

**TOWN OF SARATOGA
ZONING BOARD OF APPEALS DRAFT MINUTES
January 23, 2012**

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

Due to the absence of Board Members Barbara Faraone, G. William Moreau and James Burke, Chairman Stephen Bodnar elevated Alternate John Deyoe to full voting status.

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

Approval of Minutes: **A motion was made by Clarence Fosdick and seconded by John Deyoe, to accept the minutes of the October 24, 2011 meeting.** Chairman Stephen Bodnar – aye, Clifford Hanehan -aye, James Burke – absent, Barbara Faraone – absent, Thomas Carringi - aye, William Moreau – absent, Clarence Fosdick - aye, John Deyoe – aye. **Carried 5 – 0**
Approved

Order of Business:

Area Variance

**Joseph and Donna Giroux #12-01
101 Coveville Rd.
Schuylerville, NY 12871
S/B/L 183.-1-50 Rural**

Applicant seeks a 4' height variance and a 52 square feet variance in order to erect a 4' x 8' sign, which consists of three separate signs within the sign poles, in their front yard.

Applicant Joseph Giroux appeared before the Board explaining they had received a sign permit years ago when Mr. Lang was the Building Inspector. He stated he was notified two months ago by Zoning Officer Gil Albert that his sign was on county property and needed to be moved. He is asking for the variance to accommodate the positioning of the sign on his own property. The sign is 4' x 8', a total of 32 square feet.

Chairman Stephen Bodnar questioned what the 52 square feet variance on the application is for. Zoning Officer Gil Albert responded that according to NYS regulations, when measuring a sign you must include the poles holding the sign and any space between the poles from the ground to the top of the sign, due to the propensity for adding more signage in the empty space; in this case the sign variance needed is actually 52 sq. ft. not 32. Zoning Officer Gil Albert also clarified that the sign had been on the state right-of-way and needed to be moved and that the Applicant is trying to get in compliance and he's well within our setbacks or even better.

The Board discussed the placement of the sign with the Applicant and the clearing of the brush near the guardrail to improve visibility of the sign.

Chairman Stephen Bodnar asked for the Zoning Officer's opinion; Zoning Officer Gil Albert stated on the whole he is against variances for signs, but since our regulations need clarifications he has no issue with allowing the variance.

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

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

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

After providing Proof of Notice in the Saratogian on January 13, 2012, Chairman Stephen Bodnar opened the Public Hearing at 7:17 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 7:19 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 proved in favor of the Applicant.

A motion was made by Clarence Fosdick and seconded by Thomas Carringi, to approve the area variance to erect the sign because it meets all the variance criteria. Chairman Stephen Bodnar – aye, Clifford Hanehan -aye, James Burke – absent, Barbara Faraone – absent, Thomas Carringi - aye, William Moreau – absent, Clarence Fosdick - aye, John Deyoe – aye. **Carried 5 – 0 Approved**

Old Business: Clarence Fosdick stated that he and Tracey Clothier are working on clarification of district lines on the Town's zoning map.

New Business: Zoning Officer Gil Albert and the Zoning Board members reviewed and discussed some zoning regulations they feel need clarification.

Chairman Stephen Bodnar made a motion, seconded by Clifford Hanehan, to adjourn the meeting at 7:40 p.m. Chairman Stephen Bodnar – aye, Clifford Hanehan - aye, James Burke – absent, Barbara Faraone – absent, Thomas Carringi - aye, William Moreau - absent, Clarence Fosdick - aye, John Deyoe – aye. **Carried 5 – 0 Adjourned**

The next Zoning Board of Appeals meeting will be held February 27, 2012.

Respectfully submitted,

Linda McCabe
ZBA Clerk