

TOWN OF SARATOGA
ZONING BOARD OF APPEALS DRAFT MINUTES
April 27, 2015

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, William Moreau – present, Thomas Carrangi – present, Clarence Fosdick – present, John Deyoe - present, Chris Benn – present.

Also present: Zoning Officer Gil Albert, Town Attorney William Reynolds, Paul & Gail Bonczkowski and Kevin Weed. (Sign-in sheet is on file in the Clerk’s office)

Approval of Minutes: **A motion was made by Chairman Stephen Bodnar, seconded by Chris Benn, to accept the meeting minutes of March 23, 2015.** Chairman Stephen Bodnar - aye, Clifford Hanehan -aye, Thomas Carrangi - aye, William Moreau – aye, Clarence Fosdick - aye, John Deyoe – aye, Chris Benn - aye. **Carried 7 - 0**

Approved

Area Variance

Paul & Gail Bonczkowski #15-02
156 Franklin Beach Rd.
Saratoga Springs, NY 12866
S/B/L 180.17-1-15 & 16 Lake Residential

Applicant seeks a 3450' area variance, a 31' two-sides setback variance, a 10' side setback variance, a 25' lot width variance as well as a 25' frontage variance to complete the boundary realignment of their properties for future inheritance purposes.

The Applicant appeared before the Board and reviewed his submitted application. He explained that he's been to the Planning Board for a lot-line adjustment, which the Planning Board liked, but he was told he needed variances in order to complete it. He reviewed the survey with the Board showing the current boundary lines as well as the proposed boundary lines, explaining that he wants to make the two parcels more equal for future inheritance purposes for his sons.

Board Member John Deyoe stated this isn't the first one with that 10' side setback and the Board agreed.

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

Chairman Stephen Bodnar asked for the Town Attorney's comments and Town Attorney William Reynolds stated he has no comments.

Chairman Stephen Bodnar asked for Zoning Officer Gil Albert's opinion. Zoning Officer Gil Albert stated he has no issue with this as it improves the property.

Chairman Stephen Bodnar then read the letter from the Saratoga County Planning Board which indicated no significant county wide or intercommunity impacts.

After providing Proof of Notice in the Saratogian on April 17, 2015, Chairman Stephen Bodnar opened the Public Hearing at 7:15 p.m. asking those wishing to speak to please stand and state their name and address; no one spoke.

Chairman Stephen Bodnar asked the Board if there were any other questions; finding none
Chairman Stephen Bodnar closed the Public Hearing at 7:16 p.m.

Chairman Stephen Bodnar then reviewed the Summary of Area Criteria Balancing Test and went through it line by line with the Board; the Board found in favor of the Applicant. The Applicant thanked the Board.

A motion was made by Clarence Fosdick, seconded by Chris Benn to grant the variances as requested as it improves the property. Chairman Stephen Bodnar - aye, Clifford Hanehan - aye, Thomas Carrangi - aye, William Moreau - aye, Clarence Fosdick - aye, John Deyoe - aye, Chris Benn - aye. **Carried 7 - 0**
Granted

Randall Kunker #15-03
18 Balboa Dr.
Latham, NY 12110-3005
S/B/L 193.10-1-49 Lake Residential
Location: 1332 Rt. 9P

Applicant seeks a 20,940' area variance, a 6.7' front setback variance, a 27.4' two-sides setback variance, a 12.5' side setback variance, a 50.50' lot width variance and a 50.50' frontage variance to remove the existing camp and construct a new single family year round home. The new house will have a new well and public sewer.

Kevin Weed of Van Guilder & Associates Land Surveyors PLLC, appeared on behalf of the applicant. He reviewed the plan and survey with the Board and stated that Mr. Kunker bought the property in 2001, it has a three season camp on it and his intent is to take down the camp and build a year round residence. The current camp is 36.6' from the front property line and the zoning requires a 50' setback; the proposed house and the way it's positioned is 43.3' from the front property line, so it will be more conforming than the current camp.

Zoning Officer Gil Albert stated that the Applicant doesn't need the lot area variance due to hooking up to the public sewer; it lowers the lot size requirement. He forgot to change that on the application and apologized to the Board. He then asked if there will be a deck and Kevin Weed responded yes, but the house will be back further and it's an 8' proposed deck.

Board Member John Deyoe said he thinks it's a good idea.

Zoning Officer Gil Albert asked if it will continue to use the shared driveway and Kevin Weed responded yes, there will be no change with that.

Board Member Chris Benn questioned the proposed location of the shed. Kevin Weed stated it will be moved to conform with the zoning setback regulations.

Board Member Clifford Hanehan stated some improvements will be made, some stay the same and some will be a bit closer.

Kevin Weed responded that the lot width and frontage can't be changed; they won't be changing any boundary lines. The front setback and the single side setback and combined side requirements are going to be more conforming than what is currently there.

Board Member Clifford Hanehan said that was helpful. He then asked what the total height will be and Kevin Weed responded 32'. The Board agreed this will make it better.

Chairman Stephen Bodnar questioned the total coverage. Kevin Weed responded 3800 square feet; less than 20% coverage.

Chairman Stephen Bodnar asked the opinion of the Zoning Officer. Zoning Officer Gil Albert stated he has no issue with this. Chairman Stephen Bodnar asked the opinion of the Town Attorney and Attorney William Reynolds stated he has no opinion.

After providing Proof of Notice in the Saratogian on April 17, 2015, Chairman Stephen Bodnar opened the Public Hearing at 7:33 p.m. asking those wishing to speak to please stand and state their name and address; no one spoke.

Chairman Stephen Bodnar then asked the Board if there were any other questions; finding none **Chairman Stephen Bodnar closed the Public Hearing at 7:34 p.m.**

Chairman Stephen Bodnar then reviewed the Summary of Area Criteria Balancing Test and went through it line by line with the Board; the Board found in favor of the Applicant.

A motion was made by John Deyoe, seconded by Chris Benn, along with Bill Moreau's clarification, to grant the 9' variance as requested for the new building only. This improves the property and was not maliciously done. Chairman Stephen Bodnar - aye, Clifford Hanehan -aye, Thomas Carrangi - aye, William Moreau – aye, Clarence Fosdick - aye, John Deyoe – aye, Chris Benn - aye. **Carried 7 - 0**
Granted

Old Business: Zoning Officer Gil Albert updated the Board with the ongoing work of the zoning amendments.

The Board had a lengthy discussion concerning a temporary trailer that should have been removed from a property over 20 years ago and how to bring this into compliance.

New Business: none

A motion was made by Clifford Hanehan, seconded by Bill Moreau, to adjourn the meeting at 8:07 p.m. Chairman Stephen Bodnar - aye, Clifford Hanehan -aye, Thomas Carrangi - aye, William Moreau – aye, Clarence Fosdick - aye, John Deyoe – aye, Chris Benn - aye.
Carried 7 - 0
Adjourned

The next Zoning Board of Appeals meeting will be held May 18, 2015.

Respectfully submitted,

Linda McCabe
ZBA Clerk