

# EDINBURG ZONING BOARD OF APPEALS

November 3, 2022

Date of Meeting

Regular Meeting

Kind of Meeting

Pre-Submission Conference

Sharon Leighton, Joe Crean, Robert Hartman,  
Judy Sterling and Donna Novotny

Members Presents

None

Members Absent

Terrence Anthony, Code Enforcement Officer  
Bruce Brownell, Applicant

Others

## **Regular Meeting:**

Chairwoman Leighton opened the meeting at 6:58 p.m.

## **Approval of Minutes:**

Board Member Sterling made the following motion:

BE IT RESOLVED the minutes for the December 3, 2020 meeting are approved.  
Board Member Crean seconded the motion. All in favor, none opposed. Carried: 5-0.

## **Pre-Submission Conference:**

**Application No. Z01-22**

**Bruce R. Brownell**

**Tax Map No. 67.-1-31.11**

**Area Variance**

Chairwoman Leighton reviewed the submitted application which did not include the deed or a current survey map showing the sizes of proposed lots in the subdivision and the road frontages.

The following information was provided by the Applicant:

- This subdivision was initiated in 1969; submitted in 1972; approved by the Department of Health; and, upon formation of the Adirondack Park Agency, subdivision applications were withheld for a one-year moratorium.

- The history of the property located along Beecher Creek and Plateau Sky Ranch was reviewed.
- APA letter of December 23, 2021, submitted to the Edinburg Planning Board, was discussed regarding APA pre-existing subdivision no. PES-17 referring to the 5.3+ acre parcel consisting of two lots. The Applicant stated his interpretation of this letter was that he could sell the two lots as they existed on his partial submitted map. The letter also states no further review is needed from APA and their file is closed.
- The Applicant stated this subdivision application came before the Town of Edinburg Planning Commission in 1972 and was approved. The application cannot be found by either the Applicant or the Town.
- Code Enforcement Officer Anthony stated neither Saratoga County Planning nor Saratoga County Real Property have any record of this subdivision. The Edinburg Planning Commission meeting minutes in 1972 only state that the Applicant appeared before the Board.
- CEO Anthony stated the map filed at Saratoga County Real Property did not show a division line indicating two subdivided parcels. The filed map showed the undivided 5.3+ acre parcel and which was issued one tax map number.
- A second submitted map dated August 23, 2022 shows two proposed homes on two lots which the Applicant states he has received deposits for sale.
- CEO Anthony stated the requirement for development is 3.2 acres each or 6.4 acres and 100 feet of road frontage for each parcel. The parcel is 5.3 or 5.4+/- acres and would require area variances for the acreage requirement and road frontage for one proposed subdivided lot. Saratoga County Real Property records indicate the parcel is 5.13 acres and is incorrect.
- At this time, there are no exact figures for the area variances. An additional submitted partial map prepared by Donald Carpenter shows two proposed parcels of 1.347 and 3.809 acres.
- CEO Anthony stated the deed from 1993 was submitted and would be acceptable to him because it clearly states ownership by the Applicant.

Discussion ensued on shared driveways and keyhole lots which do not meet Land Ordinance requirements; a single lot can consist of a single residence and guest cottage which could be no larger than 50% of the single residence; etc.

Chairwoman Leighton stated the consensus of this Board is a new survey map is required. This map must match the proposed lot sizes and will provide this Board with exact sizes of the area variances. CEO Anthony stated he would work with the Applicant on the location of the road frontage and be similar to a previous subdivision handled by the Planning Board which met the requirements of the Land Ordinance without the need for an area variance for road frontage. CEO Anthony proposed a .5 acre per lot area variance.

No further review is required by APA and this letter will also be provided to the Board. Discussion ensued on the timeframe of this application.

Board Member Sterling made the following motion:

BE IT RESOLVED Application No. Z01-22, Bruce R. Brownell, Tax Map No. 67.-1-31.11, Area Variances is incomplete and requires a new survey map. Board Member Crean seconded the motion. All in favor, none opposed. Carried: 5-0.

**Old Business:**

CEO Anthony stated he has not been able to contact the Applicant in the matter of Application No. P05-22, Christopher and Karen Gill, Tax Map No.: 41.-1-39.1, Area Variance and is holding the application open at this time.

**New Business:**

None.

Board Member Hartman made a motion to adjourn the meeting at 8:02 p.m. Board Member Novotny seconded the motion. All in favor, none opposed. Carried: 5-0.

Respectfully submitted,

Diane Byrne  
Secretary