

**MINUTES OF THE ZONING BOARD OF APPEALS – AUGUST 25, 2022 – THE TOWN OF KINGSBURY**

**MEMBERS PRESENT:**

William Whipple, Chairman

James Ross

Scott Winchell

Katherine Henley

**MEMBERS ABSENT:**

Brian Heasley

**OTHERS PRESENT:**

Todd Humiston, Enforcement Officer

Jeff Meyer, ESQ., Town Attorney

The meeting was called to order by Chairman Whipple at 7:00 PM.

Roll call of members.

Chairman Whipple entertained a Motion to Approve the Minutes of the July 28th, 2022 Meeting.

**ON A MOTION BY** Scott Winchell, seconded by Jim Ross, the minutes of the July 28th, 2022 meeting were adopted, as presented.

**AYES: 4, NAYES: 0, ABSTAIN: 0, MOTION CARRIED**

**David Dunn**, owner of Tax Map # 127.-1-23.1, commonly known as 1854 Sanford Ridge Road, located in Zoning District RA1A Residential/Agricultural, is seeking a Zoning Variance for additional garage space that impedes the required 50' setback from the road. Plans for proposal are available at Kingsbury Town Hall, 6 Michigan Street, Hudson Falls NY during regular business hours.

Mr. Dunn stated that he is looking for a Zoning Variance on his recently purchased house for additional garage space. He noted that the additional unheated garage bay would follow the structure of the house and would have a 9' garage door so his SUV would have room to access. He also noted that this addition encroaches the required 50' setback from the road by 9 feet.

Chair Whipple opened the public hearing at 7:05 pm and welcomed any comments or questions from attendees.

A neighbor of Mr. Dunn's stated that he was concerned as to whether the additional garage bay was stand-alone or attached to the house and was fine with the plans as explained.

There being no further comments from the public, Chairman Whipple closed the public hearing at 7:10 pm.

After reviewing the Class II short Environmental Assessment form, it was determined that there are no potential negative environmental impacts anticipated and **ON A MOTION BY** Jim Ross, seconded by Katherine Henley, the resolution to approve the application for Zoning Variance was carried.

**AYES: 4, NAYES: 0, ABSTAIN: 0, MOTION CARRIED**

**A full copy of said resolution is annexed hereto at the end of meeting minutes.**

**ON A MOTION BY** Katherine Henley, seconded by Jim Ross and all approved to adjourn the August 25th Kingsbury Zoning Board of Appeals meeting at 7:15 pm.

Alie Weaver, Secretary  
Town of Kingsbury Zoning Board of Appeals

**ZONING BOARD OF APPEALS OF THE TOWN OF KINGSBURY  
COUNTY OF WASHINGTON, STATE OF NEW YORK**

Resolution August 25<sup>th</sup>, 2022  
Adopted

Introduced by Jim Ross  
who moved its adoption

Seconded by Katherine Henley

**RESOLUTION APPROVING / DENYING  
AREA VARIANCE REQUESTED BY  
DAVID DUNN**

**WHEREAS**, pursuant to the Chapter 280 of the Code of the Town of Kingsbury, the Town of Kingsbury Zoning Board of Appeals (hereafter the “ZBA”) is authorized and empowered issue variances in accordance with said Zoning Ordinance and Section 267-b of the Town Law;

**WHEREAS**, DAVID DUNN (hereafter the “Applicant”), has requested an area variance relative to the front yard setback for the construction of a garage on their property located at 1854 Sanford Ridge Road, Town of Kingsbury, identified as Tax Map Number 127.-1-23.1, where a fifty (50) foot front yard setback is required in the RA-1A, Residential Agricultural Zoning District and in the front yard and they are looking to construct additional garage space resulting in a front yard setback of forty one (41) feet; and

**WHEREAS**, the Applicants request requires one variance from the front yard setback requirements found in Section 280-21 G(2) of the Code of the Town of Kingsbury, whereby a minimum of fifty (50) feet is required and the applicant is requesting nine (9) feet of relief; and

**WHEREAS**, in accordance with the State Environmental Quality Review Act (hereafter “SEQRA”), the requested variance is a Type II action; and

**WHEREAS**, a public hearing was duly held on the requested variances at which time the Applicant and members of the public were entitled to comment on the requested variances; and

**WHEREAS**, the ZBA has reviewed the Application and supporting materials, and has taken into consideration the comments from the public, and has reviewed the criteria found in Town Law Section 267-b.

**NOW THEREFORE BE IT RESOLVED:**

