

**TOWN OF SARATOGA  
ZONING BOARD OF APPEALS DRAFT MINUTES  
September 23, 2024**

Chairman Pro Tem Clifford Hanehan called the meeting to order at 7:00 p.m. and led the flag salute.

Chairman Pro Tem Clifford Hanehan welcomed everyone to the meeting and proceeded to review the *Rules of the Board*.

Zoning Clerk Linda McCabe called the roll: Chairman William Moreau – absent, Chairman Pro Tem Clifford Hanehan – present, Mark Solan – present, Thomas Carrangi – present, Steve Mehan – present, Rick Burke – present, Christopher Benn – absent.

Also present: Zoning Officer Gil Albert, James Sullivan, John & Tracy Bossalini. (Sign-in sheet is on file in the Clerk's office.)

Approval of Minutes: **A motion was made by Mark Solan, seconded by Rick Burke, to accept the minutes of August 26, 2024 as written.** Chairman Pro Tem Clifford Hanehan - aye, Rick Burke – aye, Mark Solan – aye, Thomas Carrangi – aye, Steve Mehan – aye, Chairman William Moreau – absent, Christopher Benn - absent.

**Carried 5 - 0**

**Public Hearing**

**James Sullivan #24-07  
11 Pearl St.  
Schuylerville, NY 12871  
S/B/L 169.-2-11.3  
Location: 117 Rt. 32 South**

Returning Applicant seeks a frontage variance of 61' to build a garage with an in-law apartment. He currently has 239' of frontage, but 300' is required for this property. The Planning Board sent the applicant to the ZBA for a variance, as one is required before a special use permit may be issued for the proposed allowable second dwelling on the property.

Applicant James Sullivan appeared before the Board for another public hearing as he had neglected to send out his neighbor notifications for last month's public hearing; receipts of such are now on file.

Clifford Hanehan stated procedurally the Board must hold another public hearing, as stated by the applicant, he failed to send out his neighbor notices last month. He stated last month the Board approved the variance and as some time has passed, he questioned if there were any questions or comments concerning the variance from Board members; there were none. He then asked if there were any concerns of Zoning Officer/Building Inspector Gil Albert; there were none.

**Proof of Notice having been furnished by newspaper on September 13, 2024, Chairman Pro Tem Clifford Hanehan opened the Public Hearing at 7:06 p.m., asking those wishing to speak, to please stand and clearly state their name, address and direct their comments to the Board.**

**Seeing as no one wished to speak, Chairman Pro Tem Clifford Hanehan closed the Public Hearing at 7:07 p.m.** He then asked if there were any further questions or comments of the Board; there were none.

Chairman Pro Tem Clifford Hanehan went through the Balancing Test for Area Variance, line by line, with the Board to balance benefit to the Applicant with detriment to health, safety & welfare of the community:

1. *Whether benefit can be achieved by other means feasible to applicant* – Mark Solan stated no, it's preexisting and you can't change the lot size; Board members agreed.
2. *Undesirable change in neighborhood character or detriment to nearby properties* – Steve Mehan said no, it's an improvement; entire Board agreed.
3. *Whether request is substantial* – Rick Burke said yes, but it's preexisting and Clifford Hanehan and it's a large lot; Board members agreed.
4. *Whether request will have adverse physical or environmental effects* – Rick Burke and Steve Mehan said no; Board members agreed.
5. *Whether alleged difficulty is self-created (relevant but not determinative)* – Clifford Hanehan said no, it's a preexisting lot; the Board agreed.

Chairman Pro Tem Clifford Hanehan asked if there were any further questions or comments; there were none.

**A motion was made by Mark Solan, seconded by Thomas Carringi, to accept the application as presented and grant the 61' frontage variance for an additional single-family dwelling on the parcel.** Chairman Pro Tem Clifford Hanehan - aye, Thomas Carringi – aye, Rick Burke – aye, Mark Solan – aye, Steve Mehan – aye, Chairman William Moreau – absent, Christopher Benn – absent.

**Carried 5 - 0**

**John and Tracy Bossalini #24-08  
1322 Rt. 9P  
Saratoga Springs, NY 12866  
S/B/L 193.10-1-12**

Applicants seek a front setback variance of 8' in order to demolish the existing deck/porch and replace it with a three-season room as well as a covered walkway/porch on two sides.

Applicant John Bossalini appeared before the Board and stated they are asking for an 8' front setback variance to demolish the deck as it's in dangerous condition, and replace it with a 3 season room. The new room will have a crawl space beneath, as it's in the flood plain and has to go higher.

Chairman Pro Tem Clifford Hanehan asked if there were any questions of the Board; there were none. He then asked for the opinion of the Zoning Officer/Building Inspector Gil Albert.

Zoning Officer/Building Inspector Gil Albert stated if the room was the same size as the deck he wouldn't have had them come before the Board, but as it's a bit larger he had to send them for the variance. He added he's fine with this and as it is in the flood plain, it'll have to go up and be level with the existing house, which will be good for them.

**Proof of Notice having been furnished by newspaper on September 13, 2024, Chairman Pro Tem Clifford Hanehan opened the Public Hearing at 7:13 p.m.**, asking those wishing to speak, to please stand and clearly state their name, address and direct their comments to the Board. **Seeing as no one wished to speak, Chairman Pro Tem Clifford Hanehan closed the Public Hearing at 7:14 p.m.** He then asked if there were any further questions or comments of the Board; there were none.

Chairman Pro Tem Clifford Hanehan went through the Balancing Test for Area Variance, line by line, with the Board to balance benefit to the Applicant with detriment to health, safety & welfare of the community:

1. *Whether benefit can be achieved by other means feasible to applicant* – Mark Solan stated no, it needs repair and Board members agreed.
2. *Undesirable change in neighborhood character or detriment to nearby properties* – Entire Board said no, this is an improvement to the neighborhood.
3. *Whether request is substantial* – Mark Solan said no; Board members agreed.
4. *Whether request will have adverse physical or environmental effects* – Entire Board said no.
5. *Whether alleged difficulty is self-created (relevant but not determinative)* – Mark Solan said no, it's preexisting and the Board agreed.

Chairman Pro Tem Clifford Hanehan asked if there were any further questions or comments; there were none.

**A motion was made by Thomas Carringi, seconded by Mark Solan, to accept the application as presented and grant the 8' variance as requested.** Chairman Pro Tem Clifford Hanehan - aye, Thomas Carringi – aye, Rick Burke – aye, Mark Solan – aye, Steve Mehan – aye, Chairman William Moreau – absent, Christopher Benn – absent.

**Carried 5 - 0**

**Old Business:** None

**New Business:** None

**A motion was made by Rick Burke, seconded by Mark Solan, to adjourn the meeting at 7:21 p.m.** Chairman Pro Tem Clifford Hanehan - aye, Thomas Carringi – aye, Rick Burke – aye, Mark Solan – aye, Steve Mehan – aye, Chairman William Moreau – absent, Christopher Benn – absent. **Carried 5 - 0**

**Meeting Adjourned**

**The next regular meeting will be November 18, 2024, at 7:00 p.m.**

**\*All submittals must be to the Clerk no later than 8:45 a.m. November 4, 2024, to be on the agenda.**

Respectfully submitted,

Linda McCabe  
ZBA Clerk

~Meeting dates are subject to change~