

Town of Austerlitz  
Zoning Board of Appeals Meeting  
January 26, 2023

The Zoning Board of Appeals (ZBA) meeting was held in-person at the Austerlitz Town Hall.

Present: Karl Gabosh, chair; Loren Brink; Gerald Seligman; David Voremborg  
Absent: Steve Pearlman

No public hearing is scheduled for this evening.

**Regular meeting called to order by the Chair at 7:00 PM**

Karl Gabosh made a motion: "I make a motion for David Voremborg to take meeting notes and prepare the meeting minutes". The motion was seconded by Seligman.

Gabosh	yes
Brink	yes
Seligman	yes
Voremborg	yes

Motion carried.

Gabosh explained that the reason for the meeting involved his wife Leslie Gabosh's application for an Area Variance to create a minor subdivision. He therefore recused himself and made a motion: "I move to designate Gerald Seligman as Chair on the Gabosh area variance application". The motion was seconded by Voremborg.

Gabosh	yes
Brink	yes
Seligman	yes
Voremborg	yes

Motion carried.

Gabosh stated that the variance request was for estate planning purposes, and that the Town attorney (Joseph Catalano) indicated that the Area Variance submission file was complete. Gabosh presented a large map of the property and adjoining area, with the proposed division of parcels identified with different outline colors. Using the map, he explained the variance request in detail, including the rationale and advantages for the Town and neighbors if the request was granted, as explicated in detail, in the attached submission entitled "Reasons for granting an Area Variance". In summary:

1. The variance will help preserve the beauty and utility of the historic hay field fronting on Dugway Road by not creating a 75' wide strip that would serve no purpose and would reduce the size of the existing productive field by c. 33%.
2. The resulting overgrowth of the 75' wide strip would negatively impact the visual aesthetics of the neighboring (unrelated) parcel, and would result in a loss of nesting area for the endangered Bobolink population.
3. A variance would help maintain the future agricultural value of the hay field.

Gabosh responded to Board questions regarding the planned subdivision.

Seligman commented regarding the advantage of not having an unnecessary second driveway and the importance of retaining the rural, agricultural tone of the property.

Voremberg commented that the expected inevitable overgrowth of the 75' wide strip would certainly be a negative for views from the adjoining property of the field and wider area looking north and west.

Without any further questions or comments, Brink made a motion: "I move to accept this application as complete". Seligman seconded.

Brink            yes  
Seligman       yes  
Voremberg      yes

Motion carried.

Seligman made a motion: "I move to classify the application under SEQRA -as a Type II action", (area variance for a residential use). No further action required." Voremberg seconded.

Brink            yes  
Seligman       yes  
Voremberg      yes

Motion carried.

Brink made a motion: "I move to hold a Public Hearing at the Austerlitz Town Hall on the Gabosh Area Variance application N0. ZBA-2023-1 on March 2, 2023 at 7:00 pm." Seligman seconded.

Brink            yes  
Seligman       yes  
Voremberg      yes

Motion carried.

With the completion of discussion regarding the Gabosh application, Karl Gabosh resumed the role of Chair. He made a motion "I move to hold the next meeting of ZBA on March 2<sup>nd</sup>, and that the meeting will commence immediately upon the close or adjournment of the Area Variance hearing."

Brink seconded.

Gabosh          yes  
Brink            yes  
Seligman       yes  
Voremberg      yes

Motion carried.

Gabosh then stated that from the Chair's perspective there was no other ZBA business to discuss at this time. The other members did not present any matters for discussion.

Gabosh therefore motioned to adjourn the meeting; Voremberg seconded.

Gabosh          yes  
Brink            yes  
Seligman       yes  
Voremberg      yes

Motion carried and the meeting adjourned at 7:40 PM.