

**Town of Halfmoon Zoning Board of Appeals
Meeting – Monday, May 5, 2025
7:00 PM**

Those present at the May 5, 2025 Zoning Board of Appeals meeting were:

Zoning Board Members:

Debra Curto –Chairwoman
Kevin Koval- Vice Chairman
David Maxfield- absent
Leonard Micelli
Steve Kucskar
Michael Morand

Coordinator- Building, Planning and Development: Richard Harris

Deputy Town Attorney: Cathy Drobny

Deborah Curto: Good evening, today is the May 5th 2025, Zoning Board of Appeals meeting. Tonight is one public hearing for 25 Eleanor Court. Housekeeping items we have a review for last months draft minutes, any comments or changes?

Leonard Micelli: I didn't have any.

Kevin Koval: No

Deborah Curto: Motion to approve as presented.

Leonard Micelli: So moved

Deborah Curto: Second ?

Kevin Koval: Second

Deborah Curto: All in favor aye (all were in favor) opposed (none were opposed) Motion carried.

Open the public hearing at 7:02. Public hearing is for the Williams Variance at 25 Eleanor Court, the applicant is seeking to construct a single family home due to the size, location and orientation of the proposed home relevant to the front yard. A building permit was denied. The denial was due to the failure of the proposed home to meet a 50 foot front yard and a 50 foot rear yard setback. The home is proposed to have a 36 foot front yare and a 36 rear yard setback. Thus requiring a 14 foot variance. I invite the applicant to approach the podium and disclose any additional information if you have some, and just one other item we did have a site visit on Saturday April 26th.

Pat Jarosz: Good evening my name is Pat Jarosz from VanGuilder Associates. I really can't add much to that. We went to the site everybody was there and saw what we are proposing seeing what's the best fit so we think it is, and we would appreciate your consideration on it.

Deborah Curto: Any comments or questions from the Board?

Leonard Micelli: I don't have any.

Kevin Koval: None from me.

Deborah Curto: Anybody online?

Richard Harris: Let me check, is there anyone online that wishes to speak? (no one wished to speak online)

Deborah Curto: Hearing no one we will close the public hearing at 7:04. You can have a seat as we go through the questions for the area variance.

In making our determination the Zoning Board of Appeals shall take into consideration the benefit to the applicant if the variance is granted as weight against the detriment to the health, safety and welfare of the neighborhood or community by such grant. In making such determination the Board shall consider. Number 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 area variance.

Kevin Koval: I don't see any detriment to the neighborhood, it will fit in with what's there

Leonard Micelli: I agree.

Deborah Curto: Number 2, whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue other than an area variance.

Kevin Koval: I think this is the best plan for the given area.

Leonard Micelli: I would agree with that.

Steve Kucskar: I would agree with that.

Deborah Curto: Number 3, whether the requested area variance is substantial. At 14 feet I would say that the variance is a non substantial variance.

Kevin Koval: Agree

Leonard Micelli: Agree

Steve Kucskar: Agree

Deborah Curto: Number 4 whether the proposed variance will have an adverse affect on the physical or environmental conditions in the neighborhood.

Kevin Koval: No

Leonard Micelli: No

Steve Kucskar: No

Kevin Koval: None that I could see.

Deborah Curto: Number 5 whether the alleged difficulty was self created, which consideration shall be relevant to the decision to the Board of Appeals but shall not necessarily preclude the granting of the area variance.

Kevin Koval: I don't feel it was self created as zoning laws changed from when it was purchased to the time it is being constructed.

Leonard Micelli: I would agree with that.

Steve Kucskar: I agree.

Deborah Curto: I make a motion to approve a front yard variance of 14 feet and a rear yard variance of 14 feet as per the application. I need a second.

Kevin Koval: Second.

Deborah Curto: All in favor aye (all were in favor) opposed (none were opposed) Motion carried.

Pat Jarosz: Thank you.

***Williams Variance, 25 Eleanor Court – Area Variance
Public Hearing Held & Approved. A public hearing was held and the Board subsequently approved a request seeking area variances of 14' in the front yard and 14' in the rear yard.***

Deborah Curto: And one other item that I forgot at housekeeping was attendance that David Maxwell is excused and Mike has full voting power tonight. Any other business for the Board?

Kevin Koval: None.

Leonard Micelli: None.

Deborah Curto: I make a motion to adjourn at 7:06.

Kevin Koval: Seconded.

Motion to Adjourn Approved.