Mr. Robert Keller
Mr. Steve Montie
Mr. Sal Costanzo
Mr. William Gumaer

MEMBERS ABSENT:

Ms. Patricia Casey

OTHERS PRESENT:

Attorney Paul Engster

Chairman Vick called the meeting to order at 7:35 p.m.

A motion was made by Robert Keller and seconded by Steve Montie to accept the minutes of the January 23, 2007 meeting. All members voted in favor.

1. PUBLIC HEARING: Janet and John Rybka, (presented by Michael Rybka) 65 Rybka Road, Stuyvesant Falls, NY for an Area Variance Application. Michael Rybka presented the Board with a copy of the deed, public notice letter to neighbors, stamped return receipts and legal notice fee. Chairman Vick opened the public hearing. The public did not comment. The public hearing was closed. The Board discussed concerns that should the property located in the Town of Kinderhook be subdivided the access would be gained by using Rybka Road in the Town of Stuyvesant. After a lengthy discussion on this issue, it was determine whether or not this variance was approved would not have a bearing on this issue. It was also discussed that any subdivision in the Town of Kinderhook concerning this property would require notification to the Town of Stuyvesant since part of the property is in the Town of Stuyvesant. A motion was made by Steve Montie and seconded by Sal Costanzo to accept and approve the variance. All members voted in favor. The subdivision request was referred back to the Planning Board.
2. AREA VARIANCE APPLICATION: Norman & Faye Kay, 1832 Route 9J and Sharptown Road, Stuyvesant, NY. Norman & Faye Kay own nine (9) acres with

- a proposal to create three separate parcels. Part of the property is located in an agricultural zone and part is in the Hamlet extension. Parcel #1 would be 1.485 acres, Parcel #2 would be 2.765 acres and Parcel #3 would be 4.006 acres. Mr. and Mrs. Kay are represented by Attorney Paul Engster. Survey maps were provided to The Board. The map included location of structures, wells, septic, land contour lines, etc. A lot must be a minimum of five acres in an agricultural zone per current zoning regulations. The requested lot sizes are less than five acres. Additionally, the current structures do not meet the set back requirements as outlined in the zoning law. A lengthy discussion ensued on the wells, septic, water lines, set backs, driveways, etc. A motion was made by Steve Montie and seconded by Margaret Pino to accept the application. All members voted in favor. A Public Hearing was set for Tuesday, March 27, 2007 at 7:30 pm.
3. Shirley Narzynski temporarily excused herself from her duties as secretary to the Board. Melissa Naegeli filled in for her during her public hearing process.
 4. PUBLIC HEARING: Shirley and Dennis Narzynski, 3742 Route 21, Schodack Landing, NY (Town of Stuyvesant). Shirley Narzynski restated the reason she is appearing before the Board. Applicant requests a variance to allow a 3X5 foot sign identifying their business be placed on their garage building. The current zoning law allows a 1X2 foot sign. Photos were shown to the board depicting the sign. Certified mailing receipts and a copy of the Public Hearing notice letter sent to adjacent property owners was given to the Board. Chairman Vick read letters from two neighbors, David & Yvonne Main and Donna Main, stating they had no objection to the proposed sign. Chairman Vick then opened the Public Hearing at 8:40 pm. Mark Hirshberg objected to the variance stating he would prefer the zoning law be followed allowing a 1X2 sign only. Mr. Hirshberg is concerned about his property values and the ability to sell his property in the future because of the sign. Ken Ellers stated he owns adjacent property and saw no problem with the proposed sign and would prefer to see the sign on the building. Steve Montie stated it was his understanding this was more like a hobby versus a business and was concerned that cars might be sold. Shirley Narzynski stated it is a part time business registered with the State of New York to repair vehicles. Shirley stated the dealer application was withdrawn a couple of years ago and they are applying for sign for the auto repair business. The sign designates the business as an auto repair shop. Steve Montie agreed a 1X2 sign was small. The Public Hearing was closed at 8:52 pm. A motion was made by William Gumaer and seconded by Margaret Pino to approve the sign variance. All members voted in favor. The variance was approved allowing one sign to be erected on the side of the building. This would not include the mandatory State of New York sign that the town would not have jurisdiction over.
 5. Chairman Vick informed the board members a training program conducted by the Pace University School of Law Land Use Law Center would be held March 23, 2007 at the Chatham House Tavern or on March 24, 2007 at Columbia Greene Community College. The board members attending will receive certification that can be applied toward the new yearly training requirements.

A motion to adjourn the meeting was made by Steve Montie and seconded by Robert Keller. All members voted in favor.

Respectfully submitted,

Shirley Narzynski
Secretary to the Board