

Town of Halfmoon Zoning Board Minutes

November 3, 2025

Those present at the November 3, 2025 Planning Board meeting were:

Zoning Board Members:

Deborah Curto –Chairwoman
Kevin Koval- Vice Chairman-absent
Dave Maxfield
Leonard Micelli
Steve Kucskar

Zoning Board Alternates:

Michael Morand

Coordinator- Zoning, Building, Planning and Development:

Richard Harris

Planner/Stormwater Management Technician

Ted Chesnes

Deputy Town Attorney:

Cathy Drobny

Debbie Curto: Good evening, this is the Zoning Board of Appeals meeting for November 3, 2025. Tonight's topics include a public hearing and 2 agenda items. I call the meeting to order at 7:02. Kevin Koval has recused himself and will not be in attendance this evening, Mike Morand will have full voting authority. Has everyone had the opportunity to review October minutes?

All: Yes

Debbie Curto: Any revises?

All: No

Leonard Micelli: I didn't have any

Debbie Curto: Motion to accept the meeting minutes as presented.

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

Debbie Curto: Second.

Leonard Micelli: I'll second that.

Debbie Curto: All in favor (all were in favor). Motion carried. We'll open the public hearing at 7:03

Public Hearing(s):

Siddiqui Expansion, 2 Church Hill Rd – Extension/Enlargement of a Non-Conforming Use (25.127)

Debbie Curto: The applicant at 2 Churchill Road is requesting an expansion of one apartment to add 2 bedrooms and a bathroom to an existing empty space to the second floor. The property is located in an R-1 residential zone and it is a pre-existing non-conforming multi family house, which includes 3 apartments. The applicant wants to expand one apartment on the second floor adding 2 bedrooms and one bathroom in it. Currently vacant storage added space. It's for the purpose of making the apartment more marketable and to meet the modern needs. The expansion will be 618 square feet. There would be no more outward expansion to the existing building. The site visit was held by the ZBA on Saturday October 18th. I would invite the applicant to come to the podium, please state your name and relationship to the project.

Amron Siddiqui: I am Amron Siddiqui I am the owner of the property.

Debbie Curto: Do you have any other additional information you would like to share with the Board?

Amron Siddiqui: No not at this time I mean you've seen the property, pretty reasonable request.

Debbie Curto: Yes, any questions from the Board?

Dave Maxfield: No

Leonard Micelli: No I don't have any

Debbie Curto: Nothing online?

Richard Harris: If anyone online wants to speak on the public hearing please unmute your microphone and there are one or two people on, if you would like to speak please unmute your mic and speak now.

Debbie Curto: I'll make a motion to close the public hearing at 7:05

Leonard Micelli: So moved

Debbie Curto: You may be seated. I move to approve the proposed expansion of an existing second floor apartment by incorporating currently storage and attic space to add 2 bedrooms and one bathroom. This modification is intended to enhance the apartments marketability and better align with living standards. The building will remain a 3 unit apartment structure and no additional dwelling units will be permitted. This expansion is strictly limited to the enlargement of a pre-existing apartment as authorized by the Zoning Board of Appeals and does not constitute the creation of a new unit. I need a second on that motion.

Dave Maxfield: I second and I also approve this request as well to move forward as presented however I'd like to make 2 important clarifications for the record. Before proceeding I strongly recommend that the applicant contact the Halfmoon assessors office adding new livable space to an existing property will result in a change of the properties tax assessment. Again the approval is granted for the purpose of additional living space only and not for the creation of an additional apartment or dwelling unit. The property currently contains 3 units and the addition of a 4th would reclassify the property from residential to commercial which will trigger a different set of zoning codes, tax assessments and permit requirements. So it is essential that these conditions are clearly understood and followed as part of this approval.

Debbie Curto: All in favor of the motion.

Richard Harris: I think we can do overall.

Debbie Curto: All in favor (all were in favor). Opposed? (none were opposed) Motion carried.

Amron Siddiqui: Thank you.

Debbie Curto: You're very welcome

Richard Harris: I do want to just let the Board know that the applicant had come in for a building permit and now that this has been approved, we'll process the building permit. When we approve all building permits in Building and Planning a copy does go to the assessor so they're also made aware as a result of building permits and COs for assessment purposes.

Amron Siddiqui: So do I need to notify the assessor?

Richard Harris: No, the assessor will get notified by our department when we process the building permit.

Dave Maxfield: It was just more to let you know your taxes will go up because you're making a livable space.

Siddiqui Expansion– Extension/Enlargement of a Non-Conforming Use

PUBLIC HEARING HELD AND APPROVED. A Public Hearing was held, and the Board subsequently approved a request seeking the extension of a pre-existing/non-conforming use to expand one apartment on the second floor to add two bedrooms and a bathroom.

New Business:

Ayotte Porch, 60 Beach Rd – Area Variance (25.147)

Debbie Curto: The next item on the agenda is new business at 60 Beach Road, zoning is R-1 residential it is currently a single family home and the proposed use is for a front porch addition. The applicant is seeking to add a front porch to their home. The proposed front porch would be 22.6 feet from the front property line. The Town requirement for a single family dwelling in an R-1 zoning district is to have a

set back of at least 50 feet. Therefore the front porch will be short 27.6 feet of the required setback. The house currently does not meet the 50 foot minimum set back requirement making the current dwelling pre-existing non-conforming. So we are looking for a front yard set back of 27.6 feet and we are also looking at a lot width variance. Good evening, if you would like to give us your name and any additional information you would like to share with us.

Denise Ayotte: Denise Ayotte, I am the owner of this home, when my house was built it was only 25 feet, from what I was told it was the center of the road whatever they claim it is now I'm not sure. We've always wanted, I just want a front porch.

Richard Harris: You did explain that when we met that there are other people in the area with front porches and there are other houses that do not meet the minimum front yard set back.

Denise Ayotte: Yes, yes my next door neighbor is one of them.

Debbie Curto: Now I remember where this house is, I was trying to figure when I was looking at the map

Richard Harris: I could go on google maps real quick if you want?

Debbie Curto: No I just remembered exactly where it was, alright.

Denise Ayotte: Yea it's just past the Y.

Debbie Curto: Any questions from the Board?

Leonard Micelli: I don't have any

Dave Maxfield: Denise I just have a couple it's just want to make sure it's for your knowledge too that do you know if you have any culvert pipes or a septic system or anything on the front lawn that once this structure is there that it could impact, you know has to get dug up and then you're..

Denise Ayotte: The only thing that I have is the water line that comes in that the Town, but that is the only thing that I have.

Dave Maxfield: Okay, and were you going to make this a covered porch?

Denise Ayotte: Yes

Dave Maxfield: Okay, no further questions.

Debbie Curto: Is there public water there?

Denise Ayotte: Yes

Dave Maxfield: Yes

Denise Ayotte: But I can tell you that the water line goes in at this end of the house, my porch is at this end of the house.

Debbie Curto: Okay

Steve Kucskar: So you're away from all of the utilities. You have natural gas?

Denise Ayotte: Yes

Steve Kucskar: Okay and that's away from

Denise Ayotte: And that's also in the back

Steve Kucskar: We wouldn't want a backhoe hitting that thing yea okay.

Debbie Curto: I will set a site visit to see the property on Saturday November 22nd at 9am

Denise Ayotte: Okay

Debbie Curto: If you could possibly just stake it out, just with sticks so that we could see what the dimensions are going to be.

Denise Ayotte: Okay

Debbie Curto: So site visit for Saturday November 22nd at 9 am Ill make the motion to set a public hearing for December 1st at 7 pm. If I could have a second.

Steve Kucskar: I'll second that

Denise Ayotte: Thank you.

Steve Kucskar: Thank you.

Debbie Curto: Thank you.

Ayotte Porch, 60 Beach Road – Area Variance (25.147)

PUBLIC HEARING SET. The Board received a presentation and set a Public Hearing for December 1st, 2025, for an application seeking an area variance from the minimum front yard setback and the minimum lot width of a one-family dwelling, for the purpose of constructing an enclosed porch. A site visit was also scheduled for November 22nd, 2025.

Kincaid Capital Partners LLC, SBL #278.19-2-34 (Vacant/Adjacent to 81 Woodin Rd) – Area Variance (25.148)

Debra Curto: It is a vacant parcel at 81 Woodin Road. Zoning is R1 Residential. They are looking to build a single family dwelling. They are requiring a front yard and a rear yard setback. The plans

indicate that the front yard setback would be 31' and the rear yard setback would be 45'. This would not meet the current 50' minimum front yard and rear setback requirements. The front yard setback of 31' would get a variance of 19' and the rear yard setback 50' variance for 50' setback. The house would be setback 45' requiring a 5' variance. Good evening. You can both state your names and relationship to the project and give us some additional information.

Nathan Averill: Nathan Averill, Administrative Support.

Bob Priest: Bob Priest, owner.

Debra Curto: Would you like to provide any additional information that on your project?

Bob Priest: No additional information, we provided all the information to you guys. So, you've probably had a chance to review our project and what we're willing to do.

Nathan Averill: I'll just add that we're really hoping that we can get approval before the end of the year so we can get natural gas. That's like, really the number one thing we trying to get accomplished.

Debra Curto: Oh, your department is going to be working around the clock on that I'm sure

Richard Harris: We're getting dozens of permits already, without even being sold. They want to get their permits. Just so people are aware, permits have to be dated the 30th of December or earlier, not the 31st. The new Building Code is called the 2025 Building Code and so it's effective 12/31/25. Not that that makes a ton of difference to a lot of people, but I have had other Code Enforcement Officers send an email saying people need to get their permits before January 1st and technically, that's one day too late. They've got to get them, they've got to be, well, the wording in the State Building Code is going into effect substantially complete application in the eyes of the local jurisdiction. So, our interpretation is, in order to be substantially complete, our staff has to review the whole building plan and they have to sign off on them. So, for us, that's an issuance date, not a "oh, we got an application and it's good enough". Because we don't know if it's good enough until someone sits down and reviews the whole thing. They might be missing something. They might be missing truss plans or something like that and we don't want to get into that game. So, we've met internally and we need to issue it by, dated December 30th or earlier. Because we're not going to sit there with a box of applications for a number of years and play a game of "hope it's in time" and stamped it in and then we find out it just has a name and address on it and not building plans. So, for us it's an issuance date. Not just a received date.

Kevin Koval: Thank you for that additional information.

Richard Harris: Yeah. We're with you on that.

Bob Priest: You've been very helpful on that.

Richard Harris: Had a lot of questions on this lot. Not just from you.

Debra Curto: Did you own the property next door to it?

Bob Priest: No.

Debra Curto: No.

Bob Priest: It's the previous owner.

Richard Harris: But, you bought it from, is it Halloran or Hallahan, I think.

Bob Priest: Yeah. Hallahan or Halloran.

Debra Curto: Any questions from the Board?

Leonard Micelli: I don't have any.

David Maxfield: Just a couple. Sorry. Is this planning to be a single family home?

Bob Priest: Yes.

David Maxfield: One or two stories?

Bob Priest: Two stories.

David Maxfield: And then is this going to need a, is this public septic or are you going to need a tank?

Bob Priest: It's going to be public water and sewer.

David Maxfield: Okay, Thank you.

Richard Harris: I do want to just clarify, in case anyone's listening on-line, because some of the questions I've had on this was, there was an attempt years ago for the construction of a single family home on this lot. The minimum lot size, in that zoning district, is 20,000 sq. ft. This lot is 17,601. Since that last application came in, the Town has since amended our Town Code to allow lots less than the minimum. So, like this, less than the 20,000, if they can meet all other requirements for, primarily setback is what comes up. Thus, the applicants are here for front yard and rear yard, but they're not required by code to get one for area if they pursue and obtain variances for setbacks, so, it's not triggered in this case.

Debra Curto: We'll set a site visit Saturday, November 2nd, November 22nd, sorry, at 9:30 a.m.

Brian Priest/Nathan Averill: Thank you.

Debra Curto: And I'm assuming that you have plans for the home?

Brian Priest: Yes.

Debra Curto: You could stake out the corners so that we could have a visual.

Brian Priest: Great. I think we already have it done, but we'll make sure it's clear and, anything we can do to provide you with information to get it done this year, we'll do whatever we can.

Debra Curto: Okay

Brian Priest: You tell us, we'll have ready

Leonard Micelli: Staking it is great so we know what we're looking at.

Richard Harris: Show the driveway also, I mean it's along the left side of that, factor in where they're proposing the driveway. He'll have to get a curb-cut permit from the Highway Department. The Highway Superintendent. I didn't know if that's something you staked out also.

Debra Curto: But, you know what, yes, stake out where the driveway's gonna be as well. It's not going to affect us, but it's good for us to be able to see it.

Brian Priest: If there was, for some reason, we needed to go with a smaller house or something, I know we're getting really short in time here. We just need this to be a natural gas house so we're very willing to do whatever we can to get it going

Debra Curto: So, you have the possibility to go to a smaller house, again, meet all the setbacks?

Brian Priest: We can't. No, it's impossible, it's literally impossible to the setbacks. The property, when the gentleman that actually staked it up the first time, he thought we had plenty of space but as you can see, it's kind of diagonal and it really screwed up that, the width so you could fit, like, a trailer on it but that's not really what we were going for. We aren't going for that small but we were just saying that the house size that we have, if for some reason it was too big, we don't think it's large. It's kind of medium, but, we would be willing to go smaller if we had to do that, but obviously we'd have some legwork to do to get it in time and all that, but, we're willing to do whatever it takes to make that happen.

Debra Curto: I'll make the motion to have a Public Hearing on Monday, December 1st at 7:00 p.m. and the site visit will be November 22nd at 9:30 a.m. Can I get a second on that motion.

Mike Morand: I'll second that.

Debra Curto: Alright. Motion carried. Any other business for the Board?

Leonard Micelli: I don't have any.

Brian Priest: Thank you.

Kincaid Capital Partners, LLC – Area Variance

PUBLIC HEARING SET. The Board received a presentation and set a Public Hearing for December 1st, 2025, for an application seeking an area variance for front yard and rear yard setbacks for a proposed single-family dwelling. A site visit was also scheduled for November 22nd, 2025.