

**TOWN OF SARATOGA
ZONING BOARD OF APPEALS MINUTES
January 25, 2009**

Chairman Stephen Bodnar called the meeting to order at 7:00 p.m. and led the flag salute.

Chairman Stephen Bodnar explained the *Rules of the Board*.

Zoning Clerk Linda McCabe called the roll: Chairman Stephen Bodnar – present, Clifford Hanehan – present, Thomas Carrangi – present, Barbara Faraone – present, William Moreau – present, James Burke – present, Clarence Fosdick – present, and Alternate John Deyoe – present.

Also present: Zoning Officer Gil Albert, John Mazzocone and other interested persons. (Sign-in sheet is on file in the Clerk's office)

Approval of Minutes: **A motion was made by Clarence Fosdick and seconded by Barbara Faraone, to accept the minutes of the November 30, 2009 meeting as written.** Chairman Stephen Bodnar–aye, James Burke– aye, Barbara Faraone– aye, Thomas Carrangi-aye, Clifford Hanehan-aye, William Moreau-aye, Clarence Fosdick-aye.

Carried 7 – 0

Approved

Order of Business:

Area Variance

**Michael F. LaFrank #09-10
1384 Rt. 9P
Saratoga Springs, NY 12866
S/B/L 193.6-1-23.1 Lake Residential**

Applicant proposes to construct a garage and is seeking an area variance and a two-side setback variance because he does not meet zoning regulations.

Mr. John Mazzocone, brother-in-law of Mr. LaFrank, appeared on behalf of the Applicant. He stated the Applicant would like to remove his old 12' x 22' 'garage shed' and replace it by building a 24' x 24' garage. He explained that Mr. LaFrank's father has moved in with him and due to that there are now three cars and storage space is in great need.

The Board reviewed photos and site plan. Zoning Officer Gil Albert stated he recommends that the Applicant remain a minimum of 5' away from sideline and there are to be no windows on that side of the building, which will keep the Applicant from having to do a fire rating wall. Mr. Mazzocone stated that is no problem.

Board discussion continued concerning the garage roof overhang and storage/attic space. Mr. Mazzocone stated the roof pitch will be 10' – 12' which will give the Applicant storage above the garage and nothing else. The Board questioned the skylight and the slider. Zoning Officer Gil Albert stated overall height will be approximately 20' which will give him no more than 6' – 7' of space above the garage. The Applicant is well under the height limit so there is nothing to prevent him from utilizing that space for storage; this is really a two-side setback variance here.

The Board questioned if there will be living space above the garage and Mr. Mazzocone replied no. Chairman Stephen Bodnar stated the Board will require that there is never to be living quarters above the garage. Chairman Stephen Bodnar then asked for Zoning Officer Gil Albert's

opinion and he stated he has no problem with this as long as the Applicant remains a minimum of 5' from the one sideline.

Chairman Stephen Bodnar asked if there were anymore questions from the Board; there were none.

Chairman Stephen Bodnar read the letter from the Saratoga County Planning Board indicating no significant county wide or intercommunity impact.

After providing Proof of Notice in the Saratogian on January 15, 2010, Chairman Stephen Bodnar opened the Public Hearing at 7:28 p.m. asking those wishing to speak to please stand and state their name and address.

Kathy Bombard, 1382 Rt. 9P, would like clarification on what the Applicant is doing.

Mr. Mazzocone stated it is the Applicant's intent to clear out the backyard; removing the gazebo and the large 12' x 22' 'garage shed' and replace that shed with a 24' x 24' garage and use the existing small shed for additional storage.

Zoning Officer Gil Albert explained the zoning regulations for the Lake Residential district and noted that one can build on 20% of the lot and that this Applicant will be using 18%. Zoning Officer Gil Albert also added he is recommending the Applicant keep a minimum of 5' away from the side, and there are to be no windows on that side of the garage.

Chairman Stephen Bodnar asked the Board if there were any more questions; finding none,
Chairman Stephen Bodnar closed the Public Hearing at 7:35 p.m.

Clifford Hanehan made a motion, seconded by Clarence Fosdick, to approve the variances applied for: removing the 12' x 22' shed and gazebo to allow construction of a 24' x 24' x 20' high garage, remain minimum of 5' off sideline with no windows on that side of the building and absolutely no living quarters above the garage space; it is consistent with the character of the neighborhood. Chairman Stephen Bodnar-aye, James Burke- aye, Barbara Faraone- aye, Thomas Carrangi-aye, Clifford Hanehan-aye, William Moreau-aye, Clarence Fosdick-aye. **Carried 7 - 0**

Approved

Old Business: None

New Business: None

Clifford Hanehan made a motion, seconded by James Burke, to adjourn the meeting at 7:45 p.m. Chairman Stephen Bodnar-aye, James Burke- aye, Barbara Faraone- aye, Thomas Carrangi-aye, Clifford Hanehan-aye, William Moreau-aye, Clarence Fosdick-aye.

Carried 7 - 0

Adjourned

The next Zoning Board of Appeals meeting will be held February 22, 2010.

Respectfully submitted,

Linda McCabe
ZBA Clerk