

Minutes  
Village of Ballston Spa  
Zoning Board Meeting  
December 27, 2017

The meeting was called to order at 7:20 p.m. by Acting Chairman Paul Laskey

Members Present: Anna Stanko, Paul Laskey, John Luciani

Chairman Absent: Kevin McDonough

Members Absent: Bruce Couture, James Jurcsak

Village Attorney Absent: Jim Fauci

**Approval of Minutes of previous meeting held on September 27, 2017**

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

On the motion:

Member Stanko: yes

Acting Chairman Laskey: yes

Member Luciani: yes

**Old Business:**

There was none.

**New Business:**

The matter before the board was an application by Harvey Staulters to build a garage on his property at 126 Malta Ave. It was denied by Building Inspector because the height exceeded the maximum allowed by village codes.

Acting Chair Laskey read the legal notice for the matter before the board. He then asked applicant to present his project to the board.

Chad Wojtowecz of Kilmer Rd., the project builder, said the extra height was needed for attic space in the garage. The attic space would be used for storage with no living quarters, he said. He told the board the structure previously on the site, an old barn, was 20-feet at the peak. That structure was taken down and plans were made for the new garage to be moved to the middle of the property in order to comply with setback requirements.

Wojtowecz said new plans call for the garage to be 18-feet at its peak. The garage would be 24-feet by 30-feet in the same footprint.

Applicant produced photos of neighboring houses with accessory structures 20-feet high at peak.

Acting Chair Laskey asked applicant about the foundation for the garage.

Applicant said it would be a floating slab with proper wire mesh. He showed photos of the concrete already poured.

Applicant produced a drawing entered as Exhibit A showing the property with the 24-foot by 30-foot garage.

Member Stanko asked applicant about exterior lighting.

Wojtowecz said they hadn't determined exactly where they would be placed but said they would not be glaring lights shining into windows of neighbors. He said he would check with the Building Inspector about lighting requirements.

Acting Chair Laskey asked applicant if he plans to run power to the garage. Wojtowecz said at some point there would be power. Staulters said he would like to have a garage door opener installed at some point.

Acting Chair Laskey asked if there were any concerns about proper drainage. Wojtowecz said the backyard goes uphill so there won't be problems with runoff.

Acting Chair Laskey asked if they will install gutters.

Wojtowecz said if needed they would. He said the roof would be asphalt matching the roof on the house.

Acting Chair Laskey said aesthetics were considered so the project would blend in with the neighborhood and applicant had picked a good structure and color scheme.

Staulters told the board his current basement is very limited and due to poor drainage is always wet. He said his family needs a place to store camping gear and bikes.

Member Luciani made the following motion:

The Village of Ballston Spa Zoning Board of Appeals has found no negative environmental impact and declares itself lead agency for purposes of SEQR on the application to build an accessory structure at 126 Malta Avenue, Ballston Spa NY.

Motion made by Member Luciani, seconded by Member Stanko.

On the motion:

Member Stanko: yes

Acting Chair Laskey: yes

Member Luciani: yes

Acting Chair Laskey read through the 5 tests that need to be met before approving an application. He stated no negative impact was found, and there would be no undesirable change or detriment to the neighborhood around the property at 126 Malta Ave. He read whether or not the benefits could be achieved by other means rather than a variance and said since the structure had been even higher previously, this was not a concern.

Acting Chairman Laskey said the difficulty being self-created was not relevant for this application.

The meeting was opened to the public at 7:43. There was no public comment.

Member Stanko made the following motion:

The Village of Ballston Spa Zoning Board of Appeals hereby grants a height variance of 3-feet to construct a garage at 126 Malta Avenue, with Exhibit A showing the location of the new structure to be in better compliance with side and rear yard setbacks as required by the Village of Ballston Spa.

Motion made by Member Stanko, seconded by Member Luciani.

On the motion:

Member Stanko: yes

Acting Chair Laskey: yes

Member Luciani: yes

Motion to adjourn made by Member Stanko, seconded by Member Luciano.

On the motion:

Member Stanko: yes

Acting Chair Laskey: yes

Member Luciani: yes

Meeting adjourned at 7:47 p.m.

Respectfully Submitted,

Cari Scribner  
Deputy Village Clerk