



ZONING BOARD OF APPEALS

MINUTES (FINAL)

MONDAY, JANUARY 11, 2015

7:00 P.M.

CITY COUNCIL ROOM

CALL TO ORDER: Bill Moore, Chairman, called the meeting to order at 7:03 P. M.

SALUTE TO THE FLAG:

PRESENT: Bill Moore, Chairman; Keith Kaplan, Vice Chairman; Gary Hasbrouck;
Skip Carlson; James Helicke; Susan Steer

ABSENT: Adam McNeill, Secretary

STAFF: Susan Barden, Senior Planner, City of Saratoga Springs
Tony Izzo, Assistant City Attorney

ANNOUNCEMENT OF RECORDING OF PROCEEDING:

The proceedings of this meeting are being recorded for the benefit of the secretary. Because the minutes are not a verbatim record of the proceedings, the minutes are not a word-for-word transcript of the recording.

ANNOUNCEMENT OF ADJOURNED APPLICATIONS:

#2856 MOORE HALL, 28 Union Avenue/35 White Street, area variance to convert the existing building to a 53 unit Apartment building; seeking relief from the minimum lot size and minimum parking requirement in the Urban Residential-4 District.

#2808.1 CONGRESS HOTEL, LLC SIGNS, 46 Congress Street South, area variance for construction of wall and freestanding signs for Embassy Suites, seeking relief from the maximum number of wall signs, maximum area of wall and freestanding sign, placement of wall signs on an elevation without street frontage, placement of a wall signs above the first floor level of the building and maximum height of logo within the Transect-6 District.

NEW BUSINESS:

RECUSAL:

Bill Moore, Chairman recused himself from this application.
Keith Kaplan, Vice Chairman assumed the duties of the chair.

1. #2870 ORANGECAT PROPERTIES, LLC, TWO-FAMILY, 78 South Franklin Street, area variance for demolition of an existing structure and construction of a new two-family residence; seeking relief from the minimum average lot width and lot area requirements and from the minimum front yard and rear yard setbacks for the new residence in the Urban Residential-3 District.

SEQRA:

Action appears to be a Type II action, and therefore exempt from further SEQRA review.

AREA VARIANCE CONSIDERATIONS:

	REQUIRED	PROPOSED	TOTAL RELIEF REQUESTED
Minimum front yard setback:	10 feet	6 feet	4 feet (40%)
Minimum rear yard:	25 feet	15.5 feet	9.5 feet (38%)
Minimum lot size:	8,000 sq feet	6, 556 sq. feet	1.444 sq. feet (18%)
Minimum average lot width	80 feet	66 feet	14 feet

Agent: Jesse Boucher, Kodiak Construction

Mr. Boucher stated there is an existing three-unit structure on this parcel. It is out of zoning compliance and is in complete disrepair. The applicants would like to demolish and remove this structure and in its place construct a two-unit duplex, with 3 bedrooms in each unit. Mr. Boucher reviewed the variances requested.

Skip Carlson questioned the lot coverage requirement in this area and the number of single and two family homes in this area.

Mr. Boucher stated the lot requirement in this area is 30% and we will be reducing the lot coverage from 41% to 30%. Mr. Boucher provided statistics to the Board concerning multiple dwelling units in this area.

Keith Kaplan, Vice Chairman questioned the entrance of the home not being on the front of the home.

Mr. Boucher stated both entrances exist on the side.

Keith Kaplan, Vice Chairman stated this has a different type of impact not having a doorway on the street.

Discussion ensued regarding entrance placement.

PUBLIC HEARING:

Keith Kaplan, Vice Chairman opened the public hearing at 7:15 P.M.

Dan Snyder, 112 Congress Street. There is an existing sanitary sewer line which goes right through the property for my building. I am very familiar with this property. I have not seen the plans. This line was replaced at one point. This will be an issue. No easement exists as far as I know.

Keith Kaplan, Vice Chairman stated there is a need to pursue the location of the sewer lines and discuss the impact on the surrounding properties. It would be beneficial to have a conversation with the neighbors concerning the infrastructure sanitary sewer lines, as well as the City Engineer.

Discussion ensued among the Board members concerning the sanitary sewer lines and easements.

Edmund Chechnicki, 72 South Franklin Street. Water and sewage lines are of concern. I would like to see a front door on the front of this home.

Frank Capone, 119 Grand Avenue. Any improvements to this home will be appreciative. We are supportive of this project.

Keith Kaplan, Vice Chairman stated the public hearing will remain open until the January 25, 2016 ZBA meeting. A resolution will be prepared and presented at this time.

Bill Moore, Chairman resumed the position of Chair.

Keith Kaplan, Vice Chairman resumed the position of Vice Chairman.

#2871 GROSECLOSE & POLNAC RESIDENCE, 136 Circular Street, area variance for a new front porch addition to an Existing single-family residence, seeking relief from the minimum front and side yard setback requirements within the Urban Residential-3 District.

SEQRA:

Action appears to be a Type II action, and therefore exempt from further SEQRA review.

AREA VARIANCE CONSIDERATIONS:

	REQUIRED	EXISTING	PROPOSED	TOTAL RELIEF REQUESTED
Minimum front yard setback:	10 feet	9.10 feet	2"	10 feet (100%)
Minimum side yard setback:	4 feet	4.8 feet	2.5"	1.7 feet (40%)

Agent: Brett Balzer, Tim Waite, Balzer & Tuck Architecture

Mr. Balzer provided a visual presentation of the project for the Board. The applicants are looking to reinstall a historic front porch which once existed on the home. Mr. Balzer reviewed the variances being sought by the applicants. Elevations were reviewed. The application includes historic photos of the original front porch which appears to be of similar dimension and design to the proposed. Photographs were also provided of similar structure with porches close to the front property lines in the neighborhood. The addition of the formerly existing front porch will provide an architectural element common to the character of the neighboring properties and very much in context with the prominent vernacular of Circular Street residences. This will not result in any adverse physical or environmental effects to the neighborhood. This application will appear before the DRC since this property is in the Historic Review District. We have received a letter this date from Samantha Bosshart, Executive Director of the Saratoga Springs Preservation Foundation. They are very happy to see the applicants doing what they are doing. Restoration of the previously existing front porch cannot be achieved without the approved variances.

PUBLIC HEARING:

Bill Moore, Chairman opened the public hearing at 7:45 P.M.

Bill Moore, Chairman asked if anyone in the audience wished to comment on this application.

Cherie Grey, 38 5th Avenue, this is a wonderful and exciting project.

Susan Barden, Senior Planner stated the Board is in receipt of a letter from the Saratoga Springs Preservation Foundation concerning this project and will circulate for the Boards review.

Bill Moore, Chairman stated the public hearing will remain open until the January 25, 2016 ZBA meeting. A resolution will be prepared and presented at this time.

#2872 SBDT VENTURES, LLC, SINGLE FAMILY, 66 Franklin Street, area variance for a lot line adjustment and to Construct a new single-family residence and detached garage; seeking relief from the minimum side yard (both sides) setback, minimum total side yard setback and maximum principal building coverage requirements for the house and Minimum side yard and rear yard setback requirements for the garage in the Urban Residential-4 District.

SEQRA:

Action appears to be an Unlisted action. Applicant has submitted a short EAF.

PARCEL HISTORY:

Lot line adjustment approved administratively by the Planning Board Chair.
Area variance for 60 Franklin, approved 7/27/15.

AREA VARIANCE CONSIDERATIONS:

	REQUIRED	PROPOSED	TOTAL RELIEF REQUESTED
Minimum average lot width:	100 feet	62 feet	38 feet (38%)
Minimum front yard setback:	25 feet	7.5 feet	17.5 feet (70%)
Minimum side yard setback:	20 feet	3 feet	17 feet (85%)
Minimum total side yard setback:	45 feet	20 feet	25 feet (56%)
Minimum rear yard setback: garage	5 feet	1.5 feet	3.5 feet (70%)
Minimum side yard setback: garage	5 feet	3 feet	2 feet (40%)

Applicant: Tony Bonacio, Bonacio Construction

Agent: Michael Toohey, Attorney; Bruce Sperano, Architect

DISCLOSURE:

Bill Moore, Chairman disclosed that the Bonacio's built his home. He has no financial interest in this application and can therefore render an impartial decision.

Mr. Toohey stated the exact same application was made for the project next door at 60 Franklin Street. A history of the project was reviewed by Mr. Toohey, noting the placement of the lots, homes and zoning. Information was provided to the Board noting the majority of lots in the neighborhood are under the required 100' average lot width. The lot is a preexisting, nonconforming lot with regard to the minimum mean lot width requirement. A lot line adjustment between the subject lot and 60 Franklin was approved. Mr. Toohey reviewed the area variance considerations for an area variance, noting there may not be alternative for the relief associated with the lot. There may be feasible alternatives to the proposed placement of the house and garage on the lot. The minimum side yard and minimum total side yard setback could not be met on a lot that averages 62 feet wide. A single family lot of this size is consistent with the neighboring property and the variance that was granted by the ZBA for the lot to the south on July 27, 2015. The site to remain permeable is identified on the survey as proposed 44% in excess of the required minimum 15%.

Discussion ensued regarding building alternatives for a reduction in requested variances.

Greg Dunn, proposed property owner 66 Franklin. Mr. Dunn stated the DRC requested 2 single garage doors for this project versus 1 garage door. This will make the turning radius even tighter.

Mr. Toohey indicating the alternative designs presented would decrease the permeability of the project, including water runoff, etc and also eliminate any sunlight from the master suite.

PUBLIC HEARING:

Bill Moore, Chairman opened the public hearing at 8:25 P.M.

Cherie Grey, 38 5th Avenue. Many of us feel the original building should still be there. More care needs to be taken in all the variances we grant.

Bill Moore, Chairman stated the public hearing will remain open until the January 25, 2016 ZBA meeting. A resolution will be prepared and presented at this time.

DISCLOSURE:

Keith Kaplan, Vice Chairman stated he would like included in the record for matter #2868 at the December 14, 2105 meeting he did view the webcast and was therefore able to make an informed vote on this project.

OLD BUSINESS:

#2865 BOUGHTON GARAGE, 1 Alger Street, area variance to construct an attached garage with second-story master suite addition to an existing single-family residence; seeking relief from the minimum front yard setback (Alger), minimum total side yard setback and maximum principal building coverage requirement in the Urban Residential-3 District. Adjourned 01/25/16.

No representation present for the above application.

Bill Moore, Chairman stated additional information was provided by the applicant's agent to the Board.

Susan Steer stated she is concerned regarding the amount of coverage requested in this application, so therefore she will not be voting in favor of this application.

Discussion ensued among the Board concerning lot coverage. It was the consensus of the Board to table this application until the next meeting via informal poll.

APPROVAL OF MINUTES:

Keith Kaplan, Vice Chairman made a motion to approve the minutes of the November 9, 2015 ZBA Meeting as amended.

Gary Hasbrouck seconded the motion.

VOTE:

Bill Moore, Chairman, in favor; Keith Kaplan, Vice Chairman, in favor; Susan Steer, in favor;
Gary Hasbrouck, in favor; Skip Carlson, in favor; James Helicke, in favor

MOTION PASSES: 6-0

James Helicke made a motion to approve the minutes of the November 23, 2015 ZBA Meeting as submitted.

Keith Kaplan, Vice Chairman seconded the motion.

VOTE:

Bill Moore, Chairman, in favor; Keith Kaplan, Vice Chairman, in favor; Susan Steer, in favor;
Gary Hasbrouck, in favor; Skip Carlson, in favor; James Helicke, in favor

MOTION PASSES: 6-0

Gary Hasbrouck made a motion to approve the minutes of the December 7, 2015 ZBA Meeting as amended.

Susan Steer seconded the motion.

VOTE:

Bill Moore, Chairman, in favor; Keith Kaplan, Vice Chairman, in favor; Susan Steer, in favor;
Gary Hasbrouck, in favor; Skip Carlson, in favor; James Helicke, in favor

MOTION PASSES: 6-0

Discussion ensued regarding the minutes and perhaps more summarization versus verbatim. Discussion will ensue when a full Board is present at the next meeting.

Keith Kaplan, Vice Chairman made a motion to accept the minutes of December 14, 2015 ZBA Minutes as amended.

James Helicke seconded the motion.

VOTE:

Bill Moore, Chairman, in favor; Keith Kaplan, Vice Chairman, in favor; Susan Steer, in favor;
Gary Hasbrouck, in favor; Skip Carlson, in favor; James Helicke, in favor

MOTION PASSES: 6-0

MOTION TO ADJOURN:

There being no further business to discuss Bill Moore, Chairman adjourned the meeting at 8:45 P.M.

Respectfully submitted,

Diane M. Buzanowski
Recording Secretary

APPROVED 2/8/16