

WILTON ZONING BOARD OF APPEALS
THURSDAY, February 22, 2024

A meeting of the Wilton Zoning Board of Appeals was held on Thursday, February 22, 2024, at Wilton Town Hall and was called to order by Vice Chairman Ramsdill at 6:59 p.m.

PLEDGE OF ALLEGIANCE

PRESENT: Vice Chairman Christopher Ramsdill, Nicholas Collins, Scott Duffy, Amanda Pelfrey, Jay Rifenbary, Christopher Iwinski, 1st Alternate, and Andrew Bobbitt, 2nd Alternate. Also present were Mark Schachner, Town of Wilton Zoning Board of Appeals Attorney, Mark Mykins, Zoning Officer, and Lisa Closson, Zoning Clerk.

ABSENT: Chairman O'Brien and Scott Kingsley.

MINUTES: The minutes of the last meeting, held on January 25, 2024, were approved, as submitted, on a motion made by Mr. Rifenbary, seconded by Mr. Iwinski. All board members present were in favor. The motion passed.

CORRESPONDENCE: None other than what is presented before the board.

EXTENSIONS: *SPECIAL USE PERMIT EXTENSIONS ARE NOT SUBJECT TO A PUBLIC HEARING*

SUP NO. 2012-31 Laura Fogg and Shane Pratt, 256 Gurn Springs Road, Wilton, New York 12831. Request for an extension of a Special Use Permit pursuant to §129-176 V of the Zoning Ordinance for a private stable; property located at 256 Gurn Springs Road, Tax Map No. 116.-1-2.11, zoned R-2, in the Town of Wilton. SUP No. 2012-31, originally granted on July 26, 2012 for a period of two years with a maximum of two horses, amended for a maximum of three horses, and continually extended since, is due for review and extension on or before February 28, 2024.

No one was present to represent the appeal. SUP No. 2012-31 has been closed.

OLD BUSINESS:

Appeal No. 2023-02 David Lemen, for Dale Charbonneau, 184 Phila Street, Saratoga Springs, New York, 12866. Request for an Area Variance pursuant to Schedule E, RB-1 District, of the Zoning Ordinance; property located at 4205 Route 50, Saratoga Springs, New York, 12866, Tax Map No. 141.-1-8, zoned RB-1, in the Town of Wilton.

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***Tabled pending submission of additional information.**

****Deemed withdrawn if no new information is submitted by March 25, 2024.**

NEW BUSINESS:

SUP No. 2024-03 John Halford, 300 Pettis Road, Gansevoort, New York, 12831. Request for a Special Use Permit pursuant to Schedule B, R-2 District, §129-175 D. (1)-(7) and §129-176 P., of the Zoning ordinance, for two dwellings on one parcel; property located at 300 Pettis Road, Gansevoort, New York, 12831, Tax Map No. 116.-1-16, zoned R-2, in the Town of Wilton.

Mr. Ramsdill read correspondence from SCPB (Saratoga County Planning Board) stating no significant countywide impact. It has been placed in record.

John Halford, 300 Pettis Road, was present and explained his project to the Board. He further explained he is trying to build a new home and that he would like to keep the existing manufactured home for his mother-in-law. There was discussion on existing barn structures, location of new home, moving the manufactured home, and existing utilities.

Mr. Ramsdill opened and closed the public hearing at 7:05 p.m. due to lack of public comment.

Mr. Collins made a motion to approve Special Use Permit No. 2024-03, John Halford, 300 Pettis Road, Gansevoort, New York, 12831. Request for a Special Use Permit pursuant to Schedule B, R-2 District, §129-175 D. (1)-(7) and §129-176 P., of the Zoning ordinance, for two dwellings on one parcel; property located at 300 Pettis Road, Gansevoort, New York, 12831, Tax Map No. 116.-1-16, zoned R-2, in the Town of Wilton.

Mr. Duffy seconded the motion. All Board members present were in favor. The Motion passed.

Appeal No. 2024-04 Trang Potter, 120 Ingersoll Road, Saratoga Springs, New York, 12866. Request for Area Variances pursuant to §129-157 and Schedule B, R-2 District, of the Zoning Ordinance; property located at 152 Ingersoll Road, Saratoga Springs, New York, 12866, Tax Map No. 154.-1-72, zoned R-2, in the Town of Wilton.

Richard and Trang Potter, 120 Ingersoll Road, presented their project to the Board. Mr. Potter explained the property originally had a trailer that sat lengthwise on the property, which burned down and was removed. He further explained they are the new owners of the property who are looking to place a new home on the land, and are asking for variances.

Mr. Ramsdill confirmed with Mr. Mykins that the parcel is preexisting nonconforming. Mr. Bobbit asked if they considered rotating the new home perpendicular to Ingersoll Road. Mr. Potter stated they do have plans to run the house perpendicular as opposed to parallel if necessary.

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There was discussion on the slope of the property, the location of Bog Meadow Brook in the rear of the property, proximity for fire to adjacent structures, communication with the neighbors, and whether it is sewer or septic. Mrs. Potter confirmed it is town sewer.

Mr. Ramsdill opened and closed the public hearing at 7:11 p.m. due to lack of public comment.

Mr. Iwinski made a motion to approve Appeal No. 2024-04, Trang Potter, 120 Ingersoll Road, Saratoga Springs, New York, 12866. Request for Area Variances pursuant to §129-157 and Schedule B, R-2 District, of the Zoning Ordinance; property located at 152 Ingersoll Road, Saratoga Springs, New York, 12866, Tax Map No. 154.-1-72, zoned R-2, in the Town of Wilton, be granted, for 21 ft. north side yard setback relief and 18.50 ft. south side yard setback relief, for a proposed single family home property located at 152 Ingersoll Road, Saratoga Springs, New York, 12866, Tax Map No. 154.-1-72, zoned R-2, in the Town of Wilton, was granted, because the benefit to the applicant outweighs the detriment to the health, safety and welfare of the community, for the following reasons:

1. The applicant has demonstrated that an undesirable change will not be produced in the character of the neighborhood and a detriment to nearby properties will not be created by the granting of the Area Variances because a home will be constructed that is similar to other homes in the neighborhood.
2. The applicant has demonstrated that the benefit sought cannot be achieved by some method feasible for the applicant to pursue other than by Area Variances because of environmental factors and the size and shape of the property.
3. The applicant has demonstrated that the requested Area Variances are not substantial because it is the minimum amount needed to construct the home.
4. The applicant has demonstrated that the requested Area Variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood district because they are further away from the wetlands, other neighbors are close to their lot lines as well, and the applicant is keeping the home toward the front of the property with the higher elevation.
5. The applicant has demonstrated that the alleged difficulty is self-created.

Mr. Rifenbary seconded the motion. All board members present were in favor. The motion passed.

Adjournment:

Mr. Collins made a motion to adjourn. Mr. Duffy seconded the motion. All board members were in favor. The meeting was adjourned at 7:15 p.m.

Dated: February 23, 2024

BOARD OF APPEALS

BY _____

Lisa Closson, Zoning Clerk

BY _____

Christopher Ramsdill, Vice Chairman