

**TOWN OF SARATOGA
ZONING BOARD OF APPEALS DRAFT MINUTES
May 18, 2015**

Due to the absence of Chairman Stephen Bodnar, Acting Chairman Clifford Hanehan presided over the meeting.

Acting Chairman Clifford Hanehan called the meeting to order at 7:00 p.m. and led the flag salute.

Acting Chairman Clifford Hanehan reviewed the *Rules of the Board*.

Zoning Clerk Linda McCabe called the roll: Chairman Stephen Bodnar – absent, Clifford Hanehan – present, William Moreau – present, Thomas Carrangi – absent, Clarence Fosdick – present, John Deyoe - absent, Chris Benn – present.

Also present: Town Attorney William Reynolds and Thomas Marotta. (Sign-in sheet is on file in the Clerk's office)

Approval of Minutes: **A motion was made by Board Member Chris Benn, seconded by Board Member Clarence Fosdick, to accept the meeting minutes of March 23, 2015.** Chairman Stephen Bodnar - absent, Clifford Hanehan -aye, Thomas Carrangi - absent, William Moreau – aye, Clarence Fosdick - aye, John Deyoe – absent, Chris Benn - aye.

Carried 4 - 0

Approved

Area Variance

**Thomas A. Marotta #15-04
1380 Rt. 9P
Saratoga Springs, NY 12866
S/B/L 193.6-1-44 Lake Residential
Location: 1416 Rt. 9P**

Applicant seeks a 7500' lot area variance, 1.7% of building coverage variance, a 10' front setback variance, a 25' two- sides setback variance and a 10' side setback variance. He also seeks a 50' lot width variance and a 50' frontage variance in order to construct a single family home.

The Applicant appeared before the Board. He stated he needs the variances in order to put a modular home on this lot. He explained he removed the old camp that was on the lot about 3+ weeks ago and cannot go forward with this project without the variances.

Acting Chairman Clifford Hanehan and the Board went through each variance requested with the Applicant.

Acting Chairman Clifford Hanehan questioned when and how the lot became a lot.

The Applicant replied he purchased it with an existing camp on it. The camp dates back to 1927, with additions built onto it over the years. It is located next door to a boat and trailer storage facility to the north. To the right is a large vacant lot, to the south of that is a parking lot and south of that is a home that is now an attorney's office. He stated he bought the property as an approved lot. He first planned to rehab the camp and rent it out, but it was so deteriorated it wasn't worth doing. He removed it about 3+ weeks ago. He added that in between this lot and the storage facility is another vacant area, that is about 30 - 45 square feet; there will never be anything done with it because it's too small to put a building on.

Bill Moreau questioned the size of the old camp.

The Applicant responded the old camp was 1500 - 1600 square feet, not including the paved patio in the back.

Bill Moreau noted the Applicant shows the garage on the back of the house and questioned where will the driveway be located and how will he access it.

The Applicant replied he will use the existing curb cut on Rt. 9P and drive down the north side of the house to the garage in the back, as he does with his own home.

There was a discussion concerning snow removal and the Applicant said he'll push straight back though he knows snow rolls to the sides and Michael Giovanone, owner of the vacant lot next to him, as well as the storage facility, said he's fine with this and will contact the Board to confirm if necessary.

Acting Chairman Clifford Hanehan asked if there were any other Board questions at this time.

Clarence Fosdick questioned the footprint of the building and the Applicant responded 25' x 61'.

Clarence Fosdick asked if there are any designated wetlands. The Applicant responded no, he contacted NYS DEC and was told there have been no changes of the wetland delineation with the updated mapping.

Acting Chairman Clifford Hanehan questioned the location of the previous camp on the lot and the Applicant replied according to the surveyor it was located 2' over the property line to the south.

Chris Benn asked if there is a new well or was there an existing one when he purchased the property.

The Applicant responded existing, though it needs treatment for bacteria and he explained the treatment process that will be used. He also added sewer hookup is already there.

Bill Moreau asked when was the camp last occupied and was told last summer.

Acting Chairman Clifford Hanehan asked for Town Attorney William Reynolds opinion; he had no opinion. He then asked if there were any further questions of the Board; there were none.

Acting Chairman Clifford Hanehan then read the letter from the Saratoga County Planning Board which indicated no significant county wide or intercommunity impacts.

Acting Chairman Clifford Hanehan asked if there is proof of neighbor notifications being sent out and was shown the receipts on file.

After providing Proof of Notice in the Saratogian on May 8, 2015, Acting Chairman Clifford Hanehan opened the Public Hearing at 7:26 p.m. asking those wishing to speak to please stand and state their name and address. Seeing as no one spoke, **Acting Chairman Clifford Hanehan closed the Public Hearing at 7:27 p.m.**

Acting Chairman Clifford Hanehan reviewed the Summary of Area Criteria Balancing Test and went through it line by line with the Board; the Board found in favor of the Applicant. The Applicant thanked the Board.

A motion was made by Clarence Fosdick and seconded by Bill Moreau to approve the variances as requested, contingent upon compliance with current building codes.

Chairman Stephen Bodnar - absent, Clifford Hanehan -aye, Thomas Carrangi - absent, William Moreau – aye, Clarence Fosdick - aye, John Deyoe – absent, Chris Benn - aye.

Carried 4 - 0

Granted

Old Business: none

New Business: none

Town Attorney William Reynolds explained that while going through the balancing test, it isn't necessary to meet each factor of said test to pass it. He and the Board discussed aspects of the test and how to best utilize it.

A motion was made by Chris Benn, seconded by Bill Moreau, to adjourn the meeting at 7:39 p.m. Chairman Stephen Bodnar - absent, Clifford Hanehan -aye, Thomas Carrangi - absent, William Moreau – aye, Clarence Fosdick - aye, John Deyoe – absent, Chris Benn - aye.

Carried 4 - 0

Adjourned

The next Zoning Board of Appeals meeting will be held June 22, 2015.

Respectfully submitted,

Linda McCabe
ZBA Clerk