

**TOWN OF SARATOGA  
ZONING BOARD OF APPEALS DRAFT MEETING MINUTES  
JULY 25, 2022**

**\*Meeting Minutes are not verbatim**

Chairman William Moreau called the meeting to order at 7:00 p.m. and led the flag salute.

Chairman William Moreau welcomed everyone to the meeting and proceeded to review the *Rules of the Board*.

Zoning Clerk Linda McCabe called the roll: Chairman William Moreau – present, Clifford Hanehan – present, Thomas Carrangi – absent, Christopher Benn – present, Steve Mehan – present, Mark Solan – absent, Alternate Rick Burke – present.

Also present: Zoning Officer Gil Albert, Joshua Baranowski. (Sign-in sheet is on file in the Clerk's office.)

Approval of Minutes: **A motion was made by Steve Mehan, seconded by Christopher Benn, to accept the minutes of June 27, 2022 as written.** Chairman William Moreau – aye, Clifford Hanehan - aye, Christopher Benn - aye, Steve Mehan - aye, Rick Burke – aye, Thomas Carrangi – absent, Mark Solan – absent.

**Carried 5 - 0**

**Public Hearing**

**Ross Pusatere #22-11  
1294 Rt. 9P  
Saratoga Springs, NY 12866  
S/B/L 193.10-1-52 Lake Residential District**

**Applicant failed to appear.**

**Joshua Baranowski #22-13  
300 Rt. 32 South  
Schuylerville, NY 12871  
S/B/L 182.-1-61 Rural District**

Returning Applicant seeks a 12' front setback variance in order to keep his storage shed, which is being built without a permit.

Applicant Joshua Baranowski appeared before the Board and stated he had the property surveyed and was building a garage without a permit. He stated this is the first property he's purchased and didn't know he needed a permit, but he's learning the process. With the new survey, the 12' front setback is incorrect, he needs a 25'6" front setback variance.

Zoning Officer/Building Inspector Gil Albert said he's concerned as the septic is in that area and the gravel driveway is over the leach field.

The Applicant said he doesn't drive on it though and Zoning Officer/Building Inspector Gil Albert responded you park on it, so you're driving on it.

Chairman William Moreau said it almost looks like the septic tank is in the garage addition.

Zoning officer/Building Inspector Gil Albert responded it's not. He did a site visit and it's right between the garage and the house; unsure of leach lines.

Clifford Hanehan stated the septic and leach field are existing, he's been constructing before obtaining a variance and without a permit.

The Applicant responded yes and once he learned he needed those he met with Zoning Officer/Building Inspector Gil Albert and has done everything he's asked for and he's trying to do it right.

Chairman William Moreau asked if there were any further Board questions; there were none.

**Proof of Notice having been furnished by newspaper on July 15, 2022, Chairman William Moreau opened the Public Hearing at 7:11 p.m.; seeing as no one aside from the Applicant was in the room, Chairman William Moreau closed the Public Hearing at 7:11 p.m.**

Clifford Hanehan questioned if the building is completed yet and was told no, it is not. He then asked why the Applicant placed it there on the property and the Applicant replied it was the only logical spot for it. Christopher Benn agreed, as he said the property has very steep slopes.

Applicant Joshua Baranowski passed photos of the property around so the Board and Board discussion continued.

Chairman William Moreau asked who took the photos and was told the Applicant did. Chairman William Moreau said they are very helpful.

Applicant Joshua Baranowski said he took them with a drone so they can see everything.

Chairman William Moreau asked if there were any further Board questions; there were none. He then went through the Balancing Test, line by line, with the Board:

1. *Whether benefit can be achieved by other means feasible to applicant* – Clifford Hanehan said no due to the lay of the land. Chairman William Moreau agreed as did Board members.
2. *Undesirable change in neighborhood character or detriment to nearby properties* – Christopher Benn said no, he's done a real nice job and has cleaned up the property and made it very appealing. Board agreed.
3. *Whether request is substantial* – Christopher Benn said not really, the residence just up the road is closer and Chairman William Moreau said the existing residence is closer as well, so no, as did the entire Board agreed.
4. *Whether request will have adverse physical or environmental effects* – Christopher Benn said no, as did the Chairman William Moreau and the other Board members.
5. *Whether alleged difficulty is self-created, relevant but not determinative* – Chairman William Moreau said yes, as did the entire Board.

Chairman William Moreau asked if there were any further questions; there were none.

Chairman William Moreau stated his only concern is preserving the septic system, moving forward, because they have a driveway cut whether they're parking on it or not, it's clearly shows in the areal views that the Applicant parks on it, so that's a concern.

Zoning Officer/Building Inspector Gil Albert stated moving forward that's on him. Board agreed. Zoning Officer/Building Inspector Gil Albert said he needs to pay attention to that as that's a \$30,000 – \$40,000 bill to him. If/when that system fails his only option is to rip up what's there and have that \$30,000 – \$40,000 job done.

**A motion was made by Mark Solan, seconded by Clifford Hanehan, to accept the application with the corrected measurement of a 25'6" front setback variance as presented, instead of the original 12' variance, due to the limitations and constraints of the preexisting lot, were heavy considerations in granting this variance.** Chairman William Moreau – aye, Clifford Hanehan - aye, Christopher Benn - aye, Steve Mehan - aye, Rick Burke – aye, Mark Solan – absent, Thomas Carringi – absent.

**Carried 5 – 0**

**Old Business:** None

**New Business:** None

**A motion was made by Rick Burke, seconded by Clifford Hanehan, to adjourn the meeting at 7:30 p.m.** Chairman William Moreau – aye, Clifford Hanehan - aye, Christopher Benn - aye, Steve Mehan - aye, Rick Burke – aye, Mark Solan – absent, Thomas Carringi – absent.

**Carried 5 – 0**

**Meeting Adjourned**

The next regular meeting will be August 22, 2022 at 7:00 p.m.

To be on the agenda, all submittals must be to the Zoning Clerk's Office no later than 8:45 a.m. August 8, 2022.

Respectfully submitted,

Linda McCabe  
ZBA Clerk