

**Town of Charlton
Zoning Board of Appeals
Business Meeting Minutes**

July 13, 2021

Minutes of the Zoning Board of Appeals meeting held on July 13, 2021.

Chairman Jim Leupold called the meeting to order at 7:00 p.m. at the Charlton Town Hall, 758 Charlton Road, Charlton, New York 12019.

Roll Call attendance was taken.

Present: Jim Leupold, Chairman, Rick Potts, Nate Keenan, Dave Taplin, Jim Craig, Esq., Town Attorney and Kim Caron, Recording Secretary.

Chairman Leupold led the Pledge of Allegiance.

Business Meeting

Minutes

Chairman Leupold stated that the meeting minutes from the April 13, 2021 meeting need to be approved. Board member Taplin made the motion to approve, seconded by Board member Potts. All were in favor. Board member Keenan abstained from the vote.

Chairman Leupold stated that the meeting minutes from the June 8, 2021 meeting needed to be approved. Board member Potts made the motion to approve, seconded by Board member Keenan. All were in favor. Board member Taplin abstained from the vote.

Joseph Bonitatibus (KORE Development)

Chairman Leupold stated that this application has been revised to a 2 lot subdivision with a request for two area variances for road frontage to allow for the subdivision of property located at 720 Swaggertown Road.

Luigi Palleschi of ABD Engineers appeared on behalf of the applicant, Joseph Bonitatibus who was also present.

Mr. Palleschi stated that the applicant has taken into consideration all of the feedback from the board from the last meeting. Mr. Palleschi stated that they have revised their plan to two lots with Lot 1 having 165 feet of frontage and 8 acres and Lot 2 having 210 feet of frontage and 2 acres. Mr. Palleschi stated that the houses will be kept separate and there will be no “house behind a house” situation with this new plan. Mr. Palleschi stated that the house for

Lot 1 will be built towards the back of the parcel and the house for Lot 2 will be closer to the road. Mr. Palleschi stated that perk tests have been done and warrant a raised bed septic system for both lots. Mr. Palleschi stated that there is plenty of room for the wells. Mr. Palleschi stated that Lot 1 did previously have a house on it that succumbed to a fire a couple years ago. Mr. Palleschi stated that they plan to use the existing driveway on Lot 1.

Board member Potts questioned what prompted the frontage choices for both lots.

Mr. Palleschi stated that they wanted flexibility of house location for Lot 1 being that it is the "estate lot".

Board member Taplin inquired if the frontage was 200 feet would they have to extend the line back to meet the requirements.

Mr. Palleschi stated yes.

Board member Potts inquired as to the location of the back line of the property.

Mr. Palleschi stated that they were trying to be consistent with the lot next door. Mr. Palleschi stated that they wanted to create something matching the character of the neighborhood.

Board Attorney Craig inquired if the estate lot house would be visible from the road.

Mr. Palleschi stated that it is possible especially in the winter when there are no leaves on the trees. Mr. Palleschi stated that they could put in pine trees as a buffer.

Chairman Leupold inquired if the existing driveway was the one to the right of the mailbox.

Mr. Palleschi stated yes.

Chairman Leupold inquired if there would be a lot of clearing done on the lots.

Mr. Palleschi showed the open area on the drawing where the house could be located and also showed the tree line behind where the garage had been located

Board member Keenan inquired if the existing driveway extended all the way back to the proposed house location.

Mr. Palleschi stated that it does not and will have to be extended.

Board member Potts stated that there would only be a need for a variance on Lot 1 if the road frontage was decreased to meet the road frontage requirement on Lot 2.

Mr. Palleschi stated that they were trying to keep the rear line as far away from the neighbor as possible. Mr. Palleschi inquired if the board would be amenable to meeting in the middle with 205 and 170 as the frontages for both lots.

Board Attorney Craig stated that in going through the criteria, this request is not substantial at 17.5 % variance request, it will not be noticeable or change the character of the neighborhood. Board Attorney Craig stated that the request is self-created.

Board member Potts stated that the site plan is missing the date of the field survey.

Mr. Palleschi stated that they still need to finalize the plan. Mr. Palleschi stated that it will be finalized for the submittal to the Planning Board if the variances are approved.

Board Attorney Craig stated that the applicant has the ability to put four lots in which would require a lot more clearing. Board Attorney Craig stated that the revision of the application removes all of that.

Board member Taplin inquired why Lot 2 has the extra 10 feet of frontage.

Mr. Palleschi stated that they wanted flexibility on the lot and this gives them more buildable width from left to right resulting in bigger lots. Mr. Palleschi stated that the extra 10 feet is a lot when designing left to right. Mr. Palleschi stated that it gives them more flexibility for the house within the setback area.

Board member Potts stated that it is a 12.5% reduction in the frontage is 165 feet and 17.5% reduction if the frontage is 170 feet.

Board member Taplin stated that was not a significant difference.

Chairman Leupold asked Mrs. Caron to refer the application to the Planning Board, the ECC and the Saratoga County Planning Board for comments.

The Board discussed changing the frontage for both lots to make Lot 2 in compliance with 200 feet of frontage and Lot 1 needing a variance for 175 feet of frontage.

Chairman Leupold polled the Board for their preference and all were in agreement that the plans should be changed to reflect that Lot 2 will be 200 feet of frontage and Lot 1 will be 175 feet of frontage.

Mr. Palleschi conferred with Mr. Bonitatibus and both agreed to revise the plans to the board's request.

Mrs. Caron will note the change in the referral letters.

Board member Taplin made the motion to schedule the Public Hearing for August 10, 2021 at 7:00 p.m. Board member Keenan seconded the motion. All were in favor.

New Business

Chairman Leupold stated that there is no new business.

Board member Potts made the motion to close the meeting. Board member Keenan seconded the motion. All were in favor.

Meeting adjourned at 7:45 p.m.

Respectfully Submitted,

Kimberly A. Caron
Recording Secretary