

**TOWN OF SARATOGA
ZONING BOARD OF APPEALS DRAFT MINUTES
May 19, 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, Steve Mehan – present, Christopher Benn – present, Thomas Carringi – present, Mark Solan – present, Alternate Andy Ellis – present, Clifford Hanehan – absent, Rick Burke – absent.

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

Also present: Zoning Officer Gil Albert, Kathryn Svoboda and another interested person. (Sign-in sheet is on file in the Clerk's office.)

Approval of Minutes: **A motion was made by Christopher Benn, seconded by Mark Solan, to accept the corrected minutes of April 28, 2025 as written.** Chairman William Moreau – aye, Christopher Benn – aye, Steve Mehan – aye, Andy Ellis – aye, Thomas Carringi – aye, Mark Solan – aye, Clifford Hanehan – absent, Rick Burke – absent.

Carried 6 - 0

Area Variance

**Kathryn A. Svoboda #25-04
138 Homestead Rd.
Saratoga Springs, NY 12866
S/B/L 155.-1-12.2 Rural Residential**

Applicant seeks a 43' front setback variance and a 2' side setback variance in order to construct a freestanding two-car garage.

Applicant Kathryn Svoboda appeared before the Board and reviewed her application. She stated she's lived in her home for 41 years and they need to construct a two-car garage for the truck and storage, as they are removing the large garden shed that is currently located where they'd like to build the proposed garage; she also noted there is a one car garage on one side of the house. She then went through the lay of the land with the Board, which explained why she can't go further back with the proposed garage and why she can't build up on the hill. Although they have 4 acres, the hill is too steep and they just cannot make that climb anymore. She added it would take more than a hundred truck-loads of fill to level that dip in the back, which would then make the back bank at least 30' in the air.

Zoning Officer/Building Inspector Gil Albert stated she is limited on what she can do on her property.

Chris Benn added it's a very short distance from the back side of the shed and with that dip back there, it drops away pretty aggressively. He questioned what she'll be doing with the trees.

She responded for sight distance safety they'll be removing some trees and stumps, flattening out that area and make it look very nice.

Christopher Benn said removing the stumps will bring the grade down to where it needs to be.

Chairman William Moreau asked if there were any Board questions.

After a brief discussion with the Board, applicant and Zoning Officer, it was determined that due to the lay of the land, the applicant is doing the best she can to make this work.

Proof of Notice having been furnished by newspaper on May 9, 2025, Chairman William Moreau opened the Public Hearing at 7:09 p.m., asking those wishing to speak to please stand at the podium, state their name and address and direct their comments to the Board.

Seeing as no one wished to speak, **Chairman William Moreau closed the Public Hearing at 7:09.5 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, with the configuration of the lot it just doesn't allow for that. Chairman William Moreau and the Board members agreed.
2. *Undesirable change in neighborhood character or detriment to nearby properties* – The Board members 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 and Chairman William Moreau said it's the lay of the land and she's doing the best she can. All Board members agreed.

Chairman William Moreau asked if there were any further questions or comments; there were none. He then asked for the Zoning Officer's opinion.

Zoning Officer Gil Albert stated he has no issue with this as the applicant is doing the best she can with the property.

A motion was made by Christopher Benn, seconded by Mark Solan, to grant the 43' front setback and 2' side setback variances as requested, to construct a freestanding two-car garage. Chairman William Moreau – aye, Christopher Benn – aye, Steve Mehan – aye, Andy Ellis – aye, Thomas Carrangi – aye, Mark Solan – aye, Clifford Hanehan – absent, Rick Burke – absent.

Carried 6 - 0

Old Business: None

New Business: None

A motion was made by Christopher Benn, seconded by Mark Solan, to adjourn the meeting at 7:13 p.m. Chairman William Moreau – aye, Christopher Benn – aye, Steve Mehan – aye, Andy Ellis – aye, Thomas Carringi – aye, Mark Solan – aye, Clifford Hanehan – absent, Rick Burke – absent.

Carried 6 - 0

Meeting Adjourned

The next regular meeting will be June 16, 2025, at 7:00 p.m.

***All submittals must be to the Clerk's office no later than 8:45 a.m. June 2, 2025, to be on the agenda.**

Respectfully submitted,

Linda McCabe

Linda McCabe

Zoning Clerk