

**TOWN OF SARATOGA  
ZONING BOARD OF APPEALS Draft MINUTES  
October 26, 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 – absent, Thomas Carrangi – absent, Barbara Faraone – present, William Moreau – present, James Burke – present, Clarence Fosdick – absent, and Alternate John Deyoe – present.

Also present: Town Attorney William Reynolds, and other interested persons. (Sign-in sheet is on file in the Clerk's office)

Chairman Stephen Bodnar elevated Alternate Member John Deyoe to full voting status due to the absence of three Board Members.

Approval of Minutes: **A motion was made by James Burke and seconded by John Deyoe, to accept the minutes of the July 27, 2009 meeting as written.** Chairman Stephen Bodnar–aye, James Burke– aye, Barbara Faraone– aye, Thomas Carrangi-absent, Clifford Hanehan-absent, William Moreau-aye, Clarence Fosdick-absent, Alternate John Deyoe – aye.

**Carried 5 – 0**

**Approved**

**Order of Business:**

**Area Variance**

**Dean Kusky  
292 Rt. 32 S.  
Schuylerville, NY 12871  
S/B/L 182.-1-60.11 Rural**

Applicant is building an addition onto the front of his home. He is seeking a front set back variance of 25' because he does not meet the Town of Saratoga zoning regulations.

Applicant Dean Kusky appeared before the Board, stating he is building an addition onto the front of his house and he had an 8' x 20' porch and would like to turn this into a 16' x 20' bedroom. Chairman Stephen Bodnar stated that due to a setback violation which has been with the building for many years; probably since it was built, the Applicant is here before the Board. He then asked if there were any questions from the Board; there were none. He questioned if all the Board members had a chance to go by and look at the property and they all had. Chairman Stephen Bodnar then stated that Zoning Officer Gil Albert is not present tonight but had left a written statement for the Board stating that he has no objections to the variances for this Applicant. Chairman Stephen Bodnar questioned if there is another variance he is overlooking since the written statement said 'variances'. There was Board discussion concerning this and it was noted that there are two residences on the property on a single deed. It was determined that a lot size area variance is also needed due to the pre-existing lot size for two residences not meeting current zoning codes.

**Chairman Stephen Bodnar read the letter from the Saratoga County Planning Board stating that there would be no significant county wide or intercommunity impact.**

**After providing Proof of Notice in the Saratogian on October 16, 2009, Chairman Stephen Bodnar opened the Public Hearing at 7:13 p.m. asking those wishing to speak to please stand and state their name and address.**

**Christy Fitzgerald**, 310 Rt. 32 South, stated she has no objections to the Applicant's request.  
**Jamie MacMillan**, 29 Rt. 32 South, stated she has no objections to the Applicant's request.

Chairman Stephen Bodnar asked the Board if there were any more questions; finding none,  
**Chairman Stephen Bodnar closed the Public Hearing at 7:15 p.m.**

**Bill Moreau made a motion, seconded by Barbara Faraone to grant the 25' front setback variance as requested to build a 16' x 20' bedroom and a 5,798' area variance due to the pre-existing lot size for two residences not meeting current zoning codes.** Chairman Stephen Bodnar-aye, James Burke- aye, Barbara Faraone- aye, Thomas Carringi-absent, Clifford Hanehan-absent, William Moreau-aye, Clarence Fosdick-absent, Alternate John Deyoe - aye. **Carried 5 - 0**  
**Granted**

**Old Business:** None

**New Business:** None

**Chairman Stephen Bodnar made a motion, seconded by Barbara Farone, to adjourn the meeting at 7:17 p.m.** Chairman Stephen Bodnar-aye, James Burke- aye, Barbara Faraone- aye, Thomas Carringi-absent, Clifford Hanehan-absent, William Moreau-aye, Clarence Fosdick-absent, Alternate John Deyoe-aye. **Carried 5 - 0**  
**Adjourned**

**The next Zoning Board of Appeals meeting will be held November 30, 2009**

Respectfully submitted,

Linda McCabe  
ZBA Clerk