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Town of Halfmoon Zoning Board of Appeals

Meeting – Monday, September 2, 2025

7:00 PM

Those present at the September 2, 2025 Zoning Board of Appeals meeting were:

Zoning Board Members:

Debra Curto –Chairwoman

Kevin Koval- Vice Chairman

David Maxfield

Leonard Micelli- absent

Steve Kucskar

Michael Morand

Coordinator- Building, Planning and Development: Richard Harris

Planner/Stormwater Management Technician: Ted Chesnes

Deputy Town Attorney: Cathy Drobny

Debbie Curto: Good evening, this is the September 2, 2025 Zoning Board of Appeals meeting. We'll call the meeting to order at 7:03. For the record, Lennie Micelli is out tonight and Michael Morand will have full voting power. We'll do a review of the June minutes. Any changes, corrections, comments? Motion to approve as presented.

Steve Kucskar: I'll make a motion to approve.

Debbie Curto: Alright. Second.

Mike Morand: I'll second.

Debbie Curto: All in favor (all were in favor). Aye.

147 Pruyn Hill Rd - Area Variance (25.120)

Debbie Curto: Tonight we have an agenda meeting. Two items are on the agenda. One is the Miranda Shed and the second will be a Single Family Home conversion. The Miranda Shed is located at 147 Pruyn Hill Road. They are looking for an area variance. The applicant is seeking to construct an accessory shed in the front yard of their existing home. The 12x24 shed is proposed 30' from the front property line. The shed will be 73 short of the required of the 103'

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setback. I invite the Applicant to approach the podium and give us any additional information, if you'd like, or give us an overview of your project.

Marc Miranda: Hello everybody. So, I live at 147 we built there 2 years ago. My wife is McBride so their family gave us the lot.

Debbie Curto: Just for the record just state your name please.

Marc Miranda: Oh. Mak Miranda.

Debbie Curto: Thank you.

Marc Miranda: And continue, continue?

Debbie Curto: Yes.

Marc Miranda: Ok. Sorry. And then, we built two years ago and, unfortunately, it's not a very level lot. So, the back of my house, the drainage for the entire McBride fields McBride baseball fields it all comes from my backyard. I can't do anything back there, other than look at the water being drained in my backyard. And then, on the front, it's not that level but like kiddy corner to my house is where the septic is and so, as you know, Code says you can't put anything on the septic area and that would have been a nice spot for it. So the only spot I got is right in front of the Hillcrest Fire Department. So, it would sit behind it. And, you see that tree line there that's coming, well, I'm extending it out. I've got some arborvitaes coming and it's going to run down the fence line behind the Hillcrest Fire Department. So, it's going to look nice when that, we're going to continue the tree line there. And then, really, the only place we can hang out is really in the front yard. It's the only place. It's the only place that somewhat level and, funny thing is, the drafter who drafted my home two years ago, asked me if I wanted a three stall garage and I said, ya know, I don't need much space. Boy, was he right. It took me only two years to fill up that garage. Now, I need a shed. This is the only spot I can put the shed that's somewhat level and accessible to my house. So, I'm seeking the variance so I can put it there and I'll have the privacy trees up too, so you won't have to see it from the road.

Debbie Curto: Any questions from the Board?

Kevin Koval: Not from me.

Dave Maxfield: I don't have any.

Steve Kucskar: Just to confirm, where the shed is right now, is where it's going to stay?

Marc Miranda: Yes. It's the only spot. I wish I could put it, you see where the tree line is over, that's the right there?

Steve Kucskar: Yeah.

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Marc Miranda: I wish I could do it, but that septic. See where that septic goes in that angle. It's like an angled septic. So, like that, I can't put anything there. And it goes down like this, so, everything, I had to get \$30,000 worth of topsoil to put the house on because my front yard and my backyard go like this, and it's a free lot, so, I guess I didn't have to pay for it. I don't think anybody paid for it to be honest with you. Nobody would have paid money for that lot.

Debbie Curto: No questions from the Board? Okay, we will set a site visit for Saturday, September 27 at 9:00 a.m. Members of the ZBA will, will just come to your property to take a look at it.

Marc Miranda: Yeah, sure.

Debbie Curto: I will not be there. And then I'm going to make the motion to set a Public Hearing on Monday, October the 6th at 7:00 p.m. Can I get a second on that motion.

All: Second.

Debbie Curto: All in favor (all were in favor). Aye. Thank you. Opposed (none opposed).

Marc Miranda: October 6th 7:00 p.m.?

Debbie Curto: October 6th 7:00 p.m. is the Public Hearing and then their site visit is Saturday, September 27 at 9:00 a.m.

Marc Miranda: Got it.

Richard Harris: I'll email you that Marc

Marc Miranda: Rich I have it in my phone, now, I can't forget. Any other questions?

Debbie Curto: I think you're all set. Thank you Marc

Miranda Shed - Area Variance

PUBLIC HEARING SET. The Board received a presentation and set a Public Hearing for October 6th, 2025, for an application seeking an area variance for a proposed shed in the front yard of a property. A site visit was also scheduled by the Board.

Khater Duplex, 7 Terminal Rd. - Area Variance (25.126)

Debbie Curto: Khater Duplex, 7 Terminal Rd. - Area Variance (25.126)

They are looking for an area variance. It is currently zoned as C-1 commercial. It is a single family home and they wish to make a two-family home duplex with an addition. We have several area variances that they're looking for. Lot size, lot width, front yard, side yard and accessory structure, set back.

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Andy Brick: Hi. Good evening. Andy Brick from the Brick Law Firm, with me is Najwa Khater and her parents, the property owner. Do you have copies of the building plans?

Debbie Curto: Yes.

Richard Harris: I have them up here.

Andy Brick: Great.

Richard Harris: Yeah.

Andy Brick: So, Najwa purchased the property in March of 2024. It's her intention to reside in one of the units and then rent the second that she's seeking the extension for, quite possibly to her parents. That hasn't been set in stone yet, but that is definitely a possibility. I'm sure you're all familiar with the properties, it's a rather prominent structure. It's literally the first thing you see when you're crossing the bridge. It's been there quite some time. It was owned by a gentlemen for over 60 years and he sold it in 2024. It could use a little upkeep, a little improvement on the outside and that's what is part of our project but, what she's proposing is a 392 sq. ft. addition to the Eastside of the parcel to the structure, but, in order to do that, because the house was built in 1850, there's numerous variances that would now need to come into compliance because clearly it was built prior to zoning code. So, of the six variances that were requested, none of them are being driven specifically by the addition itself. It's being driven by the fact that the property is not conforming and since we now expand the structure, we have to bring it into conformity with variances. So, that's the proposal. And the proposal is to turn it into a two-family, which is allowed in a C-1 with, by a special permit. I think, originally, if you look at the structure, there probably was a 2-unit building at some point because it looks like it's a mirror image on each side. However, it was at some point converted to a one-family. It's easily convertible back to a two-family but there wouldn't be sufficient room on the East Side. So, this small addition and bump-out would provide living area and a dining room area to the unit on the right and there is an internal floor plan from Dan Sanders that shows you the existing, would just be a, if you went in it would be a kitchen and the stairs right up to bedrooms with a bathroom on the first floor but the addition will allow for a living room and dining room area on the first floor on the unit to the right. So, that's the basis for proposal and that shows it to you a little better there. That shows the proposed addition so, all of that on the right, on the bottom, the dining room table and the living room couch, that's the addition and then above it, there's a bedroom and an additional bathroom above it. And, if you see, if you subtract those two out you'll see kind of how unwieldy it would be to have that as a unit. It would just be literally a door and a kitchen the stairs right up to the upstairs. So, there's really no living area. So that's the genesis for the proposal. Dan Sanders is our architect, looked at it and we had given him the instruction to minimize the extension as much as possible but still get some living space on that unit. So, that was the basis and our idea for the proposal. It will involve a complete rehab of the entire outside structure if we're granted our approvals to include vinyl siding and the new rockface on the bottom. I think it'll be an improvement aesthetically on all four sides. Not just the East Side where the addition's proposed. It is, it's real easy to describe the neighborhood that it's in. It has one neighbor. It's a five-unit apartment building right next door. Stewart's is on the corner and then there's the parking lot toward the Crescent Park. So, there's not many neighbors and there are neighbors behind it through the brush on the backside that really aren't

visible or accessible from this particular property. That's it in a nutshell. I could go through the area variance test if you'd like. I don't think we're creating an undesirable change in the neighborhood. I think we're actually improving the neighborhood by improving the aesthetics and the outside of the entire building with only a minimal extension to the building. We're not going to have any adverse, physical or environmental impacts. Again, it's a minor extension. Is it a substantial variance? Well, we're asking for six of them so six variances and one application appears to be substantial, but it's only because the property's non-conforming. If you look at the size of the addition we're requesting, it's 392 sq. ft. and the existing structure is 1,998 sq. ft. So, our addition is only 19% increasing the structure itself. It just seems like it's substantial because of all the other variances we need. For example, 50' setback, we're never going to get that. We only have 7' to the street so, a 43' area variance request is substantial, but in the context, what we're adding we're proposing to add isn't substantial. Is it self-created. I've learned not to argue. It's not self-created because pretty much every area variance request is somehow self-created. She purchased the property like this but I think she has a good vision for how to improve the property and so, is self-created but to that extent, we're still, we're asking that you consider it now. I'm here to answer any questions so is Najwa.

Debbie Curto: The original house was built in 1850?

Andy Brick: According to our information, yes.

Debbie Curto: Is it on the National Historic Register?

Andy Brick: No, it's not. My understanding is the one next-door is but this one was never asked for or included. I don't know why. I think it was a housing for workers, canal workers and I guess that wasn't as important as other structures, which is unfair but, it was never considered.

Debbie Curto: Thanks.

Andy Brick: Sure.

David Maxfield: Is this on it's own septic system or is it on the town's?

Andy Brick: Yea

Kevin Koval: I have no questions.

Debbie Curto: Any other questions from the Board?

Dave Maxfield: I'm good.

Steve Kucskar: No. I'm good.

Debbie Curto: We will set a site visit on Saturday, September 27th at 9:30 a.m., and I'll make a motion to hold a Public Hearing on Monday, October 6th at 7:00 p.m.

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Kevin Koval: I'll second.

David Maxfield: Can we just have it marked out to see visually.

Debbie Curto: Yes, when we attend on that Saturday, if you could just stake out where the addition is going to be.

Andy Brick: Sure.

Debbie Curto: I mean, nothing, it doesn't have to be anything formal you could put sticks in the ground is fine.

Debbie Curto: Okay Perfect.

Khater Duplex - Area Variance

PUBLIC HEARING SET. The Board received a presentation and set a Public Hearing for October 6th, 2025, for an application seeking multiple area variances in order to build an addition onto a single-family home and convert it into a duplex. A site visit was also scheduled by the Board.

Andy Brick: Is there any further information or anything else you'd request for us in advance of the Public Hearing?

Kevin Koval: These plans are a lot more than what we usually get.

Debbie Curto: We're very impressed.

Andy Brick: Excellent.

Kevin Koval: We appreciate it.

Steve Kucskar : It does make a difference.

Debbie Curto: Thank you very much.

Andy Brick: Okay thank you.

David Maxfield: Thank you.

Debbie Curto: Any other business before the Board?

Kevin Koval: None.

Debbie Curto: I make a motion to adjourn at 7:18.

Steve Kucskar: Second.

Debbie Curto: Thank you.

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The Next Zoning Board of Appeals Meeting will be Monday, October 6, 2025