

ZBA Board Meeting Minutes

Village of Ballston Spa

Held on August 28, 2019

The meeting was called to order at 7:02 by Chairman McDonough.

Chairman present: Kevin McDonough

Members present: Anna Stanko, James Jurcsak, John Luciani

Alternate present: Ed Fernau

Members absent: Paul Laskey

Members went over the notes from the previous meeting. In regards to Ron Murphy's request for 54 East Grove St., they had approved with a 5-0 vote a variance to construct a single family residence as depicted on plans dated 1/24/19, last revised on 5/20/19.

Members approved the minutes from the previous meeting.

New Business:

The matter before the board was an application by Mike Coffey. Mr Coffey owns three lots; two side by side and one perpendicular that runs behind both. He would like to split the one that runs behind them down the middle to make adequate off-street parking available for each of the other two lots.

Chairman McDonough read the legal notice.

Member Stanko pointed out that to be conforming, each lot should be at least 5000 square feet. Currently the way the lots are, there are two conforming and one non-conforming. The way Mr Coffey has the lots drawn for the variance, they would become one conforming and one non-conforming.

Member Luciani asked if Mr Coffey can split the lot differently to make them both conforming. Mr Coffey said he would be willing to do that if necessary. Member Stanko asked if there is any physical reason why the line was drawn the way it was. Mr Coffey replied he just drew it down the middle, there are no physical constraints making him separate the lot the way he did.

Chairman McDonough asked if there would be any change in the use of the two existing lots on Front St. Mr Coffey stated there will not be any change.

Chairman McDonough opened the discussion to the public at 7:21.

Liz Kormos of 89 Hyde Blvd asked Mr Coffey if he has any plans to update the buildings? Mr Coffey stated he has plans down the road to update the buildings and fill the vacant building.

Chairman McDonough went over the five tests that need to be passed before a variance is allowed. Mr Coffey agreed to adjust the lot line to make both parcels on Front St conforming.

Chairman McDonough asked the board members if they have any questions.

Member Stanko asks if there's a firewall between the two buildings. Mr Coffey says there is.

The board discusses with Mr Coffey the proposed lines. The way they are currently drawn, there is 3.84' relief on the western side and 13.75' relief on the eastern side. The board recommends changing the location of the lines to 4' relief on the western side and 14' relief on the eastern side. They verify the addresses for both lots as being 92-96 on the western side (Monaco's) and 88-90 on the eastern side.

Attorney Ferradino recommends they make a conditional approval and have Mr Coffey submit a new plan with the lines redrawn as stated above.

Mr Coffey asks if there would be two actual variances, one for each lot. Attorney Ferradino states one would be in compliance and wouldn't need a variance, but the board can make them both conditional if they choose.

Building Inspector Dave LaFountain asks if this would now need to go in front of the planning board for line adjustment. The board replied yes, that is the next step. Mr LaFountain pointed out that no work can be done or building permits granted until the variance process is complete.

The attorney recommends Mr Coffey get a new plan drawn up so he can submit it to the planning board.

Motion made by Chairman McDonough that the ZBA grants a 4' frontage variance to 92-96 Front St upon the condition of the applicant submitting a new survey evidencing a minimum square footage of 5000 square feet. Member Luciani seconded the motion.

Ayes all

Motion made by Member Jurcsak that the ZBA grants a 14' frontage variance to 88-90 Front St upon the condition of the applicant submitting a new survey evidencing a minimum square footage of 5000 square feet. Member Luciani seconded the motion.

Ayes all

Chairman McDonough informs Mr Coffey that both variances have been conditionally approved, on the condition that the lines be redrawn. Mr Coffey needs to get a new copy of the survey to the board, and he will need to go to the planning board as well.

Chairman McDonough closes to the public at 7:42.

Old business:

Chairman McDonough asks if there's any old business to discuss. Member Luciani mentions the fact that Mr Avenarius has requested to table his application again. How long can he keep pushing back his request? Chairman McDonough states there is

nothing in writing pertaining to a timeline that needs to be met. We will keep posting the legal ad in the Daily Gazette so Mr Avenarius' neighbors are aware that the request is still in the works.

The next board meeting is scheduled for September 25, 2019 at 7 pm.

Meeting adjourned at 7:45 pm.

Respectfully submitted,

Shari Kanarek

Secretary