

# VILLAGE OF DELANSON

## Zoning Board of Appeals

### Minutes of Scheduled Meeting

November 22, 2023  
Scheduled for 7:00 PM  
at the Village Fire Hall

#### Board Members Present

Lawrence J. O'Connor, Chair  
Casey LeClair, Member  
George Martin, Member  
Jill Mackie, Member - Absent  
Daryl Risley, Member - Absent

#### Officials and Members of Public Present

Mayor Gayle Gifford  
Anthony Gorsuch, Resident  
Remley Gorsuch, Resident  
Roy Compton, Resident (arrived after meeting adjourned)

The Chair called the meeting to order at 7:00 PM.

The Chair declared the presence of a quorum. The chair noted that while three of five members constitutes a quorum, any official vote will need to be adopted with three votes. Mayor Gifford noted that the Village Mayor is ex officio to the ZBA.

The minutes of the November 6, 2023 meeting were discussed. C. LeClair moved that the minutes be adopted as presented, seconded by G. Martin. Motion carried.

The Chair noted that the main purpose of this regularly scheduled meeting was to conduct a Public Hearing in the matter of a request for a Special Use Permit. The notice of the hearing was posted publicly on November 6, 2023 and subsequently published in the Daily Gazette. An official copy will be placed in the record when it is received from the Gazette.

The Public Hearing was opened at 7:15 PM per the notice for consideration of a SPECIAL USE PERMIT to allow Temporary Use of Camper Trailer During Home Reconstruction at 180 West Shore Road per October 31, 2023 application from Thomas Malczyk.

The Chair noted that a Short form EAF dated November 9, 2023 has been filed with the Building Inspector and distributed by email to the Board Members before the meeting. The Chair stated that the EAF appears in order and that during the meeting action to accept lead agency status and vote to accept the EAF will be considered after the hearing.

Rev. Anthony Gorsuch, Pastor of the Duanesburg Reformed Presbyterian Church, residing at 188 West Shore Road addressed the hearing.

A. Gorsuch stated that he is the immediate neighbor to the property in question and that he shares a common driveway with Mr. Malczyk. He can see the trailer from his house and that he sees no aesthetic issue. He has no objection to the temporary use requested. He encouraged the Board to issue the permit. He also expressed willingness to personally volunteer to help Mr. Malczyk and that members of the DRPC are willing to help.

No written comments were received from the public. There were no other parties present to address the Board so the hearing was closed at 7:30 PM

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The Chair stated that during the November 6<sup>th</sup> meeting it was anticipated that if an application and Short Form EAF were presented that the ZBA would assume lead agency status.

C. LeClair made a motion to accept lead agency status and affirm a Negative Declaration. Motion seconded by G. Martin. Motion Carried with three votes.

The Chair noted that the present Delanson Zoning Law has no provision that would allow the use of a camper during reconstruction of a house damaged by fire. He suggested that approval should follow the provision of the Town of Duanesburg Zoning Law which allows the use of a trailer, by the property owner, during construction of a house and that it should be for 90 days duration. He further suggested the permit should be issued by the building inspector to formally establish the start of the 90-day period.

G. Martin made a motion to authorize the building inspector to issue a Special Use Permit for 90 days. Motion seconded by C. LeClair. Motion carried with the three members voting in the affirmative. The motion was joined with an affirmative vote by Mayor Gifford.

As there are no further actions pending for ZBA action, there is no need to schedule a regular meeting for December. When there is need, the ZBA will schedule meetings as appropriate.

There being no other business before the Board, G. Martin made a motion to adjourn. C. LeClair seconded. The meeting was adjourned at 07:43 PM.

Respectfully submitted,

L. J. O'Connor  
Chair, Delanson Board of Appeals  
November 26, 2023

***NOTE to the Mayor and the Members of the ZBA:***

*If no comments on these minutes are received within ten (10) days, the minutes will be considered adopted.*

*If comments are received, a proposed revision to the minutes will be circulated for review.*

*LJO*