

**TOWN OF SARATOGA
ZONING BOARD OF APPEALS MINUTES
October 27, 2025**

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, Christopher Benn – present, Steve Mehan – present, Andy Ellis – present, Mark Solan – present, Rick Burke – absent (arrived at 7:08 p.m.), Thomas Carringi – absent.

Due to the absence of a couple Board members, Alternate Andy Ellis was elevated to full member voting status.

Also present: Zoning Officer Gil Albert, Michael Whitney, Donald and Pamela Vermilyea, Kelly and Mike Hilland and Jared Rohrig. (Sign-in sheet is on file in the Clerk’s office.)

Approval of Minutes: **A motion was made by Christopher Benn, seconded by Clifford Hanehan, to accept the minutes of September 22, 2025 as written.** Chairman William Moreau – aye, Clifford Hanehan – aye, Steve Mehan – aye, Andy Ellis – aye, Mark Solan – aye, Christopher Benn – aye, Thomas Carringi – absent, Rick Burke – absent.

Carried 6 - 0

Area Variance

**Michael Whitney #25-11
46 Burgoyne St.
Schuylerville, NY 12871
S/B/L 157.70-1-9 Village Extension District**

Applicant seeks a 5’ back setback variance and a 5’ side setback variance in order to build a 24’ x 24’ two-car garage.

Applicant Michael Whitney appeared before the Board and reviewed his application. He stated he began renovations a couple of years ago and had to put the septic system in the front yard. Since he had acquired the addition of the paper road the Town owned, he was able to do this. He is now ready to construct his garage, but due to a few very old trees being in the way, he’s requesting a 5’ back and 5’ side setback variances in hope of saving the trees.

Zoning Officer/Building Inspector Gil Albert stated this is in an area where property lines are really tight. The trees are beautiful and this request is not out of character for the neighborhood.

Chairman William Moreau questioned if the paper road is now merged and only one deed for the property. He was told yes, the one deed he has now includes the paper road. Chairman William Moreau asked if there were any Board questions; there were none.

Proof of Notice having been furnished by newspaper on October 17, 2025, Chairman

William Moreau opened the Public Hearing at 7:07 p.m., asking those wishing to speak to please stand, state their name and address and direct their comments to the Board.

Seeing no one, **Chairman William Moreau closed the Public Hearing at 7:08 p.m.**

Chairman William Moreau went through the Balancing Test for Area Variance, line by line with the Board, to balance benefit to the Applicant with detriment to health, safety & welfare of the community:

1. *Whether benefit can be achieved by other means feasible to applicant* – Christopher Benn said no and he’s trying not to cut down the old trees; all Board members agreed.
2. *Undesirable change in neighborhood character or detriment to nearby properties* – Clifford Hanehan and Zoning Officer Gil Albert said it’s within character of the neighborhood. Board members agreed and also stated the neighbor’s property and existing buildings are the same.
3. *Whether request is substantial* – Entire Board said no.
4. *Whether request will have adverse physical or environmental effects* – Christopher Benn said no and the Board agreed.
5. *Whether alleged difficulty is self-created (relevant but not determinative)* – Clifford Hanehan said yes, Christopher Benn said he’s tried to mitigate by getting the paper road added to his property; Board agreed.

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

A motion was made by Clifford Hanehan, seconded by Mark Solan, to accept the application as presented and grant the variances as requested as the requests are minimal.

Chairman William Moreau – aye, Clifford Hanehan – aye, Steve Mehan – aye, Andy Ellis – aye, Mark

Solan – aye, Christopher Benn – aye, Rick Burke – aye, Thomas Carrangi – absent.

Carried 7 - 0

Granted

Donald Vermilyea #25-10

110 Rt. 69

Schuylerville, NY 12871

S/B/L 182.-1-41.42 Rural District

Applicant seeks a 31’ front setback variance in order to install a monolithic slab and a 30’ x 30’ metal garage.

Applicant Donald Vermilyea appeared before the Board and reviewed his property layout and his application. He said he seeks 30’ variance on the west side and 10’ on the east side of the property to install the slab and garage. The garage will house his tractor, roto-tiller, etcetera. The property is small and he thinks this is the best scenario he can do.

Christopher Benn said he saw it staked out and questioned the distance to the other garage from the back of the propose location of the slab. He was told 8’. He then asked if he can move it behind the house and current garage.

Applicant Donald Vermilyea responded because it banks down to the creek. He's got a paved driveway and this would allow them to pull in easier. He said he thought of putting it where his carport is located but there's not enough room and not enough room behind it either.

Clifford Hanehan questioned if he can eliminate the carport and place the proposed garage there.

Applicant Donald Vermilyea responded no, as the property tapers back and drops.

After a discussion with the Board, the Applicant said he can move the carport and perhaps move the slab a bit further back. Christopher Benn and Chairman William Moreau said he probably wouldn't need the variance if he did that, since he needs 10' on the side; he then wouldn't need anything from the Board as he'd be within regulations.

Chairman William Moreau suggested he table his application and go check the dimensions again to see if that will work for him. If he can meet that, all he'll need is a building permit. Just have Zoning Officer/Building Inspector Gil Albert verify it.

Applicant Donald Vermilyea thanked the Board and Tabled his application.

Tabled

Kelly Hilland #25-12
1164 Rt. 29
Schuylerville, NY 12871
S/B/L 157.-1-49.2 Rural Residential District

Applicant seeks variances in order to keep the two existing signs for her Brownies Dispensary cannabis business, located at 1164 Rt. 29.

Applicant appeared before the Board and reviewed her application. She stated as the roadside free-standing sign was already in place, she didn't realize she needed a permit and she didn't realize the sign on the building was too large. She is seeking variances to keep the signs as is, so they can be clearly seen from the road, without causing any issues.

Steve Mehan said the previous roadside sign wasn't approved and they never opened, so the Building Inspector made no issues at that time. The building sign is 30' larger than regulations allow; should be 20' not 50'. He questioned if her sign people scale it down and she responded no, it cost her \$6,000.

Zoning Officer/Building Inspector Gil Albert stated the roadside sign is oversized – more than 20 sq. ft. The applicant needs to cut down the top and bottom of the sign to bring it within regulations and lower the sign on the posts and aim the lights downward on it. He added for her to move the Open sign and then it'll be better.

The Board reviewed sign regulations and questioned the size of the roadside sign. They were told it is 28 x 33. Zoning Officer/Building Inspector Gil Albert said she needs a variance for the roadside sign and a permit for the building sign, but she needs the variance first.

Proof of Notice having been furnished by newspaper on October 17, 2025, Chairman William Moreau opened the Public Hearing at 7:43 p.m., asking those wishing to speak to please stand, state their name and address and direct their comments to the Board.

Seeing no one, **Chairman William Moreau closed the Public Hearing at 7:44 p.m.**

Chairman William Moreau went through the Balancing Test for Area Variance, line by line with the Board, to balance benefit to the Applicant with detriment to health, safety & welfare of the community:

1. *Whether benefit can be achieved by other means feasible to applicant* – Chairman Moreau and the Board members said yes for both the roadside sign and building sign.
2. *Undesirable change in neighborhood character or detriment to nearby properties* – Clifford Hanehan and Steve Mehan said yes, for both. Mark Solan stated he's fine with the amended sizes.
3. *Whether request is substantial* – The Board members said yes as presented.
4. *Whether request will have adverse physical or environmental effects* – Board Members said no.
5. *Whether alleged difficulty is self-created (relevant but not determinative)* – Board members said yes, although inherited issues and unfortunately should have contacted Code Enforcement for review.

Chairman William Moreau stated the goal is to her the applicant to modify the roadside sign. We will vote separately on the signs; first the roadside then the building.

Zoning Officer/Building Inspector Gil Albert suggested to give her the height variance but not to exceed 8' and no more than 20 sq. ft.

Applicant Kelly Hilland said that was acceptable.

A motion was made by Rick Burke, seconded by Christopher Benn, to accept and grant the variance for the modified roadside sign, not to exceed 8' and no larger than 20 sq. ft.

Chairman William Moreau – aye, Clifford Hanehan – aye, Steve Mehan – aye, Andy Ellis – aye, Christopher Benn – aye, Rick Burke – aye., Mark Solan – aye, Thomas Carringi – absent.

Carried 7 - 0

Granted

A motion was made by Steve Mehan, seconded by Clifford Hanehan, to deny the building sign because it is two and a half times larger than regulations allow. Chairman William

Moreau – aye, Clifford Hanehan – aye, Steve Mehan – aye, Andy Ellis – aye, Christopher Benn – aye, Rick Burke – nay, Mark Solan – nay, Thomas Carringi – absent.

Denied 5 - 2

Applicant Kelly Hilland questioned the timeline for completing the changes and Zoning Officer/Building Inspector Gil Albert responded 30 days minimum – 60 days maximum.

Applicant Kelly Hilland thanked the Board.

Joanne Rohrig / Jared Rohrig 25-13

6771 E. Lindley Ln. SW / 113 River Rd.

Ocean Isle Beach, NC, 28469 / Schuylerville, NY, 12871

S/B/L 196.-2-2.1 Conservative District

Applicant seeks a 63' front setback variance and a 16.1' side setback variance to add a roof over the existing porch and to build a 1,544 sq. ft. addition to the existing home.

Board member Andy Ellis recused himself from this application.

Seeing as Applicant Jared Rohrig neglected to mail his neighbor notifications, Chairman William Moreau stated without the receipts of mailings, no public hearing would be held. He told the Applicant if he gets them sent out by November 3rd, his public hearing can be held at the November 17th meeting. He reminded the applicant to bring in all receipts, along with any returned letters, and hand them in at the beginning of the meeting. He then asked if there were

any further questions or comments; there were none. *Andy Ellis rejoined the Board.*

Returning

Old Business: None

New Business: None

A motion was made by Christopher Benn, seconded by Steve Mehan, to adjourn the meeting at 8:10 p.m. Chairman William Moreau – aye, Clifford Hanehan – aye, Steve Mehan – aye, Andy Ellis – aye, Christopher Benn – aye, Rick Burke – aye, Mark Solan – aye, Thomas Carrangi – absent.

Carried 7 - 0

Meeting Adjourned

The next regular meeting will be November 17, 2025, at 7:00 p.m.

***All submittals must be to the Clerk's office no later than 8:45 a.m. November 3, 2025, to be on the agenda.**

Respectfully submitted,

Linda McCabe

Linda McCabe

Zoning Clerk

Minutes are not verbatim ~