

**TOWN OF SARATOGA
ZONING BOARD OF APPEALS DRAFT MINUTES
August 24, 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 – absent, William Moreau – present, Thomas Carrangi – present, Clarence Fosdick – absent, John Deyoe - present, Chris Benn – present.

Also present: Zoning Officer Gil Albert, Joseph J. Bianchine, Tom Marotta, Quiedo and Scarlett Carbone. (Sign-in sheet is on file in the Clerk's office.)

Approval of Minutes: **A motion was made by Chris Benn, seconded by John Deyoe, to accept the meeting minutes of June 22, 2015.** Chairman Stephen Bodnar - aye, Clifford Hanehan -absent, Thomas Carrangi - aye, William Moreau – aye, Clarence Fosdick - absent, John Deyoe – aye, Chris Benn - aye.

Carried 5 - 0

Approved

Area Variance

**Randall Kunker #15-08
1332 Rt. 9P
Saratoga Springs, NY 12866
S/B/L 193.6-1-5 Lake Residential
Location: 1342 Rt. 9P**

Applicant seeks to obtain a 12' front setback variance and an 8' frontage variance in order to remove the two noncompliant structures and build a new single family home.

Joseph Bianchine, ABD Engineering, appeared on behalf of the Applicant. He stated the property has two existing structures that the Applicant would like to remove so he can build a new house. He needs 8' of frontage because the property has just 92' of frontage. He is unable to purchase land on either side since the owners don't wish to sell; the surrounding properties seem to be noncompliant with frontage as is his. The Applicant would like to put a 12' deck/porch on the house but will need a front setback variance to do so. Joseph Bianchine then introduced aerial photos of the road clearly showing the neighbors' homes as all having decks/porches closer to the road than this will be. The house is within the building envelope on the plans but the deck/porch wasn't and that is why the need for the variances.

Chris Benn questioned what the plan is for the mobile home on that property.

Joseph Bianchine replied it is staying where it is for now.

Zoning Officer Gil Albert responded that it cannot be inhabited; it's not livable and he'd like it removed; the Board agreed that it should be removed.

Joseph Bianchine had no reply and Zoning Officer Gil Albert stated he will follow up on this.

Chairman Stephen Bodnar questioned the location of the well.

Joseph Bianchine showed him the location on the plans and stated they are moving the house to the other side in order to use the existing well and added they are hooked up to the sewer.

Zoning Officer Gil Albert and Joseph Bianchine discussed putting in french drains when raising the grade to not impede on neighboring properties.

Bill Moreau stated the house is proposed as a single story and questioned if the garage will be a single story also.

Joseph Bianchine responded he believes it is to be a one story garage though he hasn't talked about it with the Applicant.

Chris Benn questioned if there is a reason to not move the house further back on the land.

Joseph Bianchine responded yes, they want the view of the lake.

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

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

Chairman Stephen Bodnar asked the opinion of Zoning Officer Gil Albert.

Zoning Officer Gil Albert stated he has no issue with the requests; they are minor variances and much better than a lot of other parcels there at the lake.

Bill Moreau stated these are very low impacts to the surrounding neighborhood.

After providing Proof of Notice in the Saratogian on August 14, 2015, Chairman Stephen Bodnar opened the Public Hearing at 7:16 p.m. asking those wishing to speak to please stand and state their name and address.

Quiedo Carbone, 1372 Rt. 9P, stated, after looking at the plans, he believes it will improve the property and thinks it will be very nice.

Seeing as no one else wished to speak, **Chairman Stephen Bodnar closed the Public Hearing at 7:17 p.m.**

Chairman Stephen Bodnar 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.

John Deyoe stated all the other houses were given similar variances for the same thing.

Chairman Stephen Bodnar stated this is for a single story structure with a single story garage; there is to be no apartment allowed in the garage. He further stated due to the size of this parcel, the building envelope for the house can be moved back and the deck/porch can be built without the need of a variance, so he is against granting this variance.

A motion was made by John Deyoe, seconded by Chris Benn, to grant the variances as proposed. Chairman Stephen Bodnar - nay, Clifford Hanehan -absent, Thomas Carrangi - aye, William Moreau – aye, Clarence Fosdick - absent, John Deyoe – aye, Chris Benn - aye. **Carried 4 - 1**
Approved

Thomas Marotta #15-09
1380 Rt. 9P
Saratoga Springs, NY 12866
S/B/L 193.6-1-21 Lake Residential

Applicant seeks a .26% of building coverage variance to erect a 12' x 26' open-air carport, which will be utilized for winter storage of his pontoon boat.

The Applicant appeared before the Board and reviewed his application. He said in the past he had tarped and shrink wrapped his pontoon boat which made it moldy and he had to get rid of the boat. He now has a new pontoon boat and is looking for a good way to shelter it. He then showed the carport he'd like to erect for this boat shelter and stated the unit is kept in place by first augering and then bolting it down into the ground . He added it will be placed in the northeast corner of his property, which enables him to back straight into it.

Zoning Officer Gil Albert said he has a little concern with snow load.

The Applicant responded that a neighbor has had one of these shelters for a couple of years and has had no issues with snow and that it actually seems to melt off quickly.

Zoning Officer Gil Albert replied last winter was a good test with all the snow we got and Chairman Stephen Bodnar added a member of his family has one and has had no snow issues with it.

Chairman Stephen Bodnar then asked if there were any further questions of the Board; there were none. He then asked Zoning Officer Gil Albert for his opinion.

Zoning Officer Gil Albert said he has no issue with this.

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 August 14, 2015, Chairman Stephen Bodnar opened the Public Hearing at 7:34 p.m. asking those wishing to speak to please stand and state their name and address.

Quiedo Carbone, 1372 Rt. 9P, stated he has no objection to this project.

Seeing as no one else wished to speak, **Chairman Stephen Bodnar closed the Public Hearing at 7:38 p.m.**

Chairman Stephen Bodnar 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 Chairman Stephen Bodnar, seconded by Chris Benn, to grant the variance as proposed. Chairman Stephen Bodnar - aye, Clifford Hanehan - absent, Thomas Carrangi - aye, William Moreau – aye, Clarence Fosdick - absent, John Deyoe – aye, Chris Benn - aye.

Carried 5 - 0

Approved

The Applicant thanked the Board.

Old Business: The Board would like Zoning Officer Gil Albert to follow up on the Walsh property.

New Business: Zoning Officer Gil Albert said the Joint Board will begin meeting again and the first is set for September 30, 2015 at 7:00 p.m.

A motion was made by Chris Benn, seconded by Chairman Stephen Bodnar, to adjourn the meeting at 7:55 p.m. Chairman Stephen Bodnar - aye, Clifford Hanehan - absent, Thomas Carrangi - aye, William Moreau – aye, Clarence Fosdick - absent, John Deyoe – aye, Chris Benn - aye.

Carried 5 - 0

Meeting Adjourned

The next Zoning Board of Appeals meeting will be held September 28, 2015.

Respectfully submitted,

Linda McCabe
ZBA Clerk