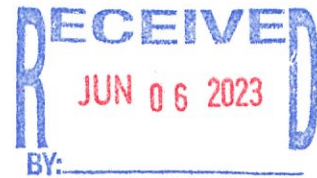
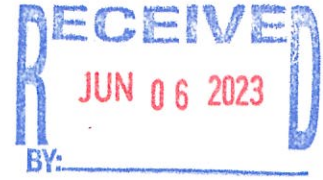


Town of Charlton Planning Board / Zoning Board
Variance and Subdivision of Lands of Melanie Meilunas and David Sargent

The applicants, Melanie Meilunas and David Sargent, are the owners of a 25.43 acre lot located at 6 Old Route 67 Amsterdam, New York (tax parcel 223.-1-44) where they currently reside. The applicants propose to subdivide the 25.43 acres into three total lots. Lot #1 will contain the existing home and garage. Lot #2 will be 3-4 acres in size with a minimum of 200 feet of road frontage on Old Route 67. Lot #3 will be 4-5 acres in size with 173.52 feet of road frontage on Rocky Ridge Road. The applicants are requesting a variance for road frontage on Rocky Ridge where they lack 26.48 feet to meet the 200 foot minimum. The two lots created will be for construction of single family dwellings for the applicants adult children - each with a separate driveway, onsite septic system, and well.



**TOWN OF CHARLTON
ZONING BOARD OF APPEALS
APPLICATION AND APPEAL
(SPECIAL USE/VARIANCE)**



Case Number: _____ Date: 5-5-23 Tax Map# 223-1-44

Applicant:

Name: DAVID SARGENT
MELANIE MEILUNAS

Owner (If Different)

Name: _____

Address: 6 OLD ROUTE 67

Address: _____

AMSTERDAM NY 12010

Phone: 518-428-8225

Phone: 518-882-9110

LOCATION OF PROPERTY:

Address: 6 OLD ROUTE 67 AMSTERDAM NY 12010

CURRENT ZONING: RESIDENTIAL X RES/AGRI _____ AGRICULTURAL _____

TYPE OF APPLICATION: (CHECK ONE)

VARIANCE: USE _____ AREA X SET BACK VARIANCE _____

INTERPRETATION OF ZONING ORDINANCE OR MAP: _____
(CITE SECTIONS FOR INTERPRETATIONS)

SPECIAL USE PERMIT: _____ OTHER: _____

PROJECT DESCRIPTION: Looking to create 2 lots on property for
family to build homes - requesting variance for back
lot which is lacking 2648 feet of road frontage on
Rocky Ridge Road. The lot will be 4-5 acres in area.

**-REQUIRED MATERIALS: APPLICANT MUST PROVIDE 10 COPIES OF THE FOLLOWING FOR ZONING
OR IF NECESSARY 12 COPIES FOR THE PLANNING BOARD.**

-COMPLETED APPLICATION

-SITE PLAN SHOWING AREA OF CONCERN; ADDITIONS; EXTENTIONS, ETC., INCLUDING DIMENSIONS

-SECTION OF TAX MAP SHOWING SURROUNDING LOTS

-NAMES & ADDRESSES OF NEIGHBORING PROPERTY OWNERS

**FOR VARIANCE: TWO ON EACH SIDE, TO THE REAR, AND ACROSS THE STREET FOR SPECIAL USE PERMIT:
1500 OR 2500 FEET. (SEE ZONING REGULATIONS)**

RETURN APPLICATION TO ZONING OFFICE FOR REVIEW

6. **USE VARIANCE-** Note: The Zoning Board of Appeals is without authority to issue a **USE VARIANCE** unless the applicant can demonstrate that applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant shall demonstrate to the board of appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located:

1. The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;

2. The alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;

3. That the requested use variance, if granted, will not alter the essential character of the neighborhood; and

4. That the alleged hardship has not been self-created.

7. **AREA VARIANCE** - The Zoning Board Of Appeals is required to balance these two elements in granting of variances: (1) The benefit to the applicant from the variance and (2) the detriment to the health, safety and welfare of the community or neighborhood that would occur if the variance were to be granted. The provision sets forth five factors for the board to consider in balancing these interests:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance.

NO

2. Whether the benefit sought by the applicant can be achieved by some other feasible method other than the variance.

NO

3. Whether the requested variance is substantial.

NO

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

NO

5. Whether the alleged difficulty was self created, (that it was will not necessarily preclude the granting of the area variance.)

NO

8. **INTERPRETATION SUBMISSION REQUIREMENTS** - Explain the nature of the requested interpretation:

9. **CERTIFICATION:** I hereby dispose and say that all the above statements and the statements contained in the attached submission are true to the best of my knowledge and belief.

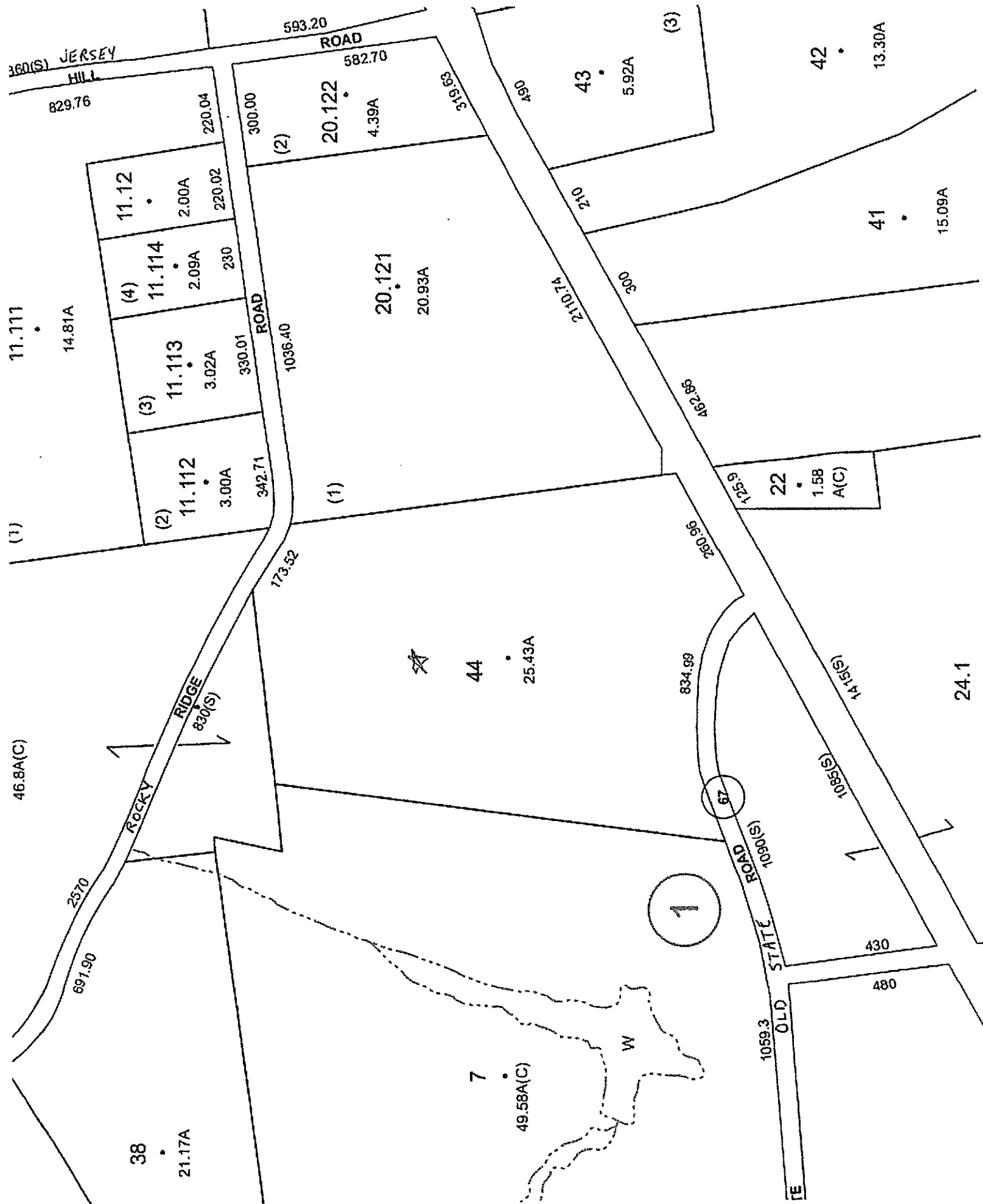
[Signature]
(Signature of applicant)
(ZBAAPL2)

[Signature]

5-5-2023

(Date)

5/5/2023



Town of Charlton

Application for Subdivision - List of Neighboring Property Owners

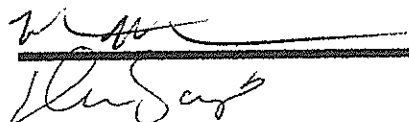
In order for a Preliminary Application for a subdivision to be considered complete, a list is required that details all owners of property that are contiguous, adjacent to, or across an established road from the proposed boundaries of the subdivision. Tax Map Numbers, Names, and Addresses are required. Include all active farms within 1,500 feet for a minor subdivision or within 2,500 feet for a major subdivision. Property Class numbers in the 100 series indicate farms and crop land.

Owner DAVID SARGENT
MELANIE MEILUNAS Applicant DAVID SARGENT
MELANIE MEILUNAS

Tax Map # (s) on request for subdivision

Tax Map #	Property Class	Name (s)	Address
223.-1-7	RURAL RES	ARTHUR NOWICKI	32 Old Rt 67 West Charlton 12010
223.-1.20121	RURAL VAC	LAWRENCE & WENDE HOKIRK	859 Putnam Road Shenectady, NY 12306
223.-1-24.1	RURAL RES	GARY CETNAR	100 Jolly Road Amsterdam 12010
223.-1-22	RURAL VAC	JACQUELINE WOOD	7365 West Spur Ct Boise ID 83709
223.-1-8	RURAL RES	EUGENE SNOWICZ ESTATE	31 Jolly Road Amsterdam 12010
223.-1-11.112	RURAL VAC	PETER SHRADER	391 LOVERS LANE AMSTERDAM 12010
223.-1-25	DAIRY FARM	DAVID TRETIAK	34 Old Rt 67 Amsterdam NY 12010
223.-1-20.122	RURAL RES	STEVEN & JENNIFER GALARNEAU	1 Rocky Ridge Road Amsterdam NY 12010

Signature of
Preparer



date

5-5-23

5/5/2023

AGRICULTURAL DATA STATEMENT AND CONTROL FORM

Town of CHARLTON Tax Parcel No. 223 1 44
(section) - (block) - (lot)

Consolidated Agricultural District No. 1 or (2) Street Name 6 OLD ROUTE 67
(circle)

NOTE: Section 283-a of the Town Law (effective July 1, 1993) requires that any application for a Special Permit, Site Plan Approval, Use Variance or Subdivision Approval on property within an Agricultural District containing a farm operation, OR on property with boundaries within five hundred (500) feet of a farm operation that is located in an Agricultural District, include an Agricultural Data Statement. ALL applications requiring an Agricultural Data Statement must be referred to the Saratoga County Planning Board in accordance with amended section 239-m and 239-n of the General Municipal Law (effective July 1, 1993).

Part I: Agricultural Data Statement

Name of Applicant MELANIE MEILUNAS / DAVID SARGENT

Mailing Address 6 OLD ROUTE 67 AMSTERDAM NY 12010

Description of Project CREATE TWO NEW BUILDING LOTS - ONE ON
OLD ROUTE 67 - APPROX 4 ACRES AND ONE ON ROCKY
RIDGE ROAD (SEEKING ROAD FRONTAGE VARIANCE) APPROX 4-5
ACRES

Names and addresses of those owners of land within Consolidated Agricultural District No. 2 that contain farm operations AND are located within five hundred (500) feet of the project property:

1. DAVID TRETIAK 34 OLD ROUTE 67 AMSTERDAM NY 12010
2. _____
3. _____
4. _____
5. _____

Attach to this form a copy of a tax map showing the site of the proposed project relative to the locations of farm operations identified above. Farm Operations are defined as "...the land used in agricultural production, farm buildings, equipment and farm residential buildings" according to Section 301, Article 25 AA of the Agricultural and Markets Law.

Part II: Submission and Evaluation (to be completed by Municipal Review Agency)

Type of Submission (Check appropriate type)

Use Variance ____ Special Use Permit ____ Site Plan Review ____ Subdivision Review ____

Municipal Review Authority (Check appropriate agency)

Zoning Board of Appeals ____ Planning Board ____ Town Board ____

Part III: Notice Provision (to be completed by Municipal Review Agency)

Consistent with Section 283-a(3) of the Town Law, written notice of the application described in Part I has been provided to the owners of land identified in the Agricultural Data Statement.

Date Notice Mailed _____

Part IV: Notice to County Planning Board (to be completed by Municipal Review Agency)

Consistent with Section 283-a(5) of the Town Law, the Clerk of the Municipal Review Authority identified in Part II must refer all applications requiring an Agricultural Data Statement to the County Planning Board.

Date Referred to County Planning Board _____

Use Agricultural Data Statement Referral Form

NOTICE

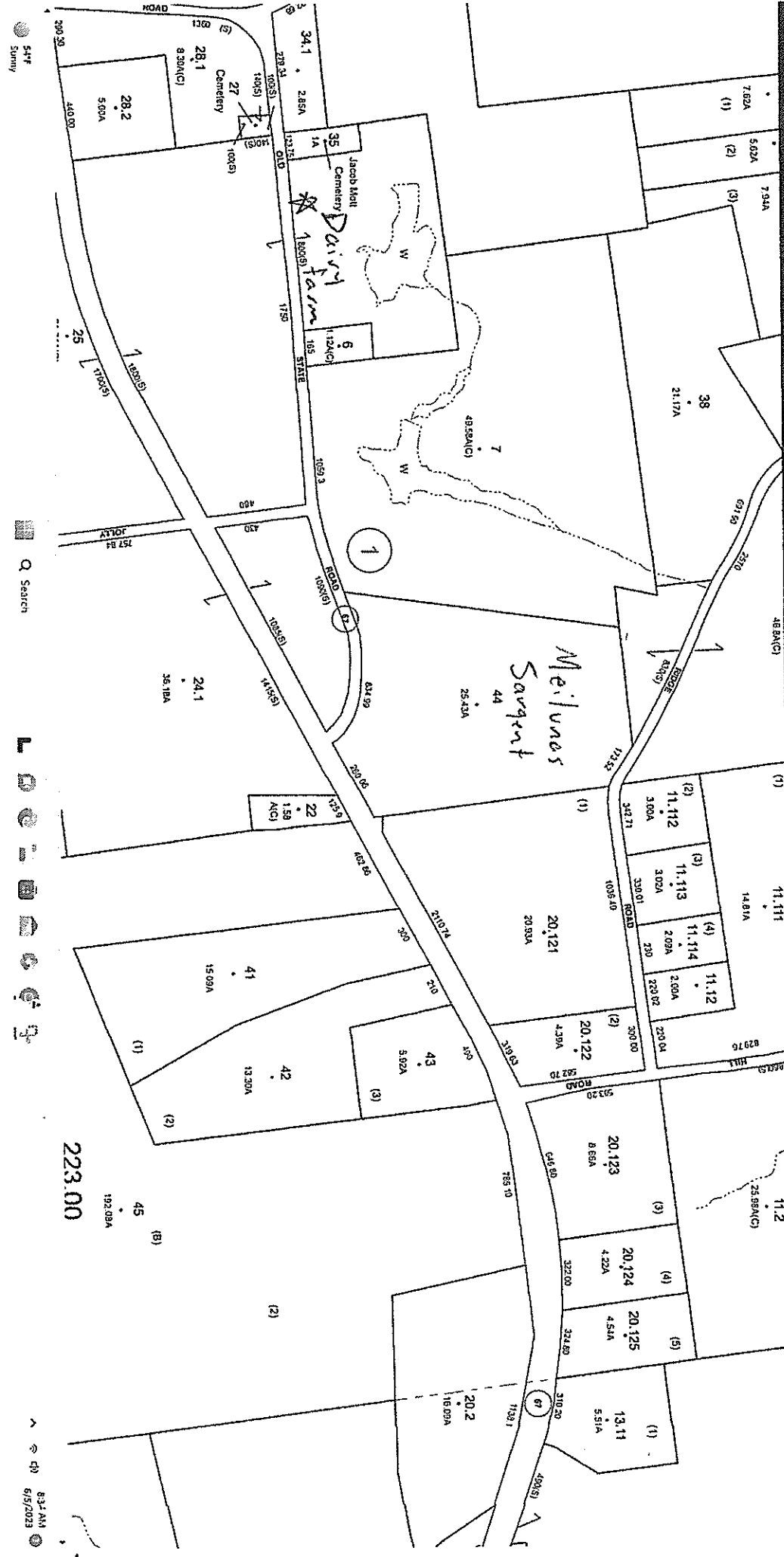
Regarding Disclosure Notice to Prospective Purchasers

As of July 1, 1999:

1. **When any purchase and sale contract is presented** for the sale, purchase, or exchange of real property located partially or wholly within an agricultural district, the prospective grantor shall present to the prospective grantee a disclosure notice which states the following:

"It is the policy of this state and this community to conserve, protect and encourage the development and improvement of agricultural land for the production of food, and other products, and also for its natural and ecological value. This disclosure notice is to inform prospective residents that the property they are about to acquire lies partially or wholly within an agricultural district and that farming activities occur within the district. Such farming activities may include, but not be limited to, activities that cause noise, dust and odors."

- 1a. Such disclosure notice shall be signed by the prospective grantor and grantee prior to the sale, purchase or exchange of such real property.
2. Receipt of such disclosure notice shall be recorded on a property transfer report form prescribed by the state board of real property services as provided for in section three hundred thirty-three of the real property law.



Filed 3.26.07