

Minutes
Village of Ballston Spa
Zoning Board Meeting
April 25, 2018

The meeting was called to order at 7:00 p.m. by Acting Chairman Paul Laskey

Members Present: Paul Laskey, John Luciani, James Jurcsak, Alternate Member Edward Fernau.

Chairman Absent: Kevin McDonough

Members Absent: Bruce Couture, Anna Stanko

Village Attorney Absent: Jim Fauci

Approval of Minutes of previous meeting held on December 27, 2017

Motion to accept made by Member Jurcsak,, seconded by Member Fernau

On the motion:

Member Jurcsak: yes

Acting Chairman Laskey: yes

Member Luciani: yes

Acting Member Fernau: yes

Old Business:

There was none.

New Business:

The matter before the board was an application by Charles J. Gallo of 148 Malta Ave., to build a barn with a lean-to, post and beam construction. The application was denied by the building inspector because the proposed accessory building exceeded the maximum 15-feet in height as set by village codes.

Acting Chair Laskey asked applicant Gallo if the home was single family.

Gallo said it was converted from a two family and the property has no garage, just a small shed. Gallo explained the lot is narrow but deep, and the design of the proposed structure was a garage style barn. He said the structure would have a second floor for storage.

Acting Chair Laskey asked if there would be the need to pave a roadway to the structure.

Gallo said he will use crusher run 10-foot wide. There would be two bays in the barn area. Gallo told the board he plans on putting in power but no water/sewer. It would have a poured slab foundation and frost wall but not be insulated. Siding would be wood.

Gallo stated he had looked at neighboring properties. Many homes have similar structures and he believes this one will fit in well.

Acting Chair Laskey said he appreciated the aesthetics of the building being replicated to match the main house. But he stated the peak roof height of the structure would be 22'. Village codes set the maximum height at 15'. The proposed cupola would add another 3 to 5'. He asked how critical the cupola was to the building's design.

Gallo said the cupola adds a nice touch visually, and that a nearby house has one similar.

Member Fernau stated that with the cupola, the variance needed would be more than 10'.

Acting Chair Laskey said he would like to see the cupola taken off the table. He told Gallo he could add other nice details but not build excessively. Laskey stated because there was no sewer being hooked up, it meant Gallo did not plan to sneak in an apartment in the new structure, which was a plus. But he asked why the structure was so large. It was slated to be used for storage, he understood, but the board might ask Gallo for more details about this later in the meeting.

Alternate Member Fernau asked if there was vegetation that would shield the view of the barn from the neighbors.

Gallo replied that it's an open area and it would be clearly visible.

Acting Chair Laskey said in looking at the aesthetics, the structure is very large, did the applicant consider something smaller?

Gallo said it is a kit that comes pre-assembled. He has 3 cars, trailer, kayaks, and wants to keep them out of view.

Acting Chair Laskey asked if members of the board had questions before he read the 5 criteria for an area variance.

One was, is the project an undesirable change? Laskey said this is a beautiful building but a very large structure that could have visible impact. He asked Gallo what color it would be painted. Gallo said white.

Laskey said white is good. The question, is there an undesirable change?

Member Luciano said it is characteristic to the area. He asked if neighboring properties go back that far.

Gallo answered no, but there is one with a structure out back there now.

Laskey said there is a significant impact because the structure is so large. He asked Gallo if there was another method achievable of building a structure. Laskey stated if the design was changed, Gallo would not need a variance if the roof pitch was changed.

Gallo said the building kit is pre-designed and offers only limited options.

Laskey said perhaps another company could offer a plan that would fit the footprint already on the site.

Fernau said it is a large structure, but it would be 125' from the curb, so in scale it wasn't as large as it appeared.

Laskey asked Gallo if he will put fencing around the property's border. Gallo replied no.

Laskey read the criteria about the project having an adverse impact on the nearby properties.

Member Jurcsak mentioned there were no trees slated to be taken down during the building process.

Laskey said the board must consider precedence and need to act responsibly for the whole community. He stated they hadn't seen a structure like this before as most are one-story or 15' maximum height. Laskey asked if anyone had seen similar structures.

Member Fernau said there are a couple of properties he knows about that have height exceptions.

Laskey said the ridge of the roof is what the board is looking at. He stated again there needs to be no human occupancy.

Member Fernau stated based on his years on the board, this is one of the more frequent issues and in the past, the board has been somewhat lenient regarding height exceptions.

Laskey said he agreed and his concern was the two-story structure. He asked if there were any other examples in the village.

Building Inspector Randy Lloyd said there are two on McLean St. with 2-story structures, and a story over a garage exceeds height restrictions.

Laskey said he would try to limit the number of questions by the board so they could move forward to a vote, but did Gallo look at any other floor plans from the manufacturer closer to the requirements.

Gallo said there are single story structures but had insufficient storage.

Member Jurcsak asked if there was any input from neighbors.

Gallo said neighbors to the left were fine but to the right a new family has moved in.

Jurcsak said personally he was not concerned about height.

Copy of proposed plan was entered as Exhibit A, photos showing location of new structure Exhibit B.

Laskey made the following motion:

"The Village of Ballston Spa Zoning Appeals Board hereby grants a height variance of 7' 2" to construct an accessory building at 148 Malta Avenue."

Motion seconded by Fernau.

On the motion:

Member Jurcsak: yes

Acting Chair Laskey: yes

Member Luciani: yes

Alt Member Fernau: yes

Laskey thanked Gallo, on behalf of the board, for taking the time to provide details for the project.

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

On the motion:

Member Jurcsak: yes

Acting Chair Laskey: yes

Member Luciani: yes

Alt Member Fernau: yes

Meeting adjourned at 7:45 p.m.

Respectfully Submitted,

Cari Scribner
Deputy Village Clerk