

**TOWN OF SARATOGA
ZONING BOARD OF APPEALS MINUTES
May 24, 2010**

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

Due to the absence of two Board Members, Chairman Stephen Bodnar elevated Alternate John Deyoe to full voting status.

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

Approval of Minutes: **A motion was made by Clarence Fosdick and seconded by William Moreau, to accept the minutes of the April 26, 2010 meeting.** Chairman Stephen Bodnar–aye, James Burke – aye, Barbara Faraone– absent, Thomas Carrangi - absent, Clifford Hanehan -aye, William Moreau - aye, Clarence Fosdick - aye, John Deyoe – aye.

Carried 6 – 0

Approved

Order of Business:

Area Variance

**Andrew Holt #10-08
110 Franklin Beach Rd.
Saratoga Springs, NY 12866
S/B/L 193.5-1-28**

Applicant is seeking a 25' front setback, an 11,850' area variance and an 8.6% building coverage variance in order to expand his lakeside deck.

Todd Stewart of Stewart Construction appeared before the Board on behalf of the Applicant explaining the plan to replace and expand the deck, which is in disrepair and very small. The Applicant would like to extend the deck across the length of the house; an additional 11'6" across the length of the house and due to the waterfront location, they would like to build a screened porch on part of the deck. He added there will be no adverse environmental effects since the proposed piers will be techno posts and no excavation or concrete will be required and this will be an improvement to the property.

Chairman Stephen Bodnar asked if there were any Board questions. The Board questioned the design; mainly the roof of the screened porch, noting it looks like there are windows above and that it seems quite large. Mr. Stewart responded the windows are mostly for looks at the gabled end, but a bit of useable attic/storage space will be there. The Board members questioned if that window will be a dormer cutting through the house and Mr. Stewart said no, it will only be a pull-down stair to access the attic space. Due to the attic truss web you only have 5' of head space, not 8', though the roof pitch will be 8'. He added that due to the shallow pitch of the original house, he has to go in further to tie it in.

Chairman Stephen Bodnar asked Zoning Officer Gil Albert for his opinion; he responded that he sees nothing wrong with this.

After providing Proof of Notice in the Saratogian on May 14, 2010, and noting that this falls under the county waiver agreement with the Town, Chairman Stephen Bodnar opened the Public Hearing at 7:32 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 more questions; finding none, **Chairman Stephen Bodnar closed the Public Hearing at 7:34 p.m.**

Clarence Fosdick made a motion, seconded by John Deyoe, to approve the variances as requested for the new expanded deck and screened porch, because it remains in character with the surrounding neighbors and it is an improvement to the property; with the condition of no living quarters above it. Chairman Stephen Bodnar – aye, James Burke – aye, Barbara Faraone – absent, Thomas Carrangi - absent, Clifford Hanehan - aye, William Moreau - aye, Clarence Fosdick – aye, John Deyoe – aye. **Carried 6– 0**
Approved

Old Business: Board Member Clarence Fosdick stated that due to last months meeting he wrote up some issues he sees with certain zoning regulations, along with suggestions that he felt needed Board discussion and interpretation and clarification in order to minimize inconsistencies; a lengthy discussion among Board members and the Zoning Officer on board procedures ensued. It was decided the Board members will compile a list of modifications they would like to see over the next few months, and review them with the Town Attorney, Planning Board and Code Enforcement Officer, to present recommendations and clarifications to the Town Board for changes to parts of certain zoning regulations through local laws.

New Business: None

Chairman Clifford Hanehan made a motion, seconded by Clarence Fosdick, to adjourn the meeting at 8:30 p.m. Chairman Stephen Bodnar – aye, James Burke – aye, Barbara Faraone – absent, Thomas Carrangi - absent, Clifford Hanehan - aye, William Moreau - aye, Clarence Fosdick - aye, John Deyoe – aye. **Carried 6 – 0**
Adjourned

The next Zoning Board of Appeals meeting will be held June 28, 2010.

Respectfully submitted,

Linda McCabe
ZBA Clerk