

**TOWN OF NORTHAMPTON
ZONING BOARD OF APPEALS
September 25, 2013**

The Town of Northampton Zoning Board of Appeals held their regular meeting Wednesday, September 25, 2013. The meeting was called to order by Chair Skotarczak at 7:05 p.m. in the Municipal Building, 412 South Main St., Northville, NY.

PRESENT: Chair Amanda Skotarczak
Members: Thomas Corrigan, Heidi Darling, Jeff Daum, and Bruce Backer
Absent: Heather Simpson

ALSO PRESENT: Matthew Ginter, Code Enforcer
Kirk Tooley, Councilman Roosa, Supervisor Kemper,

RECORDING SECRETARY: Elaine Mihalik, Town Clerk

MINUTES: Member Darling motioned to approve the August 28, 2013 meeting minutes as presented by the Town Clerk/Secretary, seconded by Member Backer, and passed by, 5-Ayes: Skotarczak, Corrigan, Backer, Daum, and Darling 0-Nays

Chair Skotarczak announced that the Zoning Board of Appeals Public Hearing was left open for Case #2013-05: Ronda and Peter Cucchi, 23 Johnston Ave., Cohoes, NY 12047 on parcel #17.2-1-1, location at 201 State Hwy 30, in the Town of Northampton, Fulton County, NY, pending the Town of Northampton Planning Board decision.

Matthew Ginter: Ronda and Peter Cucchi, 23 Johnston Ave., Cohoes, NY 12047 case on parcel #17.2-1-1, location at 201 State Hwy 30, in the Town of Northampton, Fulton County, NY, is still open with the Town of Northampton Planning Board too.

I have met with the APA at the site. The Town of Northampton Planning Board has started the SEQRA process which identified DOT, DEC, and HRBRRD. The Planning Board is waiting for all of their input. I don't know if the Cucchi's will come back here before the ZBA.

The APA would not issue the Cucchi's a permit. The APA does require a permit. GIF does not allow a mobile home within 100 feet of State Highway 30. They consider it a structure because it was set up as it being there permanently. The owner's are not allowed to hook a septic system up to the neighbor. All new lots have to have their own septic system. I don't believe a septic system can be built because of the steepness. By APA standards that is not a build able lot.

Member Backer: He is living in it and is using the mobile home as a summer resident?

Matthew Ginter: The owner has made it perfectly clear that he is not going to move the mobile home at all.

The property is very steep. It's unfortunate; the property is all washed down onto the HRBRRD property. The HRBRRD has asked them to remove everything off of their (HRBRRD) property.

Chair Skotarczak **opened the Public Hearing at 7:08 p.m.**

Legal notice for Case #2013-06: D. Kirk and Katrin Tooley, 147 Skiff Road, on parcel #32.14-3-10, location at 147 Skiff Road, in the Town of Northampton, Fulton County, NY. Provisions to the Town of Northampton Zoning Ordinance: Schedule Article IV, Schedule B, side yard set-back of 10".
PROPOSED: 10' x 30" Carport addition to Garage

Kirk Tooley: I am unable to get my truck off the main driveway. The carport would be for my truck. Basically, there is no other place that I can put the carport.

Member Backer: Your neighbors haven't responded?

Kirk Tooley: No. In fact, the neighbor (Skyler's) on the south side would be affected the most.

Chair Skotarczak: You have to prove that the hardship is not self created. We then look at it as; is there any other alternative to accomplish what the owner wants to? Now I know it is not meant for your car. Your intention is to put your truck there?

Kirk Tooley: Yes, it is.

Deputy Chair Corrigan: You can't put the carport off the north side, you can't get in there.

Kirk Tooley: Correct.

Member Darling: The only other thing to do is to go around to the back on the east side.

Deputy Chair Corrigan: In order to come up the other side of the garage he would have an impact with the guest cabin and try to get out. He would have a tough time trying to do that. The request Mr. Tooley has is the only logical place for the carport.

Kirk Tooley: Mr. Skyler has assured me that he has no problem with my request.

Chair Skotarczak **closed the Public Hearing at 7:14 p.m.**

MOTION: Deputy Chair Corrigan motioned to grant a variance as requested by **D. Kirk and Katrin Tooley, 147 Skiff Road,** on parcel #32.14-3-10, location at 147 Skiff Road, in the Town of Northampton, Fulton County, NY. Provisions to the Town of Northampton Zoning Ordinance: Article IV, Schedule B, side yard set-back of 10', for a 10' x 30" Carport addition to Garage, seconded by Member Darling and passed by,
5-Ayes: Skotarczak, Corrigan, Backer, Daum, and Darling 0-Nays

The next Zoning Board of Appeals meeting will be held Wednesday, October 23, 2013 at 7 p.m.

Have no further business coming before the board. Member Daum motioned to adjourn the meeting at 7:15 p.m., seconded by Member Darling and passed by,
5-Ayes: Skotarczak, Corrigan, Backer, Daum, and Darling 0-Nays

Respectfully submitted,

Elaine Mihalik
Secretary/Town Clerk