

## Minutes

Village of Ballston Spa

Zoning Board Meeting

December 28, 2016

The meeting was called to order at 7:09 p.m. by Chairman Kevin McDonough

Members Present: Bruce Couture, Anna Stanko, Paul Laskey Jr.

### Approval of Minutes of previous meeting

Motion to accept made by Member Stanko, seconded by Member Couture

On the motion:

Member Couture: yes

Member Stanko: yes

Member Laskey: abstained

Chairman McDonough: yes

### Old Business:

Chairman McDonough advised applicant Mr. Thomas Hemans, accompanied by architect George Farnum, that the board was one member short and that he was entitled to a full 5-member board for his hearing.

Mr. Hemans voluntarily elected to have his appeal heard before a 4-member board.

Mr. Hemans was appearing before the board for a variance to build a 2-car garage with second floor storage at his residence at 26 Center St., Ballston Spa. The building permit was denied because the 5-foot side yard setback is less than the 12-foot setback required by Schedule B of Village Code.

Mr. Hemans previously approached the ZBA for a variance for a garage connected to his residence by a staircase. He produced a new schematic of his building plan, entered as Exhibit A, with the proposed garage attached to his single-family home. Mr. Farnum said the variance requested was 7-feet.

Mr. Hemans said his home is a small, older house without a basement and he needs to store belongings and his vehicles in the garage.

Chairman McDonough asked if the garage will be for residential use, not to run a business.

Mr. Hemans confirmed this.

Member Laskey asked what the visual impact the structure would have to the neighborhood.

Mr. Farnum replied the structure would fit in with the neighborhood. The garage will be higher due to the grade and will be visible from the street. It would be constructed with the same siding and roofing materials as the home.

Chairman McDonough reviewed the five tests applicants must pass in order to obtain approval.

Chairman McDonough then asked about water runoff.

Mr. Farnum said the structure is 5-feet lower in the back so the water will flow in that direction.

Member Laskey asked if gutters will be on the garage.

Mr. Farnum said there would be gutters to direct runoff around the back side.

Chairman McDonough asked if Mr. Hemans had considered locating the structure on another spot on his property.

Mr. Hemans replied there is an alley behind the home where they had considered building, but it was more practical to have it attached to the house.

Chairman McDonough asked if emergency vehicles would have access to the rear of the property from the alley.

Mr. Hemans indicated they would.

Member Couture made a motion that the ZBA be the lead agency in terms of NYS requirements for SEQR.

Seconded by member Laskey.

On the motion:

Member Couture: yes

Member Stanko: yes

Member Laskey: yes

Chairman McDonough: yes

Member Couture made a motion that the project did not have any negative effects on the environment.

Seconded by Member Laskey.

On the motion:

Member Couture: yes

Member Stanko: yes

Member Laskey: yes

Chairman McDonough: yes

Chairman McDonough opened the meeting to the public at 7:28 p.m. and, due to no members of the public being present, closed the hearing at 7:29 p.m..

Chairman McDonough asked if members of the board had any further questions.

Chairman McDonough then asked building inspector Randy Lloyd if there are other properties in the area without access alongside their home.

Building inspector Lloyd replied that there are more than he would think.

Chairman McDonough asked if the board would be creating an unusual situation if the appeal was granted.

Lloyd said they would not be creating an unusual situation.

Member Laskey asked if there would be windows on the garage.

Mr. Hemans replied there will be one window on each side on the bottom level of the garage, as well as a door in the back. He indicated there is a deck out back that will be taken down, but rebuilt after the project.

Member Couture made a motion that the Ballston Spa Zoning Board of Appeals hereby grants a side yard area variance of 7-feet, as referred to in Exhibit A, to allow for construction of an attached garage at 26 Center Street.

Motion made by Member Couture, seconded by Member Laskey.

On the motion:

Member Couture: yes

Member Stanko: yes

Member Laskey: yes

Chairman McDonough: yes

Motion to adjourn made by Member Couture, seconded by Member Laskey.

Member Couture: yes

Member Stanko: yes

Member Laskey: yes

Chairman McDonough: yes

Meeting adjourned at 7:40 p.m.

Next meeting will be held Wednesday, January 25, 2017.

Respectfully Submitted,

  
Cari Scribner

Deputy Village Clerk