

TOWN OF SARATOGA
ZONING BOARD OF APPEALS DRAFT MINUTES
July 10, 2024

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, Rick Burke – present, Mark Solan – present, Thomas Carringi– absent.

Also present: Zoning Officer Gil Albert, Eric, Melissa & Max Jackson, Holly Kimball and Crystal Sloane. (Sign-in sheet is on file in the Clerk’s office.)

Approval of Minutes: **A motion was made by Christopher Benn, seconded by Steve Mehan, to accept the minutes of April 22, 2024 as written.** Chairman William Moreau – aye, Clifford Hanehan - aye, Christopher Benn - aye, Steve Mehan - aye, Rick Burke – aye, Mark Solan – aye, Thomas Carringi – absent.

Carried 6 - 0

Public Hearing

Eric M. Jackson #24-04
135 Franklin Beach Rd.
Saratoga Springs, NY 12866
S/B/L 193.5-1-23 Lake Residential District
Location: Down the road from his home

Applicant seeks a 13’ front setback variance and a 12’ two-sides setback variance in order to construct a garage with a second-floor apartment.

Applicant Eric Jackson appeared before the Board and reviewed his application, said his builder was present as well, if the Board had any questions for him.

After a lengthy discussion, Chairman William Moreau, Building Inspector Gil Albert and the Board members concluded the application, as presented, is incorrect. The Applicant needs to figure out exactly what he wants to do and adjust the numbers; the drawing is misleading with incorrect measurements. They suggested the Applicant look at the Town’s regulations for lot sizes, frontage and set back requirements, revise his plan, include actual numbers/measurements coming from the dripline/overhang not from the foundation, as that is where building measurements are taken from. It was also suggested that he should table his application in order to take the time to talk with his builder and redraw his building envelope. Chairman William Moreau stated he needs to come back with a new application, true correct measurements and an accurate plan.

Applicant Eric Jackson asked to table the application until the August meeting; he will send neighbor notices out again for the public hearing.

Returning

**Crystal Sloane #24-05
128 Rt. 4 North
Schuylerville, NY 12871
S/B/L 157.6-1-5 Village Extension District**

Applicant seeks a 2.5' side setback variance in order to construct a 10' kitchen and dining room extension and to construct a porch and deck off of those rooms.

Applicant Crystal Sloane appeared before the Board and reviewed her application, stated they've lived there since 2011 and find they need a bit more space for their family. Unfortunately, when the house was placed on her 1.38+/- acre parcel, the mover set it into the setback and at an angle, which is why they need the 2.5' variance.

Chairman William Moreau asked if there were any comments or questions of the Board; there were none.

Proof of Notice having been furnished by newspaper on June 26, 2024, Chairman William Moreau opened the Public Hearing at 7:22 p.m., asking those wishing to speak, to please stand and clearly state their name, address and direct their comments to the Board; no one spoke.

Seeing as no one wished to speak, Chairman William Moreau closed the Public Hearing at 7:23 p.m. He then asked if there were any further questions or comments of the Board; there were none.

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 stated yes if the house mover had turned the house a bit and placed the house accurately, but that was out of her control. All Board members agreed.
2. *Undesirable change in neighborhood character or detriment to nearby properties* – Entire Board said no.
3. *Whether request is substantial* – All Board members said no.
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)* – Christopher Benn said no, they're trying to increase living space for the family and it's where Larmon's set the house. All Board members agreed.

A motion was made by Mark Solan, seconded by Christopher Benn, to accept the

application and grant the 2.5' variance as proposed. Chairman William Moreau – aye, Clifford Hanehan - aye, Christopher Benn - aye, Steve Mehan - aye, Rick Burke – aye, Mark Solan – aye, Thomas Carringi – absent.

Carried 6 - 0

Old Business:

New Business:

A motion was made by Christopher Benn seconded by Clifford Hanehan to adjourn the meeting at 7:38 p.m. Chairman William Moreau – aye, Clifford Hanehan - aye, Christopher Benn - aye, Steve Mehan - aye, Rick Burke – aye, Mark Solan – aye, Thomas Carringi – absent.

Carried 6 - 0

Meeting Adjourned

The next meeting will be held on August 26, 2024 at 7:00 p.m.

***All submittals must be to the Clerk no later than 8:45 a.m. August 12, 2024, to be on the agenda.**

Respectfully submitted,

Linda McCabe
ZBA Clerk

~Meeting dates are subject to change~