

Zoning Board of Appeals Meeting Minutes

Village of Ballston Spa

Held on March 26, 2025

Present: Chairwoman Anna Stanko, Members James Jurcsak, John Luciani, Kamran Parwana, Alternate Member Karen Avenarius, Attorney Stefanie Bitter (via phone)

Absent: Kevin McDonough

Chairwoman Stanko called the meeting to order at 7:00 pm.

Pledge of Allegiance

Approval of Minutes:

Chairwoman Stanko asked for a motion to approve the minutes from the February 26, 2025 Zoning Board of Appeals meeting. A motion was made by Member Luciani and seconded by Member Parwana to approve the minutes. The motion carried.

Old Business: None

New Business:

Request for an area variance for:

36 Chapman Street (SBL: 216.25-1-79) – Applicant Maria Romanov is requesting an area variance for a side yard setback relief.

Ms. Romanov stated that she has owned the property for twenty years. This home is classified as pre-existing, non-conforming. She would like to add another bathroom and closet onto the left side of the house to make the house more livable as her family grows up. She is requesting a variance to add the bathroom and closet, staying in line with the left side of the house, just extending it further back into current dead space on the property. She currently has 5' on the left side property line and needs 12' unless a variance is granted. Chairwoman Stanko asked if the applicant is requesting a 7' variance. Ms. Romanov stated yes. Chairwoman Stanko noted that looking at the

application, it looks like she has 3'9" on the left side, so she would need a 8' 3" variance. She read the following criteria questions and answers:

Whether the benefit sought by the applicant can be achieved by other feasible means. Identify what alternatives to the variance has been explored (alternative designs, attempts to purchase land, etc.

No other feasible means will satisfy the request. Applicant requests to place additions along the existing building line. Driveway located on the other side of the house. This little corner of property is never used for anything.

Whether granting the variance will produce an undesirable change in the character of the neighborhood or a detriment to nearby properties. Granting the variance will not create a detriment to nearby properties or an undesirable change in the neighborhood for the following reasons.

No undesirable change in the character of the neighborhood will occur. Existing lot sizes and neighbors are in close proximity to each other.

Whether the variance is substantial. The requested variance is not substantial for the following reasons:

Variance is not substantial. Existing home was pre-existing and existing building setback will remain unchanged. Proposed addition to extend existing wall line in the back room.

Whether the variance will have adverse physical or environmental effects on neighborhood or district. The requested variance will not have an adverse physical or environmental effect on the neighborhood or district for the following reasons:

No adverse physical or environmental effects are anticipated.

Whether the alleged difficulty was self-created (although this does not necessarily preclude the granting of an area variance). Explain whether the alleged difficulty was or was not self-created:

Difficulty is self-created but not determinative.

Member Luciani asked if it was a one or two-story house. Ms. Romanov answered it is a two-story house, and the addition will be one story. Chairwoman Stanko asked if it was a two-family home. Ms. Romanov said yes. She asked where the snow would be landing and the pitch of the roof, and the drainage onto the neighbor's property. Ms. Romanov stated that earlier this fall she had built a drainage system to divert the water from her house and the neighbor's house. Building Inspector LaFountain stated that the draining situation could be resolved if they put an asphalt roof instead of metal on the addition. Ms. Romanov agreed to do an asphalt roof. Chairwoman Stanko had a concern about emergency vehicles accessing the back yard. She saw that the vehicles can go on the other side of the house to gain access to the back yard in case of fire. She stated that she did receive a note from Ms. Romanov's engineer saying that the bulk coverage was within code requirements. Alternate Member Avenarius asked what the existing roof on the house is. Ms. Romanov answered it is slate.

Chairwoman Stanko opened Public Comment

A letter was received from Carol Beals in which she asked Randy or Susan Ahl (72 Pleasant Street) to speak on her behalf. Mr. Ahl stated that one of the questions she had was regarding water runoff. Mr. Ahl asked if the new wall height will be 10'. Ms. Romanov answered it will be an 8' outside wall. Mr. Ahl asked about the pitch of the roof. Ms. Romanov answered it will be a lower pitch. Mr. Ahl asked if gutters could be put in. Ms. Romanov answered yes and that it will be tied into the current water system. Mr. Ahl asked if there will be a 1' overhang. Ms. Romanov stated yes. Building Inspector LaFountain stated that if the ZBA wants, they can limit the overhang by moving the side of the building 1' further in. Ms. Romanov said that is doable.

Chairwoman Stanko closed Public Comment.

Member Luciani stated that the applicant is seeking a relief of 9'3". Chairwoman Stanko asked the Building Inspector if he had any drawings or specs on the drainage system that was put in. He answered no. Chairwoman Stanko asked who put them in. Ms. Romanov answered an engineer did in October of last year. Building Inspector LaFountain said we were not aware of that. Ms. Romanov stated that she had talked with DPW water guys before the drainage system was put in. Chairwoman Stanko asked Building Inspector LaFountain if we have people that could go and inspect the drainage system. He answered that DPW would have to do it. Chairwoman Stanko suggested that we table this application until the next meeting and have someone who is qualified from the Village go out and make sure this is OK before we approve something else that could cause drainage issues. Member Luciani seconded the

motion. Alternate Member Avenarius stated that gutters need to be shown on the plans. Ms. Romanov asked what else would be required to move this application along. Chairwoman Stanko said that she will meet with the Building Inspector to see what else needs to be provided and get back to her. Building Inspector LaFountain asked if Chairwoman Stanko is requesting a survey. She said not at this time. She wants to check with the County to see if anything is on file. The motion vote was 5-0 to table the application.

Meeting Adjourned:

A motion to adjourn was made by Member Luciani, seconded by Member Jurcsak. The motion carried. The meeting was adjourned at 7:40pm.

Respectively submitted,

Kathleen Barner
Building Department Clerk