

**TOWN OF SARATOGA
ZONING BOARD OF APPEALS DRAFT MINUTES
July 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 – absent, Thomas Carrangi – present, Barbara Faraone – absent, Clarence Fosdick – absent, William Moreau – present, James Burke – present, Alternate John Deyoe – present.

Due to the absence of Board Members Barbara Faraone, Clarence Fosdick and Clifford Hanehan, Chairman Stephen Bodnar elevated Alternate John Deyoe to full voting status.

Also present: Town Zoning Officer Gil Albert, Town Attorney William Reynolds, Anthony Holland, Peg Leisen, Dave Farnsworth, Aaron MacLaughlin and Jennifer Williams. (Sign-in sheet is on file in the Clerk's office)

Approval of Minutes: **A motion was made by James Burke and seconded by John Deyoe, to accept the minutes of the June 27, 2011 meeting.** Chairman Stephen Bodnar – aye, Clifford Hanehan - absent, James Burke – aye, Barbara Faraone – absent, Thomas Carrangi - aye, William Moreau – aye, Clarence Fosdick - absent, John Deyoe – aye. **Carried 5 – 0**
Approved

Order of Business:

Area Variance

**Anthony Holland #11-08
112 Chelsea Dr.
Saratoga Springs, NY 12866
S/B/L 155.-2-19 Rural Residential**

Applicant is seeking a back setback variance of 1.3' and a side setback variance of 6' in order to build an addition to his home, located at 112 Chelsea Dr.

Anthony Holland appeared before the Board and stated that he'd like to build a 14' X 35' addition onto his current home. The room would be rectangular in shape and would be used as a family room and office work space. He stated that the distance to the back property line is 1.3' short of the required 50' and on the side setback he is 6' short of the required 25'; there is a tree line there and he doesn't want to have to cut any trees down if possible.

John Deyoe questioned if the garage is on a slab and the Applicant responded yes. John Deyoe then asked if the addition will also be built on a slab and the Applicant responded yes. John Deyoe asked how wide the tree line is and was told it is 8' – 9' across.

Bill Moreau questioned if this will be a single story addition and the Applicant responded yes.

Chairman Stephen Bodnar asked if there were any other Board questions; there were none. Chairman Stephen Bodnar asked Zoning Officer Gil Albert his opinion and he stated he sees no problem with this project.

After providing Proof of Notice in the Saratogian on July 15, 2011, Chairman Stephen Bodnar

opened the Public Hearing at 7:07 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 7:08 p.m.**

Town Attorney William Reynolds stated this is in a planned subdivision and he questioned if there are any deed restrictions in the deed covenant and the Applicant responded no there are not. Town Attorney William Reynolds thanked the Applicant.

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 Bill Moreau and seconded by John Deyoe, to grant the variance for a one story addition because it meets the criteria for an area variance. Chairman Stephen Bodnar – aye, Clifford Hanehan -absent, James Burke – aye, Barbara Faraone – absent, Thomas Carringi - aye, William Moreau – aye, Clarence Fosdick - absent, John Deyoe – aye. **Carried 5 – 0**
Approved

Peg Leisen and Dave Farnsworth #11-09
124 Trask Lane
Stillwater, NY 12170
S/B/L 193.15-1-3 Rural District 2

Applicants are seeking a 9 inch side setback variance due to their house having been built too close to the property line.

Peg Leisen and Dave Farnsworth appeared before the Board and explained that while landscaping their property they found their house was built too close to the side boundary line. When they purchased the house they were told there had been a lot-line adjustment, but upon further research through the Town Zoning Officer and the county, they found this to be untrue. Zoning Officer Gil Albert felt the easiest correction to the problem was to send them here for a variance.

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

After providing Proof of Notice in the Saratogian on July 15, 2011, Chairman Stephen Bodnar opened the Public Hearing at 7:14 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 7:15 p.m.**

Chairman Stephen Bodnar stated he saw no need to go through the Balancing Test for this application and the Board agreed.

A motion was made by Chairman Stephen Bodnar and seconded by James Burke, to approve the requested 9” side setback variance. Chairman Stephen Bodnar – aye, Clifford Hanehan -absent, James Burke – aye, Barbara Faraone – absent, Thomas Carringi - aye, William Moreau – aye, Clarence Fosdick - absent, John Deyoe – aye. **Carried 5 – 0**
Approved

**Aaron MacLaughlin and Jennifer Williams #11-10
1144 Rt. 29
Schuylerville, NY 12871
S/B/L 157.-1-36 Rural Residential**

Applicants seek a 14' back setback variance in order to build a 16' X 24' addition to their home.

Aaron MacLaughlin appeared before the Board explaining he would like to build a small bedroom off the back of their home. He said they currently have a two bedroom, single story home and since planning a family they will need the space and would like a third bedroom off the back of the house. He said they will be at the same roof line, just turning the hip roof. He added they have open fields all around them and a tree line between his property and Lois Miner's and they won't disturb any of that. Chairman Stephen Bodnar asked if there were any Board questions; there were none. Chairman Stephen Bodnar then read a couple letters from neighbors stating they are in favor of this project. Chairman Stephen Bodnar asked for Zoning Officer Gil Albert's opinion. Zoning Officer Gil Albert stated he sees no problem with this project.

Chairman Stephen Bodnar then read the letter from the Saratoga County Planning Board indicating no significant county wide or intercommunity impact and stated their approval. Chairman Stephen Bodnar asked if there were any Board questions; there were none.

After providing Proof of Notice in the Saratogian on July 15, 2011, Chairman Stephen Bodnar opened the Public Hearing at 7:25 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 7:26 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 John Deyoe and seconded by Thomas Carringi, to approve the requested variance for the single story addition since it will bring no change to the character of the neighborhood. Chairman Stephen Bodnar – aye, Clifford Hanehan -absent, James Burke – aye, Barbara Faraone – absent, Thomas Carringi - aye, William Moreau – aye, Clarence Fosdick - absent, John Deyoe – aye. **Carried 5 – 0**
Approved

Old Business: None

New Business: Chairman Stephen Bodnar read a letter from Sherry Doubleday, Town of Saratoga Office of Emergency Management, concerning CPR (cardiopulmonary resuscitation) and AED (automated external defibrillator) training. She is asking if anyone has CPR training or would like to take the training class, since there is a need for someone certified in CPR to be present at every gathering in the town hall once the AED is installed. John Deyoe, Thomas Carringi, Bill Moreau, Zoning Officer Gil Albert, James Burke, Town Attorney William Reynolds and Chairman Stephen Bodnar all stated they are interested in taking the class. Chairman Stephen Bodnar added he will contact Barbara Faraone, Clifford Hanehan and Clarence Fosdick to see if they'd like to participate in the class also and he will then notify Sherry Doubleday.

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

The next Zoning Board of Appeals meeting will be held August 22, 2011.

Respectfully submitted,

Linda McCabe
ZBA Clerk