

WILTON ZONING BOARD OF APPEALS
THURSDAY, January 27, 2022

A meeting of the Wilton Zoning Board of Appeals was held on Thursday, January 27, 2022 via a ZOOM webinar, and was called to order by Vice Chairman Ramsdill at 7:00 p.m.

PLEDGE OF ALLEGIANCE

PRESENT: Vice Chairman Christopher Ramsdill, Robert Barrett, Jim Deloria, Scott Kingsley, and Dean Kolligian. Also present were Mark Schachner, Town of Wilton Zoning Board of Appeals Attorney, John Herlihy, Code Enforcement Officer, Lisa Closson, Zoning Clerk, and Joshua Carlsson, ZOOM Meeting Coordinator

ABSENT: Chairman O'Brien, Gerard Zabala, and Jay Rifenbary, 1st alternate.

MINUTES: The minutes of the last meeting, held on October 28, 2021, were approved, as submitted, on a motion made by Mr. Kingsley, seconded by Mr. Barrett. All board members present were in favor. The motion passed.

CORRESPONDENCE: None other than what is presented before the board.

EXTENSIONS: *SPECIAL USE PERMIT EXTENSIONS ARE NOT SUBJECT TO A PUBLIC HEARING*

None

OLD BUSINESS:

None

NEW BUSINESS:

Mr. Ramsdill read Appeal 2021-34 and SUP 2021-35 together. The public hearing was opened for both Appeals.

Appeal No. 2021-34 Leslie Paddock and Jamie Gagne, 363 Ruggles Road, Gansevoort, New York 12831. Request for Area Variances pursuant to Schedule B, R-2 District and §129-

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175 D (1)-(7) of the Zoning Ordinance; property located at 363 Ruggles Road, Tax Map No. 129.-1-72.2, zoned R-2, in the Town of Wilton.

Mr. Ramsdill read 3 pieces of correspondence from the Saratoga County Planning Board (SCPB), Faith and John Parker, 364 Ruggles Road, and Sandra Loftis and Robert Stanton, 361 Ruggles Road, which have been placed in record.

Jamie Gagne, 363 Ruggles Road, was present and explained his applications to the Board.

Mr. Ramsdill discussed court addressed violations and outstanding code violations on the property with Mr. Herlihy.

Mr. Deloria discussed the property and the placement of the chickens with Mr. Gagne, Mr. Ramsdill, and Mr. Barrett.

Mr. Kolligian questioned if the Board should be providing a decision based on an applicant currently going through a process of code violations. Mr. Schachner addressed the concern.

Mr. Ramsdill opened the public hearing at 7:12 p.m., and closed the public hearing at 7:14 p.m. due to lack of public comment.

There was discussion between Mr. Ramsdill, Mr. Schachner, and Mr. Gagne regarding the variances and agricultural use. Mr. Ramsdill clarified that this special use permit was specifically for chickens and nothing else.

Mr. Ramsdill made a motion to approve Appeal No. 2021-34, Leslie Paddock and Jamie Gagne, 363 Ruggles Road, Gansevoort, New York 12831. Request for Area Variances pursuant to Schedule B, R-2 District and §129-175 D (1)-(7) of the Zoning Ordinance; property located at 363 Ruggles Road, Tax Map No. 129.-1-72.2, zoned R-2, in the Town of Wilton, be granted, for 120,000 sq. ft. lot size relief and 167.08 ft. frontage relief for the keeping of chickens; property located at 363 Ruggles Road, Tax Map No. 129.-1-72.2, zoned R-2, in the Town of Wilton, was granted, because the benefit to the applicant outweighs the detriment to the health, safety and welfare of the community, for the following reasons: 1. The applicant has demonstrated that an undesirable change will not be produced in the character of the neighborhood and a detriment to nearby properties will not be created by the granting of the Area Variances because the chickens currently exist and are shielded to the rear of the property. 2. The applicant has demonstrated that the benefit sought cannot be achieved by some method feasible for the applicant to pursue, other than by Area Variances because the property does not have the frontage or lot size for agricultural use and is for a small number of chickens with no roosters. 3. The applicant has demonstrated that the requested Area Variances are not substantial because it is for a small number of chickens that will be maintained on the property where there will not be a large amount of manure to be removed. 4. The applicant has demonstrated that the requested Area Variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood district because there will be no roosters and is for a small number of chickens maintained by fencing in the rear of the property. 5. The applicant has demonstrated that the alleged difficulty is self-created.

Mr. Kolligian seconded the motion. All board members present were in favor. The motion passed.

SUP No. 2021-35 Leslie Paddock and Jamie Gagne, 363 Ruggles Road, Gansevoort, New York 12831. Request for a Special Use Permit for Agriculture with animals for chickens,

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pursuant to Schedule B, R-2 District and §129-175 D (1)-(7) of the Zoning Ordinance; property located at 363 Ruggles Road, Tax Map No. 129.-1-72.2, zoned R-2, in the Town of Wilton.

See Appeal No. 2021-34 for discussion upon SUP No. 2021-35.

Mr. Kingsley made a motion to approve Special Use Permit No. 2021-35, Leslie Paddock and Jamie Gagne, 363 Ruggles Road, Gansevoort, New York 12831. Request for a Special Use Permit for Agriculture with animals for chickens, pursuant to Schedule B, R-2 District and §129-175 D (1)-(7) of the Zoning Ordinance; property located at 363 Ruggles Road, Tax Map No. 129.-1-72.2, zoned R-2, in the Town of Wilton, conditioned on a maximum of 12 chickens with no roosters and a fence that is to be maintained in order to keep the chickens on the property, for a period of 1 year¹, and will be due for review and extension on or before January 27, 2023.

Mr. Kolligian seconded the motion. Mr. Ramsdill, Mr. Kolligian, Mr. Barrett, and Mr. Kinglsey were in favor. Mr. Deloria was opposed. The motion passed.

Adjournment:

Mr. Kingsley made a motion to adjourn. Mr. Kolligian seconded the motion. All board members were in favor. The meeting was adjourned at 7:26 p.m.

Dated: January 28, 2022

BOARD OF APPEALS

BY _____

Lisa Closson, Zoning Clerk

BY _____

Christopher Ramsdill, Vice Chairman