

WILTON ZONING BOARD OF APPEALS
THURSDAY, July 27, 2023

A meeting of the Wilton Zoning Board of Appeals was held on Thursday, July 27, 2023, at Wilton Town Hall and was called to order by Joseph O'Brien at 7:00 p.m.

PLEDGE OF ALLEGIANCE

PRESENT: Chairman O'Brien, Vice Chairman Christopher Ramsdill, Nicholas Collins, Scott Duffy, Scott Kingsley, Amanda Pelfrey, Jay Rifenburg, and Christopher Iwinski, 2nd Alternate. Also present were Mark Schachner, Town of Wilton Zoning Board of Appeals Attorney, Mark Mykins, Zoning Officer, and Lisa Closson, Zoning Clerk.

ABSENT: Shawn Lescault, 1st Alternate.

MINUTES: The minutes of the last meeting, held on June 22, 2023, were approved, as submitted, on a motion made by Mr. Rifenburg, seconded by Mr. Duffy. 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*

SUP NO. 2008-27 Stanley and Maria Brackett, 138 Ernst Road, Gansevoort, New York 12831. Request for the extension of a Special Use Permit, pursuant to Schedule A and §129-176 C (1), (2), (3) and (4) of the Zoning Ordinance, for a home occupation for a small engine repair shop; property located at 138 Ernst Road, Tax Map No. 127.-2-15.2, zoned R-1, in the Town of Wilton. SUP No. 2008-27, originally granted on August 28, 2008 for a period of two years, and continually extended, is due for review and extension on or before August 26, 2023.

Mr. O'Brien read correspondence from Stanley and Maria Brackett explaining that they no longer own the home and would not like to extend the Special Use Permit. No action was taken. SUP No. 2008-27 will expire August 26, 2023.

SUP NO. 2014-21 Joseph and Colleen Paterson, 210 Gurn Springs Road, Gansevoort, NY 12831. Request for the extension of a Special Use Permit pursuant to §129 Attachment 8, Schedule B of the Zoning Ordinance for a private stable, and §129-176 V (1-7), Agricultural with animals and private stable; property located at 210 Gurn Springs Road, Gansevoort,

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NY 12831, Tax Map No. 102.-1-35.111 zoned R-2, in the Town of Wilton. SUP No. 2014-21, originally granted on August 28, 2014 for a period of two years with a maximum of 1-3 horses, and continually extended, is due for review and extension on or before August 28, 2023.

Mr. O'Brien read correspondence from Joseph and Colleen Patterson stating that nothing has changed and that they would like their Special Use Permit extended.

Mr. O'Brien confirmed with Mr. Mykins that there have been no issues with the property.

Mr. Duffy made a motion to approve the extension of SUP No. 2014-21, Joseph and Colleen Paterson, 210 Gurn Springs Road, Gansevoort, NY 12831. Request for the extension of a Special Use Permit pursuant to §129 Attachment 8, Schedule B of the Zoning Ordinance for a private stable, and §129-176 V (1-7), Agricultural with animals and private stable; property located at 210 Gurn Springs Road, Gansevoort, NY 12831, Tax Map No. 102.-1-35.111 zoned R-2, in the Town of Wilton, for an additional 3 years. SUP No. 2014-21 will be due for review and extension on or before August 28, 2026.

Mr. Iwinski seconded the motion. All Board members present were in favor. The motion passed.

OLD BUSINESS:

Appeal No. 2023-02 David Lemen, for Dale Charbonneau, 184 Phila Street, Saratoga Springs, New York, 12866. Request for an Area Variance pursuant to Schedule E, RB-1 District, of the Zoning Ordinance; property located at 4205 Route 50, Saratoga Springs, New York, 12866, Tax Map No. 141.-1-8, zoned RB-1, in the Town of Wilton.

***Tabled pending submission of additional information**

NEW BUSINESS:

Appeal No. 2023-20 Saxton Signs, for Sunmark Credit Union, 1320 Route 9, Castleton, New York, 12033. Request for a Sign Variance pursuant to §129-181 C. (1) and (6) and §129-187 B. (1) of the Zoning Ordinance; property located at 3090 Route 50, Saratoga Springs, New York, 12866, Tax Map No. 153.-3-90.53, zoned C-1, in the Town of Wilton.

Mr. O'Brien read correspondence from SCPB (Saratoga County Planning Board) stating no Significant County-wide or Intercommunity Impact.

Lisa Tymchyn from Saxton Signs was present and explained the project to the Board. There was discussion about directional signage between Mr. Ramsdill and Mrs. Tymchyn. Mr. Iwinski confirmed there will be no back lit lighting. Mr. Duffy confirmed the signage is to help with the traffic flow. Mr. Ramsdill, Mr. Mykins, and Mrs. Tymchyn discussed the ATM signage.

Mr. O'Brien opened and closed the public hearing at 7:10 p.m. due to lack of public comment.

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Mr. Rifembary made a motion to approve Appeal No. 2023-20, Saxton Signs, for Sunmark Credit Union, 1320 Route 9, Castleton, New York, 12033. Request for a Sign Variance pursuant to §129-181 C. (1) and (6) and §129-187 B. (1) of the Zoning Ordinance; property located at 3090 Route 50, Saratoga Springs, New York, 12866, Tax Map No. 153.-3-90.53, zoned C-1, in the Town of Wilton, be granted, for the proposed 6 detached signs; property located at 3090 Route 50, Saratoga Springs, New York, 12866, Tax Map No. 153.-3-90.53, zoned C-1, 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 Sign Variance because it's installation of new signage on newly developed property and may provide more safety and clarity on how to approach the bank. 2. The applicant has demonstrated that the benefit sought cannot be achieved by some method feasible for the applicant to pursue other than by a Sign Variance because directionals are needed for traffic control and the ATM must be branded. 3. The applicant has demonstrated that the requested Sign Variance is not substantial because there are commercial properties with multiple signs about the property and the requested square footage is less than what is allowed. 4. The applicant has demonstrated that the requested Sign Variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood district because the neighborhood consists of multiple businesses with multiple signs. 5. The applicant has demonstrated that the alleged difficulty is self-created.

Ms. Pelfrey seconded the motion. All board members present were in favor. The motion passed.

SUP. No. 2023-21 Susan Davis of SD Atelier for Dominick and Elizabeth Bizzarro, 511 Broadway, Second Floor, Saratoga Springs, New York, 12866. Request for a Special Use Permit for a Home Occupation for a home office pursuant to §129-175 D. 1-6, and §129-176 C. (2), (3) (a) (b) and (4) (a)-(f) of the Zoning Ordinance; property located at 3 Chestnut Hill Drive, Saratoga Springs, New York, 12866, Tax Map No. 153.14-4-8, zoned R-1, in the Town of Wilton.

Susan Davis of SD Atelier was present and explained the project to the Board. Mrs. Davis explained that the owner has been working from home and would like to get the home office out of his house. They have designed an addition that will have a connected walkway and have clarified with the surveyor that it will be in compliance with the setback requirements.

Mr. Ramsdill confirmed with Mr. Mykins that the addition can be built, it is a Special Permit needed for the home office. Mr. Rifembary confirmed with Mrs. Davis that the driveway will not need to be modified. Mr. Ramsdill confirmed that there will be no deliveries.

Mr. Ramsdill made a motion to approve Special Use Permit No. 2023-21, Susan Davis of SD Atelier for Dominick and Elizabeth Bizzarro, 511 Broadway, Second Floor, Saratoga Springs, New York, 12866. Request for a Special Use Permit for a Home Occupation for a

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home office pursuant to §129-175 D. 1-6, and §129-176 C. (2), (3) (a) (b) and (4) (a)-(f) of the Zoning Ordinance; property located at 3 Chestnut Hill Drive, Saratoga Springs, New York, 12866, Tax Map No. 153.14-4-8, zoned R-1, in the Town of Wilton, in consideration of all findings in §129-175 D., and will be due for review and extension July 27, 2025.

Mr. Kingsley seconded the motion. A Roll call showed all board members were in favor. The motion passed.

Adjournment:

Mr. Kingsley made a motion to adjourn. Mr. Ramsdill seconded the motion. All board members were in favor. The meeting was adjourned at 7:19 p.m.

Dated: July 28, 2023

BOARD OF APPEALS

BY _____

Lisa Closson, Zoning Clerk

BY _____

Joseph O'Brien, Chairman