

**TOWN OF SARATOGA  
ZONING BOARD OF APPEALS DRAFT MINUTES  
April 25, 2011**

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, Thomas Carrangi – present, Barbara Faraone – absent, Clarence Fosdick – present, William Moreau – present, James Burke – present, Alternate John Deyoe – present.

Due to the absence of Board Member Barbara Faraone, Chairman Stephen Bodnar elevated Alternate John Deyoe to full voting status.

Also present: Town Zoning Officer Gil Albert, Town Attorney William Reynolds and Mr. Dave Rich. (Sign-in sheet is on file in the Clerk's office)

Approval of Minutes: **A motion was made by John Deyoe and seconded by William Moreau, to accept the minutes of the March 28, 2011 meeting.** Chairman Stephen Bodnar – aye, Clifford Hanehan -aye, James Burke – aye, Barbara Faraone – absent, Thomas Carrangi - aye, William Moreau – aye, Clarence Fosdick - aye, John Deyoe – aye. **Carried 7 – 0**

**Approved**

**Order of Business:**

**Dave Rich #11-05  
215 Kaydeross East  
Saratoga Springs, NY 12866  
S/B/L 193.5-1-7 Lake Residential  
Location: 138 Franklin Beach Rd.**

**Owner: Tom and Susan Cody  
138 Franklin Beach Rd.  
Saratoga Springs, NY 12866**

Applicant is seeking a 2.8% building coverage variance, a 5,919' area variance, a 33' two-side setback, a 13' side setback, a 73.1' lot width variance, a 73.1' frontage variance and a front setback variance in order to build a 19' x 14' addition off the back of the existing house.

The Applicant appeared before the Board on behalf of the owners. He stated they would like to build a 19' x 14' addition onto the back of the house because the current living space is small.

Chairman Stephen Bodnar questioned the setback from the road and the Applicant responded 26'. The Applicant explained this project would not obstruct any views of his neighbors and he presented the Board with photos taken from the vantage point of the neighbor's properties on each side of the current home; in fact the neighbors' homes on each side extend further out than this addition would.

Chairman Stephen Bodnar asked if he notified the surrounding neighbors concerning this project and the Applicant responded yes and handed copies of the response letters he received to the Chairman. Chairman Stephen Bodnar then read a couple of the response letters to the Board and they are on file in the Clerk's office.

Chairman Stephen Bodnar asked if there were any questions of the Board.

John Deyoe questioned if this is to be a two-story addition since it is a two-story house and the Applicant responded it is proposed as a single story addition but is unsure at this time if the owners want to go two-story.

Chairman Stephen Bodnar then asked for the Zoning Officer's opinion. Zoning Officer Gil Albert stated he is fine with this project.

Chairman Stephen Bodnar then asked for the Town Attorney's opinion; Town Attorney William Reynolds stated he has no opinion.

**Chairman Stephen Bodnar then read the letter from the Saratoga County Planning Board indicating no significant county wide or intercommunity impact.**

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

**After providing Proof of Notice in the Saratogian on April 15, 2011, 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.** No one came forward.

Chairman Stephen Bodnar asked the Board if there were any other questions; finding none **Chairman Stephen Bodnar closed the Public Hearing at 7:14 p.m.**

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

**A motion was made by Clarence Fosdick and seconded by Thomas Carringi to approve the requested variance for the 19' x 14' single story addition, as it is consistent with the surrounding neighborhood.** Chairman Stephen Bodnar—aye, Clifford Hanehan -aye, James Burke – aye, Barbara Faraone– absent, Thomas Carringi - aye, William Moreau - aye, Clarence Fosdick - aye, John Deyoe – aye. **Carried 7 – 0**

**Approved**

Zoning Officer Gil Albert questioned Town Attorney William Reynolds if the Board can restrict the Applicant to a single-story and Town Attorney William Reynolds responded yes. Clifford Hanehan stated if they want to go two-story they'll have to come back. Zoning Officer Gil Albert questioned why and for what type of variance; Attorney William Reynolds stated they can restrict him based on the character of the neighborhood.

**Old Business:** None

**New Business:** There was a discussion between Clarence Fosdick and the Board members on the need for clarification with the town zoning map concerning the district boundary lines; Clarence Fosdick stated very clearly he is not proposing a new survey of zoning districts. He believes the county system can do that for us by taking real property tax maps and once they decide where the 500' buffer is to be located, the county can put it on the map for us. John Deyoe agrees that we need something concrete like that to go by. Clarence Fosdick also stated he believes the dimensions of the villages and hamlet are also needed on the map.

**Chairman Stephen Bodnar made a motion, seconded by James Burke, to adjourn the meeting at 8:07 p.m.** Chairman Stephen Bodnar—aye, Clifford Hanehan -aye, James Burke – aye, Barbara Faraone– absent, Thomas Carringi - aye, William Moreau - aye, Clarence Fosdick - aye, John Deyoe – aye. **Carried 7 – 0**

**Adjourned**

The next Zoning Board of Appeals meeting will be held May 23, 2011.

Respectfully submitted,

Linda McCabe  
ZBA Clerk