

**TOWN OF SARATOGA
ZONING BOARD OF APPEALS DRAFT MINUTES
October 24, 2011**

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 – absent, Thomas Carrangi – present, Barbara Faraone – absent, Clarence Fosdick – present, William Moreau – present, James Burke – present, Alternate John Deyoe – present.

Due to the absence of Board Members Barbara Faraone and Clifford Hanehan, Chairman Stephen Bodnar elevated Alternate John Deyoe to full voting status.

Also present: Town Zoning Officer Gil Albert, Town Attorney William Reynolds and Joshua Galarneau. (Sign-in sheet is on file in the Clerk's office)

Approval of Minutes: **A motion was made by John Deyoe and seconded by William Moreau, to accept the minutes of the July 25, 2011 meeting.** Chairman Stephen Bodnar – aye, Clifford Hanehan -absent, James Burke – aye, Barbara Faraone – absent, Thomas Carrangi - aye, William Moreau – aye, Clarence Fosdick - aye, John Deyoe – aye. **Carried 6 – 0**

Approved

Order of Business:

Area Variance

**Ron Romines #11-11
1231 Rt. 9P
Saratoga Springs, NY 12866
S/B/L 193.18-1-23 Lake Residential**

**Representative: Joshua Galarneau
Galarneau Builders
526 Maple Ave.
Saratoga Springs, NY 12866**

The Applicant proposes to construct an attached garage to his existing home and in order to do so seeks a 26' front setback variance and a 10.5% lot coverage variance.

Joshua Galarneau appeared before the Board on behalf of the Applicant. He stated the Applicant would like a two or three car, two story garage since they have no covered parking at this time. The garage would start at the retaining wall and go back toward the lake. It will be on an elevated slab and there will be a hallway connecting it to the house. The garage will be level with Rt. 9P and from that vantage point it will appear as a single story structure. The upper level of the structure will be the garage and the lower level will be a recreation/bonus room, with 10" concrete walls.

Chairman Stephen Bodnar questioned the overall size and was told 24' X 42'. Chairman Stephen Bodnar said that's a very large room.

Clarence Fosdick questioned if there will be an elevator as well as stairs as the plans show and Joshua Galarneau responded the Applicant has asked for it but he is unsure if they will definitely install one.

A lengthy discussion continued between the Board, Town Attorney, Zoning Officer and Joshua Galarneau on how to proceed regarding a discrepancy with the front setback footage.

Chairman Stephen Bodnar stated he is not comfortable doing anything as it is now and asked for the Town Attorney's opinion. Town Attorney William Reynolds stated he agrees with the Chairman and since the sketch is not correct, the Board can ask the Applicant to return.

Zoning Officer Gil Albert questioned if the Board would give an idea to the Applicant if they'd approve it or if he shouldn't waste his time returning; Joshua Galarneau added he would appreciate the input.

After reviewing the maps with the Board, it was determined by Joshua Galarneau that there was an error with the sketch. He stated it looks like they interpreted where the property line is incorrectly, therefore the application is incorrect and he proposed amending the application. He added the garage will not be closer to the road with the amendment, the building won't change, and it is a conforming lot.

With the Board's permission, Joshua Galarneau amended the application for accuracy, seeking a 33' 8" front setback instead of the 26' setback.

Zoning Officer Gil Albert stated the information presented now is accurate, and the front of the garage still will not go beyond the house.

Chairman Stephen Bodnar stated he'd prefer a two car garage; it would bring down the percentage of coverage.

John Deyoe stated he has no problem with the proposal as is.

William Moreau stated he is more comfortable with a two car garage.

Clarence Fosdick stated he has no problem with a three car garage as proposed.

James Burke is concerned with the safety of ingress/egress and prefers it were a two car garage.

Tom Carringi said he'd like to see true numbers before making a decision.

Town Attorney William Reynolds said safety is an issue and questioned if you have to back out onto Rt. 9P.

Zoning Officer Gil Albert responded that with the garage it will make it safer because you can back up and turn around on the property before going onto 9P and the sight line is fine there.

Town Attorney William Reynolds determined that a new survey is not necessary as long as the Board has the amended application and map on file.

Joshua Galarneau handed out the new applications and maps reflecting a two car garage, amending the original application, stating he came prepared in case the Board preferred a two car garage versus the three car garage.

Chairman Stephen Bodnar asked if there were any other Board questions; there were none. Chairman Stephen Bodnar asked Zoning Officer Gil Albert his opinion and he stated he sees no problem with this project.

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

Chairman Stephen Bodnar asked if there were any Board questions; there were none.

After providing Proof of Notice in the Saratogian on October 14, 2011, Chairman Stephen Bodnar opened the Public Hearing at 7:57 p.m. asking those wishing to speak to please stand and state their name and address. No one came forward.

Chairman Stephen Bodnar asked the Board if there were any other questions; finding none **Chairman Stephen Bodnar closed the Public Hearing at 7:59 p.m.**

Chairman Stephen Bodnar then read the Summary of Area Criteria Balancing Test and went through it line by line with the Board.

The Board again reviewed the necessity of a three car versus a two car garage, and after a lengthy discussion based on the percentage of building coverage, decided it would be better if this was a two car garage. Chairman Stephen Bodnar stated it is their job, as the Zoning Board, to grant the minimum variance necessary for approval.

A motion was made by William Moreau and seconded by Clarence Fosdick, to approve the amended application for a 24' x 32' two car, two story garage based on a minimum front setback of 16'4" from NYS Rt. 9P boundary line per Applicant's surveyed map and contingent upon verification by Zoning Officer Gil Albert. Chairman Stephen Bodnar – aye, Clifford Hanehan -absent, James Burke – aye, Barbara Faraone – absent, Thomas Carrangi - aye, William Moreau – aye, Clarence Fosdick - aye, John Deyoe – aye. **Carried 6 – 0**
Approved

Old Business: None

New Business: None

Chairman Stephen Bodnar made a motion, seconded by James Burke, to adjourn the meeting at 8:24 p.m. Chairman Stephen Bodnar – aye, Clifford Hanehan - absent, James Burke – aye, Barbara Faraone – absent, Thomas Carrangi - aye, William Moreau - aye, Clarence Fosdick - aye, John Deyoe – aye. **Carried 6 – 0**
Adjourned

Chairman Stephen Bodnar and the members of the Z.B.A wish to extend their thanks to Sherry Doubleday, Town of Saratoga Office of Emergency Management, for conducting a CPR (cardiopulmonary resuscitation) and AED (automated external defibrillator) training class for interested Board members.

The next Zoning Board of Appeals meeting will be held November 28, 2011.

Respectfully submitted,

Linda McCabe
ZBA Clerk