

Minutes
Village of Ballston Spa
Zoning Board Meeting
November 28, 2018

The meeting was called to order at 7:17 p.m. by Chairman McDonough

Members Present: Bruce Couture, Anna Stanko, Paul Laskey, James Jurcsak,

Chairman Present: Kevin McDonough

Members Absent: John Luciani

Approval of Minutes of previous meeting held on September 26, 2018

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

On the motion:

Member Jurcsak: yes

Member Laskey: yes

Member Stanko: yes

Chairman McDonough: yes

Member Couture: abstain

Old Business:

There was none.

New Business:

The matter before the board was an application by Morgan Gazetos of 52 Chapman St., Ballston Spa, to build an accessory 2-car garage that would be 18' high and 648 square-feet on a slab foundation. It would be detached from the home. The application was denied by the building inspector due to the fact it exceeded the maximum height of 15' and would not have the required front and side yard setbacks.

Chairman McDonough read the legal notice. He told Gazetos about the 5 tests that must be passed before a variance is allowed.

Mr. Gazetos told the board it is an awkward piece of property with the garage right in the center. He said he has 3 children and a limited play area. Also the old garage door is too low. It requires a complete tear down. Gazetos said it does conform with the character of the neighborhood. Since it is a corner lot, the side and front yards were treated as side setbacks.

As far as the height issue, Gazetos said it's all for the door, that he needs 7 to 8-feet for his minivan.

Chairman McDonough said on a corner lot both corners would be considered fronts. The rear would be treated as a side. He asked applicant how far from the existing garage he wanted to build and the exact relief he was requesting. The accessory corner lot needed to be 12-feet from the side lot line, while the front yard setback would be 25-feet.

Member Stanko asked applicant about the building size.

Applicant said 24 x 27-feet.

Chairman McDonough asked applicant if he were to stand on the Heritage lot line to the left how far from the lot line would this be? Gazetos replied 11-feet.. Chairman McDonough asked from the back of the garage to the side yard, and Gazetos said almost 5-feet.

Member Stanko said applicant had room to make the structure 12-feet from the lines and still get the garage in there. Gazetos replied there is a weird shape of the property lines. He said he is looking to make the most play space for his children as possible and also provide a barrier for his neighbor.

Chairman McDonough asked how close it would be to the principle building. Gazetos replied 50-feet 2-inches from existing garage to house, and 84-feet to new garage from back of house. Front of garage would be 17-feet, 9-inches from the street.

Chairman McDonough said a 7-foot, 3-inch variance in the front of the is needed as well as the height overall. It would need a 7-foot relief on height. Gazetos said there is a pitch on the roof more than an 8-foot dorm in the proposed garage and 4x6 rafters with the attic and trusses wide enough to have space for storage.

Member Stanko said if he could stick with 12-feet on Heritage, why not go 12-feet on Chapman from the side and back of the garage. Gazetos replied his truck would not fit and he wants all his vehicles off the road and also one car on the driveway in front of the garage.

Chairman McDonough reviewed the five tests. He said his only question was if the results could be achieved without asking for a variance. Gazetos replied there was not any way to get his cars off the street using another plan.

Gazetos stated he needs 8-inches of extra relief to the exiting garage. Member Stanko said she would be more comfortable with 5-feet, 8-inches. Gazetos replied he was fine with this and that he would keep the existing setback.

Chairman McDonough said they would look at reducing the Chapman St. variance, consider a 6-foot, 5-inch side yard variance and eliminate the 6-foot variance on the Heritage side.

Chairman McDonough asked if there were any other questions for applicant. He said it is a unique parcel and if he is willing to maintain the same side setbacks and rear this is noteworthy. However for the height requirement, he could go with a lower pitch roof.

Gazetos replied he has lots of gear and baby items he needs to store.

Chairman McDonough stated the garage would have no business usage. Gazetos said it will have no insulation, no plumbing etc. Member Stanko said it could not be used for an apartment.

Motion made by Member Laskey, seconded by Member Jurcsak the board finds no negative environmental impact on the proposed changes to 57 Chapman St.

On the motion:

Member Jurcsak: yes

Member Laskey: yes

Member Stanko: yes

Chairman McDonough: yes

Member Couture: yes

Member Laskey thanked Gazetos for getting letters of support for the project from his neighbors.

Motion made for discussion by Member Stanko that the Zoning Board of Appeals approves three variances for the residence at 57 Chapman St. including a 6-foot, 4-inch variance on the Chapman St. side, a 7-foot, 3-inch variance on the front yard on Heritage, and a 7-foot variance on the other side.

Member Stanko asked if the board needed to add anything about removal of the existing structure. Chairman McDonough said the building inspector did not bring that up and the shed falls within requirements.

The motion made by Member Stanko was seconded by Member Couture.

On the motion:

Member Jurcsak: yes

Member Laskey: yes

Member Stanko: yes

Chairman McDonough: yes

Member Couture: yes

Next meeting set for December 19, 2018.

Motion to adjourn made by Chairman McDonough, seconded by Member Couture.

On the motion:

Member Jurcsak: yes

Member Laskey: yes

Member Stanko: yes

Chairman McDonough: yes

Member Couture: yes

Meeting adjourned at 7:58 p.m.

Respectfully Submitted,

Cari Scribner
Deputy Village Clerk

