

WILTON ZONING BOARD OF APPEALS
THURSDAY, August 27, 2020

A meeting of the Wilton Zoning Board of Appeals was held on Thursday, August 27, 2020 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, Gerard Zabala, and Jay Rifenburg, 1st Alternate. Also present were Mark Schachner, Town of Wilton Zoning Board of Appeals Attorney, Mark Mykins, Zoning Officer, Lisa Closson, Zoning Clerk, and Joshua Carlsson, ZOOM Meeting Coordinator.

ABSENT: Chairman O'Brien, Dean Kolligian, and Christian Clark, 2nd Alternate.

MINUTES: The minutes of the last meeting, held on July 23, 2020, were amended to strike the comment "There were not enough voting members present to make a motion", as submitted by the Zoning Clerk, on a motion made by Mr. Rifenburg, seconded by Mr. Zabala. Mr. Ramsdill recused himself from the motion. 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. 2006-39 Kimberly and Randall Ramsey, 332 Gurn Springs Road, Gansevoort, New York 12831. Request for the extension of a Special Permit, pursuant to §129-176 C (1) a, b, c, d, e, and §129-176 C (2) of the Zoning Ordinance, for a home occupation for a towing business; property located at 332 Gurn Springs Road, Tax Map No. 115.-3-6, zoned R-2, in the Town of Wilton. Special Permit originally granted on September 28, 2008 for a period of two years, and continuously granted every two years since, is due for review and extension on or before September 28, 2020.

Mr. Ramsdill asked if anyone was present to represent SUP No. 2006-39. Mr. and Mrs. Ramsey were not present.

Mr. Zabala made a motion to table S.U.P No. 2006-39 until the next meeting due to the applicant's failure to appear. Mr. Deloria seconded the motion. All board members present were in favor. The motion passed.

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SUP NO. 2014-24 Michael and Phyllis Whittam, 250 Gurn Springs Road, Gansevoort, NY 12831. Request for the extension of a Special Use Permit pursuant to §129-176 V and Schedule B of the Zoning Ordinance for a private stable; property located at 250 Gurn Springs Road, Tax Map No. 116.-1-28, zoned R-2, in the Town of Wilton. SUP No. 2014-24, originally granted on September 25, 2014 for a period of two years, and continually extended every two years, is due for review and extension on or before September 25, 2020.

Mr. Ramsdill read correspondence from Mr. Whittam explaining he would like his Special Use Permit extended. Mr. Mykins suggested keeping this Special Use Permit on a 2 year extension period.

Mr. Deloria made a motion to approve the extension of S.U.P. No. 2014-24, Michael and Phyllis Whittam, 250 Gurn Springs Road, Gansevoort, NY 12831. Request for the extension of a Special Use Permit pursuant to §129-176 V and Schedule B of the Zoning Ordinance for a private stable; property located at 250 Gurn Springs Road, Tax Map No. 116.-1-28, zoned R-2, in the Town of Wilton, for a period of 2 years, and will be due for review and extension on September 25, 2022. Mr. Kingsley seconded the motion. All board members present were in favor. The motion passed.

OLD BUSINESS:

Appeal No. 2020-13 Roger Goldsmith, 10 Poe Road, Saratoga Springs, New York 12866. Request for an Interpretation of §129-4 of the Zoning Ordinance; Property located at 4284 Route 50, Saratoga Springs, New York 12866, Tax Map No. 141.-2-12.2, Zoned RB-1 in the Town of Wilton.

Mr. Ramsdill Recused himself from Appeal No. 2020-13. Mr. Kingsley acknowledged that this appeal has been heard over two meetings, this one being the third, and addressed Mr. Goldsmith to give him time to summarize his position. Mr. Goldsmith gave an executive summary of his submission of points of concern. Mr. Teresi added that he and Mr. Goldsmith are looking for an interpretation of incidental. Mr. Rifenbary asked if it is incidental why would there be need for a NYS License? Mr. Goldsmith explained that if a part is in his retail, and the customer asks for the service, he should have a NYS Repair License to do the service, and if he does not have the license and has to lose the job or the whole sale of the parts because he would not be able to install them. Mr. Rifenbary explained that that is the conflict. Discussion continued between Mr. Barrett, Mr. Goldsmith, Mr. Rifenbary, Mr. Teresi and Mr. Mykins.

Mr. Deloria questioned the sale of motorcycles, and where they would be placed, inside or outside, when they are for sale. Mr. Goldsmith explained that this is not part of the interpretation, but it was brought up at the previous two meetings. He continued to explain that automobile sales as a dealer is not allowed in an RB-1, but if there was a customer who wanted to put their bike up for sale in his shop, they could do that, and if it was not correct, then Mr. Mykins would inform of this. Mr. Zabala questioned if the town can put restrictions on State Licensing. Discussion continued between Mr. Zabala, Mr. Goldsmith, Mr. Kingsley, and Mr. Schachner.

Mr. Barrett made a motion that applicant Roger Goldsmith has appealed from a determination of Building Inspector/Zoning Officer Mark Mykins finding that the uses

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allowed as “incidental services” at the Applicant’s Saratoga Motorcycle Center located at 4284 Route 50 do not include those that would require a New York State Motor Vehicle Repair Facility License or approval.

The Property is located in the RB-1 Zone in which retail sales is an allowed use, but motor vehicle service and repair is not. The Applicant has received site plan approval from the Planning Board to conduct retail sales of motorcycle parts and accessories. The Applicant also made clear to the Planning Board that the operation would include limited on-site installation of parts and accessories purchased at the facility and the Zoning Officer agrees that such limited installation is permitted to the extent that no New York State Motor Vehicle Repair Authorization or license is required. The Zoning Officer agrees that this limited installation falls within our Town Zoning Law definition of “incidental services” and is therefore allowed as part of the retail sales operation.

The Applicant also contends that he discussed with the Planning Board and the Planning Board approved services less directly related to retail sales including motorcycle inspection, accessory repairs and similar functions. Inspection and at least some of these functions would require licensing, registration and/or approval of the New York State Department of Motor Vehicles as a motor vehicle service/repair facility. Although it appears that the Applicant may have discussed these services with the Planning Board during review, the Planning Board approval does not directly address motorcycle inspection or any of these services that would require DMV authorization.

Regardless of what may have been discussed with the Planning Board, the Planning Board has no authority to approve uses which are not allowed in a particular zone. *If the applicant truly believes that his business cannot survive without providing these additional services, he may apply to the Board for a Use Variance which may or may not be granted.* However, the ZBA has already confirmed by unanimous vote that motor vehicle service and repair is not an allowed use in the RB-1 Zone. DMV authorization as a motor vehicle service and repair facility would seem to create such a facility in the zone in which it is not allowed and services requiring such authorization should not be deemed to fall within “incidental services” as referred to in our Town Zoning Law. Therefore I move that the Zoning Officer determination be upheld and the incidental services allowed at the Applicant’s retail sales facility be limited to those which do not require New York State Department of Motor Vehicles licensing, registration or authorization. Motion made by Mr. Barrett. Mr. Deloria seconded the motion. Mr. Zabala, Mr. Kingsley, Mr. Barrett, and Mr. Deloria were in favor. Mr. Rifenburg was opposed. The Motion passed.

Movant Mr. Barrett intended to include but inadvertently omitted this sentence in his initial Motion. Upon realizing this later in the meeting, Mr. Barrett amended his Motion to include it and the Motion as amended with this sentence was adopted.

When the zoning clerk was asked about the roll, she mistakenly stated that there were two members opposed and four in favor, where there were actually four in favor, one opposed, and one recused.

Appeal No. 2020-17 Francis Palumbo, CT Male Associates for KMDA LLC, , 1 Market Place Road, Saratoga Springs, New York 12866. Request for an Area Variance pursuant to §129-181 D. 2. (b), of the Zoning Ordinance; property located at 1 Market Place Road, Saratoga Springs, New York 12866, Tax Map No. 153.-3-124, zoned C-1 in the Town of Wilton.

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Mr. Ramsdill returned to the meeting. Mr. Kingsley recused himself from Appeal No. 2020-17. Mr. Ramsdill address Mr. Palumbo. Mr. Palumbo discussed the site maps with sight distances, red line at sign placed at 10', blue line at sign placed at 15', which were submitted for this meeting upon request at the last meeting. Mr. Ramsdill questioned the overgrowth near where the sign is to be placed, and expressed his concern for safety with the sight distances. Discussion continued between Mr. Ramsdill, Mr. Palumbo, and Mr. Jonathan Eckmann from Aldi's.

Mr. Mykins asked Mr. Eckmann if there was thought to raise the sign above the height of a car so that people can actually see the sign. Mr. Mykins explained that code allows for 20' above grade, and the plan shows 15' above grade. Discussion continued between Mr. Palumbo, Mr. Mykins, and Mr. Eckmann. Mr. Ramsdill opened and closed the public hearing at 8:05 p.m. due to lack of public comment.

Mr. Zabala made a motion to approve Appeal No. 2020-17, Francis Palumbo, CT Male Associates for KMDA LLC, 1 Market Place Road, Saratoga Springs, New York 12866. Request for an Area Variance pursuant to §129-181 D of the Zoning Ordinance; property located at 1 Market Place Road, Saratoga Springs, New York 12866, Tax Map No. 153.-3-124, zoned C-1 in the Town of Wilton, be granted, after discussion and consent of both the applicant and owner to deviate from the original relief requested, for the monument sign in the amount of relief of 15 ft. Lowes Drive front setback, and the amount of relief of 20 ft. Market Place Road front setback; property located at 1 Market Place Road, Saratoga Springs, New York 12866, 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 Monument Sign is consistent with other commercial signage in in the C-1 District.
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 allowed setback will diminish the visibility of the sign.
3. The applicant has demonstrated that the requested Area Variances are not substantial because the lot is a corner lot and the effective setback is not out of character for the area.
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 it is consistent with the general character of the Commercial entities in the area.
5. The applicant has demonstrated that the alleged difficulty is self-created because they are asking for a variance of a zoning standard.

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

NEW BUSINESS:

Appeal No. 2020-20 David Huestis, 3 Autumn Court, Gansevoort, New York 12831. Request for an Area Variance pursuant to §129-157 and Schedule A, R-1 District, of the Zoning Ordinance; property located at 3 Autumn Court, Gansevoort, New York 12831, Tax Map No. 140.12-1-52, zoned R-1 in the Town of Wilton.

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Mr. Kingsley returned to the meeting. Mr. Ramsdill addressed Mr. Huestis and asked if he would like to show what he wants to do. Mr. Huestis presented his proposed project. He explained that he and his wife are going to be placing a pool on their property next summer, and would like to place a shed/pool house as well. There was discussion between Mr. Ramsdill, Mr. Zabala, Mr. Deloria, and Mr. Huestis. Mr. Ramsdill opened and closed the public hearing at 8:17 p.m. due to lack of comment.

Mr. Zabala made a motion to approve Appeal No. 2020-20, David Huestis, 3 Autumn Court, Gansevoort, New York 12831. Request for an Area Variance pursuant to §129-157 and Schedule A, R-1 District, of the Zoning Ordinance; property located at 3 Autumn Court, Gansevoort, New York 12831, Tax Map No. 140.12-1-52, zoned R-1 in the Town of Wilton, be granted in the amount of rear setback relief of 45 ft.; property located at 3 Autumn Court, zoned R-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 Area Variance because the structure will be similar to the home, and in the character of the neighborhood, and will not be detrimental to neighboring properties. 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 Variance because in order to put in a pool (planned for spring of 2021), the variance is needed in order to fit the shed/pool house on the lot. 3. The applicant has demonstrated that the requested Area Variance is substantial because the relief sought is 45 ft. rear setback, and allowed is 50 ft. rear setback. 4. The applicant has demonstrated that the requested Area Variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood district because there are no wetlands on or adjacent to the property, and the structure will not have any adverse impact of the physical or environmental conditions of the neighborhood. 5. The applicant has demonstrated that the alleged difficulty is self-created because the shed does not meet the current zoning requirements.

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

Appeal No. 2020-21 AJ Signs for Aldi's, 842 Saratoga Road, Burnt Hills, New York 12027. Request for an Area Variance pursuant to §129-181 B. 2. (a), (b), and C (1), and §129-182 D (7), of the Zoning Ordinance; property located at 3 Market Place Road, Saratoga Springs, New York 12866, Tax Map No. 153.-3-125, zoned C-1 in the Town of Wilton.

Mr. Kingsley recused himself from Appeal No. 2020-21. Mr. Ramsdill read correspondence from SCPB. Tom Wheeler with AJ Signs was present to represent the appeal. Mr. Wheeler explained that the signs proposed will help gain the visibility so people can find the Aldi's. There was discussion held between Mr. Ramsdill, Mr. Zabala, Mr. Deloria, Mr. Mykins, and Mr. Wheeler about the proposed signage and placement. Mr. Ramsdill opened and closed the public hearing at 8:27 p.m. due to lack of public comment.

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Mr. Deloria made a motion to approve Appeal No. 2020-21, AJ Signs for Aldi's, 842 Saratoga Road, Burnt Hills, New York 12027. Request for an Area Variance pursuant to §129-181 B. 2. (a), (b), and C (1), and §129-182 D (7), of the Zoning Ordinance; property located at 3 Market Place Road, Saratoga Springs, New York 12866, Tax Map No. 153.-3-125, zoned C-1 in the Town of Wilton, be granted in the amount of relief of 1 attached sign as well as relief of 4.34 sq. ft. of attached signage, and two off premise signs, one is a panel on the Lowes Multiple tenant sign, Tax Map No. 153.-3-110, the other on a Multi-Tenant sign located on the property in front of the property, Tax Map No. 153.-3-124, with relief of one detached sign; property located at 3 Market Place Road, 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 Area Variances because this is a commercial area. The addition of the second wall sign on the corner of the building and the two off premise signs will in no way change the character of the Neighborhood, and will further assist customers in finding the market's location. 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 of the location of the supermarket, the signage is going to be key to getting customers from Lowes Drive, Old Gick Road, and NYS Route 50 to their location. 3. The applicant has demonstrated that the requested Area Variances are not substantial because the additional wall sign and two off premise pylon panel signs should not be seen as substantial. The location of the business makes it difficult to find. The signage will only serve to assist customers with finding their destination. 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 this is a busy commercial area. The additional signage will not change the environment or the neighborhood in any way. 5. The applicant has demonstrated that the alleged difficulty is self-created.

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

Appeal No. 2020-22 Vision Planning Consultants, for Michael Eshoo, PO Box 442, Newtonville, New York, 12128. Request for an Area Variance pursuant to §129-157 A., and Schedule A, R-1 District, of the Zoning Ordinance; property located at 8 Chestnut Hill Drive, Saratoga Springs, New York 12866, Tax Map No. 153.14-4-3, zoned R-1 in the Town of Wilton.

Mr. Kingsley returned to the meeting. Mr. Ramsdill asked who was present to represent the appeal. Ted DeLucia from Vision Planning Consultants was present to represent Michael Eshoo. He explained that Mr. Eshoo is proposing to construct an accessory pool house in the rear of his yard adjacent to the existing pool. There was discussion between Mr. DeLucia, Mr. Deloria, Mr. Ramsdill, and Mr. Zabala about the layout of the property and placement of the pool house. Mr. Ramsdill opened and closed the public hearing at 8:36 p.m. due to lack of public comment.

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Mr. Zabala made a motion to approve Appeal No. 2020-22, Vision Planning Consultants, for Michael Eshoo, PO Box 442, Newtonville, New York, 12128. Request for an Area Variance pursuant to §129-157 A., and Schedule A, R-1 District, of the Zoning Ordinance; property located at 8 Chestnut Hill Drive, Saratoga Springs, New York 12866, Tax Map No. 153.14-4-3, zoned R-1 in the Town of Wilton, be granted in the amount of rear setback relief of 12 ft.; property located at 8 Chestnut Hill Drive, zoned R-1 in the Town of Wilton, be 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 Variance because this proposal will not have a negative impact because the requested smaller rear yard setback will not cause undue hardship on the neighboring properties based on its minimal difference in dimension and the current environment of the property it borders. 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 Variance because if they were to try to comply with the required rear yard setback, then the pool house will not be parallel or aligned as close to the in-ground pool as the applicant would desire. This location where the pool house is to be situated will allow the occupants of both the pool house and the pool will be utilized in a safer manner. 3. The applicant has demonstrated that the requested Area Variance is not substantial because they are only requesting 12 ft., and this will not have a direct impact on any residential neighborhood property. 4. The applicant has demonstrated that the requested Area Variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood district because there will be minimal adverse impact on the environment based on the surrounding neighborhood because of the minimal reduction of setback and the existing buffer of plantings in the rear. 5. The applicant has demonstrated that the alleged difficulty is self-created.

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

Appeal No. 2020-23 James Cortelyou, 11 Melanie Drive, Saratoga Springs, New York 12866. Request for an Area Variance pursuant to §129-157 and Schedule A, R-1 District, of the Zoning Ordinance; property located at 11 Melanie Drive, Saratoga Springs, New York 12866, Tax Map No. 153.11-1-15, zoned R-1 in the Town of Wilton.

Mr. Ramsdill asked if there was someone present to represent this appeal. James Cortelyou was present and explained that he would like to place a pre-built shed on a location 5 ft. east of where it would normally go. He explained that he cannot place the shed at 25 ft. because it would be on top of the septic tank. Mr. Ramsdill asked if that was the side the driveway was on and also stated that the other side of his property dips down. Mr. Cortelyou confirmed both. Mr. Ramsdill opened and closed the public hearing at 8:41 p.m. due to lack of public comment.

Mr. Deloria made a motion to approve Appeal No. 2020-23, James Cortelyou, 11 Melanie Drive, Saratoga Springs, New York 12866. Request for an Area Variance pursuant to §129-157 and Schedule A, R-1 District, of the Zoning Ordinance; property located at 11 Melanie

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Drive, Saratoga Springs, New York 12866, Tax Map No. 153.11-1-15, zoned R-1 in the Town of Wilton, be 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 Variance because there are other sheds in this particular neighborhood, and the shed will be in keeping of the characteristics of the existing structure. 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 Variance because they are also impacted by the location of the existing septic tank and leach field. 3. The applicant has demonstrated that the requested Area Variance is not substantial because it is only 5 ft. of relief requested. 4. The applicant has demonstrated that the requested Area Variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood district because it is a new shed and will be aesthetically in characteristic with the rest of the environment in the neighborhood. 5. The applicant has demonstrated that the alleged difficulty is self-created.

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

Appeal No. 2020-24 Joseph Brady and Angela Corsale-Brady, 11 Kendrick Hill Road, Saratoga Springs, New York 12866. Request for an Area Variance pursuant to §129-157 and Schedule B, R-2 District, of the Zoning Ordinance; property located at 11 Kendrick Hill Road, Saratoga Springs, New York 12866, Tax Map No. 155.6-1-3, zoned R-2 in the Town of Wilton.

Mr. Ramsdill addressed Joseph Brady and asked if he would like to tell the board what he would do. Mr. Brady explained that he and his wife would like to propose to build a detached one car garage at the east end of the driveway. He explained that this location would allow the neighbors to have minimal to no sight lines to the garage. He further discussed the construction and color of the proposed garage. Mr. Ramsdill pointed out the drop off in the back of the property and how that would limit the placement of the garage. Mr. Brady explained that he would have to do major deforestation and would need to bring in over 6-8 ft. of fill to do that there. There was discussion of the underground propane tank location and access to fill the tank between Mr. Deloria, Mr. Ramsdill, and Mr. Brady. Mr. Ramsdill opened and closed the public hearing at 8:49 p.m. due to lack of public comment.

Mr. Zabala made a motion to approve Appeal No. 2020-24, Joseph Brady and Angela Corsale-Brady, 11 Kendrick Hill Road, Saratoga Springs, New York 12866. Request for an Area Variance pursuant to §129-157 and Schedule B, R-2 District, of the Zoning Ordinance; property located at 11 Kendrick Hill Road, Saratoga Springs, New York 12866, Tax Map No. 155.6-1-3, zoned R-2 in the Town of Wilton, be granted in the amount of rear setback relief of 35 ft.; property located at 11 Kendrick Hill Road, 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

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the Area Variance because the proposed single car garage is located on property where it is not clearly visible from homes in the area. 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 Variance because if the proposed garage was to be placed north of our existing driveway near the existing 2 car garage, major deforestation will be required and roughly 8 ft. of fill would need to be brought in to bring the proposed garage to grade. 3. The applicant has demonstrated that the requested Area Variance is substantial because the applicant is asking for 35 ft. rear setback relief where required is 50 ft. 4. The applicant has demonstrated that the requested Area Variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood district because the proposed garage will be constructed similarly to the existing building. 5. The applicant has demonstrated that the alleged difficulty is self-created.

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

Special Use Permit No. 2020-25 Reneé Scalo, 4483 Route 50, Gansevoort New York 12831. Request for a Special Use Permit pursuant to Schedule B, R-2 District, §129-175 C., D. 1-7, and §129-176 C. (1) (a)-(e) of the Zoning Ordinance for a Home Occupation for a Hair Salon; property located at 4483 Route 50, Gansevoort, New York 12831, Tax Map No. 129.-1-35, zoned R-2, in the Town of Wilton.

Mr. Ramsdill read correspondence from SCPB, Mr. Ramsdill addressed Reneé Scalo. Mrs. Scalo explained that she would like to take a section that was an addition that when she and her husband bought the house was on the house. She explained that the salon would be open four days a week, and would only be one person at a time. She explained she has all the licenses, and everything done with the state, she just has to have approval from the board. Mr. Ramsdill read correspondence from SCPB. Mr. Kingsley asked how many vehicles are being used for the residence of the building and would any clients be parked in the driveway. Mrs. Scalo said they have a garage for their cars, and that when you pull in the driveway there is a spot where a car can park and back up into, and there is plenty of parking and is located on the plan. Mr. Ramsdill asked if there would be any need for commercial lighting, and Mrs. Scalo said no. There was discussion about number of clients and parking between Mr. Ramsdill, Mr. Deloria, and Mrs. Scalo. Mr. Ramsdill opened and closed the public hearing at 9:01 due to lack of public comment.

Mr. Kingsley made a motion to approve Special Use Permit No. 2020-25, Reneé Scalo, 4483 Route 50, Gansevoort New York 12831. Request for a Special Use Permit pursuant to Schedule B, R-2 District, §129-175 C., D. 1-7, and §129-176 C. (1) (a)-(e) of the Zoning Ordinance for a Home Occupation for a Hair Salon; property located at 4483 Route 50, Gansevoort, New York 12831, Tax Map No. 129.-1-35, zoned R-2, in the Town of Wilton, conditioned with a two client maximum at a time, no signage, and no commercial lighting. Attorney Schachner suggested that the motion include some statement to the effect that the application meets the Special Use Permit criteria of §129-175 of the Town of Wilton zoning law. Mr. Kingsley added that to his motion. Mr. Rifenburg seconded the motion. A Roll call showed all board members were in favor. The motion passed.

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***NOTE:** Mr. Ramsdill recused himself from discussion the Town Attorney had before adjournment. Amended upon notice given by the Town Attorney at the end of the Zoning Board of Appeals meeting held August 27, 2020.

Adjournment:

Mr. Kingsley made a motion to adjourn. Mr. Rifenbary seconded the motion. All board members were in favor. The meeting was adjourned at 9:12 p.m.

Dated: August 28, 2020

BOARD OF APPEALS

BY _____

Lisa Closson, Zoning Clerk

BY _____

Christopher Ramsdill, Vice Chairman