

**TOWN OF SARATOGA
ZONING BOARD OF APPEALS DRAFT MINUTES
January 27, 2025**

Chairman William Moreau called the meeting to order at 7:00 p.m. and led the flag salute.

Chairman William Moreau welcomed everyone to the meeting and proceeded to review the *Rules of the Board*.

Zoning Clerk Linda McCabe called the roll: Chairman William Moreau – present, Clifford Hanehan – present, Mark Solan – present, Thomas Carringi – present, Steve Mehan – present, Rick Burke – present, Christopher Benn – present, Alternate Andy Ellis – present.

Also present: Zoning Officer Gil Albert, Mary & Dan Delorier, Eric and Melissa Jackson, Sam & Max Jackson, Ed Crusado, Kathleen Ward, Colleen & Joe Clough, Kyle & Heather Chisamore, Christine Ellis and John Taginski. (Sign-in sheet is on file in the Clerk's office.)

Approval of Minutes: **A motion was made by Thomas Carringi, seconded by Mark Solan, to accept the minutes of November 18, 2024 as written.** Chairman William Moreau – aye, Clifford Hanehan – aye, Thomas Carringi – aye, Mark Solan – aye, Rick Burke – aye, Christopher Benn – aye, Steve Mehan – aye.

Carried 7 - 0

Area Variance

**Eric M. Jackson #25-01
135 Franklin Beach Rd.
Saratoga Springs, NY 12866
S/B/L 193.5-1-23 Lake Residential District
Location: Down the road from his home**

Applicant seeks a 10' front setback variance, 8' back setback variance and an 8' two-sides setback variance in order to construct a garage with a second floor apartment.

Applicant Eric Jackson appeared before the Board. He stated he shortened the proposed building by 4' on the right side of the property, and all else remains the same.

Chairman William Moreau asked if there were any comments or questions of the Board; there were none.

Proof of Notice having been furnished by newspaper on January 17, 2025, Chairman William Moreau opened the Public Hearing at 7:06 p.m., asking those wishing to speak to please stand at the podium, state their name and address and direct their comments to the Board. The following spoke to the Board:

Ed Crusado, 164 Franklin Beach Rd., said he supports this application. He has seen many camps taken down and replaced with much larger homes; this is a fair request.

Kathleen Ward, 116 Franklin Beach Rd., lives next door to this property and questioned if the applicant will be using the garage for his business trucks and chemical storage.

Zoning Officer Gil Albert stated no, that's not allowed and he cannot park his business trucks/commercial vehicles there.

Applicant Eric Jackson stated he has a storage building for his business, as well as area for parking his commercial vehicles; they won't be in the proposed garage.

Chairman William Moreau asked if anyone further wished to speak; seeing no one, **Chairman William Moreau closed the Public Hearing at 7:08 p.m.**

Chairman William Moreau 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* – Chairman William Moreau and Mark Solan said yes, build smaller. The Board asked him to build smaller and slowly the applicant has made it smaller; Board members agreed.
2. *Undesirable change in neighborhood character or detriment to nearby properties* – Clifford Hanehan and Chairman William Moreau said no, the neighbors are okay with this and it's not out of character with the surrounding neighborhood; the entire Board agreed.
3. *Whether request is substantial* – Christopher Benn and Chairman William Moreau said no, not really compared to others in the area; Board members agreed.
4. *Whether request will have adverse physical or environmental effects* – Chris Benn, Chairman William Moreau and Clifford Hanehan said no; Board members agreed.
5. *Whether alleged difficulty is self-created (relevant but not determinative)* – Chairman William Moreau, Christopher Benn and Clifford Hanehan said it's a pre-existing, tiny lot with limited options. The applicant did shrink the building size per Board request; Board members agreed.

Chairman William Moreau asked if there were any further questions or comments; there were none.

A motion was made by Christopher Benn, seconded by Clifford Hanehan, to accept the application as presented, noting this applicant has been before the Board with two previous applications of this project, which were denied. The parameters were outlined for the applicant in prior meetings and the Board's goal was clearly stated. The applicant has now complied with the Board's previous request to build smaller, hence this approval.

Chairman William Moreau – aye, Clifford Hanehan – aye, Thomas Carrangi – aye, Mark Solan – aye, Rick Burke – aye, Christopher Benn – aye, Steve Mehan – aye.

Carried 7 - 0

Granted

Daniel & Mary Delorier #25-02

3 Eagles Way

Schuylerville, NY 12871

S/B/L 209.9-1-8

Location: 183 River Rd.

Applicants seek a 50,500 sq. ft. lot area variance, 7% building coverage variance, 40' front set back variance, 7' back set back variance and a 1' lot width variance in order to construct a single family home with a detached garage.

Applicant Daniel Delorier appeared before the Board and reviewed his application. He said they tore down the existing structures on the property when they purchased it and would like to build a ranch home and detached garage, but need variances to do so. The building envelope (70 x 54) is on the map but they've not finalized the plans for the house to date. The house will be 60 x 50 or perhaps x 40. He said they tried to stay within regulations, they've aligned the front of the house with those on the road, they've stayed 100' away from the river and will be adding fill to be within the flood plain requirements.

Board members questioned location of the septic and well, if the lot coverage includes the garage and when the property was subdivided.

The applicant responded the septic will be at the rear of the property and the well up, just north of the driveway and pointed out the location on the map. He then stated he's unsure when the property was subdivided, but it was subdivided prior to his purchasing it; the previous owner was Art Kemmet.

Clifford Hanehan stated it had to have been subdivided prior to 1980, before Town codes and regulations.

Christopher Benn asked if percentage of lot coverage includes the garage.

Zoning Officer/Building Inspector Gil Albert stated it's over by 17% of lot coverage; going by the numbers, the garage had to be included.

Chairman William Moreau asked the Board if they were comfortable with the building envelope, as the proposed house will be within that envelope.

Board members responded they were good with that.

Chairman William Moreau asked if there were any further questions or comments of the Board; there were none.

Proof of Notice having been furnished by newspaper on January 17, 2025, Chairman William Moreau opened the Public Hearing at 7:25 p.m., asking those wishing to speak to the Board to please stand at the podium, state their name and address and direct their comments to the Board. The following spoke to the Board:

Heather Chisamore, 185 River Rd., said she's happy with this project and it will improve the neighborhood. She added the whole neighborhood favors Board approval for this.

Chairman William Moreau asked if anyone further wished to speak; seeing no one, **Chairman William Moreau closed the Public Hearing at 7:26 p.m.**

Chairman William Moreau asked the opinion of the Zoning Officer.

Zoning Officer/Building Inspector Gil Albert stated he is fine with this and it's good for the neighborhood.

Chairman William Moreau 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* – Chris Benn said it’s pre-existing and not as bad as other variances given; Board members agreed.
2. *Undesirable change in neighborhood character or detriment to nearby properties* – Clifford Hanehan said no, it’s an improvement; entire Board agreed
3. *Whether request is substantial* – Chairman William Moreau and Clifford Hanehan said no; Board members agreed.
4. *Whether request will have adverse physical or environmental effects* – Chairman William Moreau and Clifford Hanehan said no; Board members agreed.
5. *Whether alleged difficulty is self-created (relevant but not determinative)* – Clifford Hanehan and Chairman William Moreau said it’s pre-existing; the entire Board agreed.

Chairman William Moreau asked if there were any further questions or comments; there were none.

A motion was made by Clifford Hanehan, seconded by Christopher Benn, to accept the application as presented. Chairman William Moreau – aye, Clifford Hanehan – aye, Thomas Carrangi – aye, Mark Solan – aye, Rick Burke – aye, Steve Mehan – aye, Christopher Benn – aye.

**Carried 7 - 0
Granted**

Old Business: None

New Business: Chairman William Moreau introduced the new Alternate member, Andy Ellis, to the Board. Andy gave a brief bio to the Board, stated he’s lived on River Rd. since 2018, he graduated from Sienna College with a business degree, owns a small construction company and has been on other Boards. He is excited to be here and hopes he can add to the Board. The Board members said he’s uniquely qualified and welcomed him to the ZBA.

A motion was made by Christopher Benn, seconded by Mark Solan, to adjourn the meeting at 7:41 p.m. Chairman William Moreau – aye, Clifford Hanehan – aye, Thomas Carrangi – aye, Mark Solan – aye, Rick Burke – aye, Christopher Benn – aye, Steve Mehan – aye.

**Carried 7 - 0
Meeting Adjourned**

The next regular meeting will be February 24, 2025, at 7:00 p.m.

***All submittals must be to the Clerk’s office no later than 8:45 a.m. February 10, 2025, to be on the agenda.**

Respectfully submitted,

Linda McCabe
Zoning Clerk

~Meeting dates are subject to change~