

**Town of Ballston  
Zoning Board of Appeals**

**TOWN OF BALLSTON  
ZONING BOARD**

**Regular Monthly Meeting: June 6, 2012**

ATTENDEES: Michael Lesniak, Chairman  
Peter Reilly, Deputy Town Attorney  
Thomas Johnson, Building Inspector  
Ellen Brown  
Robin Kane  
Richard Kinney  
Fred Rogner  
Jan VanDeCarr  
John Antoski, 1<sup>st</sup> Alternate  
Patrick Maher, 2<sup>nd</sup> Alternate  
Members of the General Public

Chairman Lesniak called the meeting at 7:30pm and Mr. Lesniak led the Pledge of Allegiance. The chairman asked for corrections to the April 4, 2012 minutes. They were as follows:

Motion: Mr. Rogner to grant a special use permit under sec 138-6c of the zoning law, for 201 Kingsley Rd., for the construction of an 18'x 21' addition to the rear of the existing single family dwelling. Mr. Kinney seconded the motion and all present voted in favor. **CARRIED**

Mr. Lesniak reviewed the agenda for this evening.

**OLD BUSINESS:**

**NEW BUSINESS:**

Bryan M Doren – Public Hearing Scheduled  
617 Cindy Lane SBL# 216.17-1-16 Hamlet Residential District Area Variance 138-8.1

Chairman Lesniak read the Area Variance application for 617 Cindy Lane. The application states that the applicant needs a variance for the total lot size from 23958 sq ft to 30000 sq ft a difference of 6042 sf and a variance for the lot width from 120' to 150' for a total of 30', so that the applicant can construct a shed at the above named address.

Mr. Chairman asked if the structure was permanent. No, the shed will not be on a foundation.

Mr. Van DeCarr asked is the property fenced. Yes

Mr. Chairman stated that 2 variances were required.

Ms Kane asked about the look of the shed. They were supplied with a brochure of the proposed shed and told that the shed would be 7' in height. Kane also inquired as to what the intended use is. The applicant explained that the shed would be to store lawn equipment (mower, weed whacker)

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Opened Public Hearing at 7:38 no one chose to speak closed at 7:39

Ms. Brown read the five criteria of an **Area Variance**.

- 1) Whether an undesirable change will be produced in the character of the neighborhood, Or a detriment to nearby properties will be created by the granting of the area variance. **NO**
- 2) Whether the benefit sought by the applicant can be achieved by some other method, feasible for the applicant to pursue, other than an area variance. **NO**
- 3) Whether the requested area variance is substantial. **NO**
- 4) Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood of district. **NO**
- 5) Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals, but shall not necessarily preclude the granting of the area variance. **NO**

**MOTION:** Mr. Rogner motioned to name The Town of Ballston Zoning Board of Appeals the Lead Agency in the SEQR process. Mr. Van De Carr seconded the motion and all present voted in favor. **CARRIED.**

**MOTION:** Mr. Rogner motioned to declare this a Type II action under SEQR and therefore exempt from review. Mr. Van De Carr seconded the motion all present voted in favor. **CARRIED.**

**MOTION:** Ms. Kane moved to grant an area variance at 617 Cindy Lane under section 138-8.1 for 6042 sf total lot size and 30' lot width. Variance granted with the following stipulations: (1) No business to be conducted out of the shed, (2) No living quarters allowed in the shed. Mr. Maher seconded the motion and all present voted in favor. **CARRIED.**

**MOTION:** Ms. Kane made a motion to adjourn. Ms. Brown seconded the motion. **CARRIED.**

Meeting was adjourned at 7:45.

Respectfully submitted,



Debora Bradt