

**TOWN OF SCHUYLER FALLS
ZONING BOARD OF APPEALS
REGULAR MEETING 05-16-2022**

The regular meeting of the Zoning Board of Appeals was called to order at 6:30 p.m. by Chairman Frank Dorrance.

Roll Call	Present	Absent
Frank Dorrance (Chairman)	X	
Tom Carlsen (Vice-Chairman)	X	
Rick Hazen	X	
Tim Aubin	X	
Kelsi Russell (Alternate)	X	

Others Present: Richard Donah, Yuri Bouharevich, Karen Bouchard, William LaCount, Tom Murnane

Mr. Dorrance moved on to the second item on the agenda. Approval of the May 2022 meeting minutes. Mr. Carlsen made a motion to approve the May 2022 minutes as written. The motion was seconded by Mr. Hazen.

Roll Call	Aye	Nay
Frank Dorrance (Chairman)	X	
Tom Carlsen (Vice-Chairman)	X	
Rick Hazen	X	
Tim Aubin	X	
Kelsi Russell (Alternate)	X	

Motion Passed

Mr. Dorrance moved on to the next item on the agenda, Appeal #22-002. Mr. Murnane expressed that in the essence of time while waiting for Mr. LaCount, the applicant could describe what they would like to do. The applicant gave a description to the board of what it is he was looking to do. Mr. Bouharevich expressed that they operate a food co-op CSA and a yoga studio. They are looking to grow the events and weddings side of things on the farm. Mr. Bouharevich gave further description and details to the board. He also expressed that they are doing glamping on the farm property. He expressed that they have one site on their property through Air B&B right now. He further explained that per the codes officer and state regulations they are allowed up to four campsites on your property without getting into the department of health and any zoning issues. He expressed that what they are looking for today is a special use permit to allow weddings and events to take place on the farm. Mr. Murnane expressed that the applicant came in front of the planning board last month but the planning board told them they needed a use variance so they submitted a new application to the Zoning Board of Appeals. Mr. Murnane explained that due to the location of the property, before the board can act and make a decision on this variance, it must be referred to the County Planning Board. Mr. LaCount expressed that the application has been already forwarded to the county but the board was further informed that a

decision has not come back from the county to allow the Zoning Board of Appeals to act on the matter. Mr. Murnane expressed that the board is unable to rule on this matter without a decision from the county. Mr. Murnane recommended that the applicant go to the next County Planning Board Meeting. He further discussed various details with the applicant. Mr. Dorrance expressed that to get a use variance there are four specific criteria and the application does not address any of them that he can see. He expressed that the applicant needs to refine the application to go through what the hardship is, how the hardship is unique to this property and not any other property, how if the variance is granted it doesn't change the neighborhood characteristics and how it is not self-created given that the applicant acquired the land a year and a half ago. Mr. Dorrance expressed that he would like to see an application that addresses the requirements appropriately. Mr. Murnane expressed that a new application does not need to be submitted but that the four bullet points need to be addressed and submitted to the board. Mr. Murnane further explained the information to the applicant. Discussion took place among the board members, the applicant and board attorney regarding the date of the next meeting. The applicant expressed that he had questions regarding his application. Discussion took place between the applicant, board attorney, and board members regarding the additional information needed as well as further details. Mr. Dorrance made a motion to table appeal 22-002 to the next meeting. The motion was seconded by Mr. Carlsen.

Roll Call	Aye	Nay
Frank Dorrance (Chairman)	X	
Tom Carlsen (Vice-Chairman)	X	
Rick Hazen	X	
Tim Aubin	X	
Kelsi Russell (Alternate)	X	

Motion Passed.

Mr. Dorrance made a motion to keep our next meeting on the regularly scheduled date even though it is a holiday. The motion was seconded by Mr. Carlsen.

Roll Call	Aye	Nay
Frank Dorrance (Chairman)	X	
Tom Carlsen (Vice-Chairman)	X	
Rick Hazen	X	
Tim Aubin	X	
Kelsi Russell (Alternate)	X	

Motion Passed.

Old Business: Gherke Property Update. The board members and Mr. Murnane discussed the Gherke property. Mr. Dorrance expressed that the board wanted Mr. Gherke cited for his property. There was a conversation about how to do that. Mr. Murnane expressed that he would need to be cited for not being in compliance. The board members discussed this with Mr. Murnane. Mr. Murnane expressed that the issue becomes whether or not the town board wants to take him to court for this matter. Further discussion took place on this matter. Mr. Hazen asked about the property on Flat Rock and Shingle. Mr. LaCount gave an update on that situation. The board members and Mr. Murnane further discussed this matter.

New Business: None

Mr. Dorrance made a motion to adjourn the Zoning Board of Appeals Meeting. The motion was seconded by Mr. Hazen.

Roll Call	Aye	Nay
Frank Dorrance (Chairman)	X	
Tom Carlsen (Vice-Chairman)	X	
Rick Hazen	X	
Tim Aubin	X	
Kelsi Russell (Alternate)	X	

Motion passed.

The May 2022 Zoning Board of Appeals meeting was adjourned at 7:30 PM.

Respectfully Submitted,

Kelsi Russell