

Town of Ballston  
Zoning Board of Appeals

TOWN OF BALLSTON  
ZONING BOARD

Regular Monthly Meeting: September 5, 2012

ATTENDEES: Michael Lesniak, Chairman  
Marilyn Bell, Vice Chairman  
Ellen Brown  
Robin Kane  
Richard Kinney  
Fred Rogner  
Jan VanDeCarr  
Patrick Maher, 2<sup>nd</sup> Alternate

Peter Reilly, Deputy Town Attorney  
Thomas Johnson, Building Inspector

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 June 6, 2012 minutes. They were as follows: add e to Meeting in called meting

Mr. Lesniak reviewed the agenda for this evening.

**OLD BUSINESS: NONE**

**NEW BUSINESS:**

**Elizabeth Whipple - Public Hearing Scheduled**  
**12 Lakehill Rd. SBL #257.12-1-49**  
**Area Variance 138-8.1 [Garage]**

Mr. Thomas Whipple asked for a variance for a garage. It was stated that it was not going to be used as a residents. The footprint of the garage would not change, but it would be 3-4 feet higher.

Public Hearing opened at 7:42; no one spoke Hearing closed at 7:43.

**MOTION: Ms. Bell** motioned to name The Town of Ballston Zoning Board of Appeals the Lead Agency in the SEQR process. Ms. Kane seconded the motion and all present voted in favor. **CARRIED.**

**MOTION: Ms. Bell** motioned to declare this a Type II action under SEQR and therefore exempt from review. Ms. Kane seconded the motion all present voted in favor. **CARRIED.**

**MOTION: Ms. Bell** moved to grant an area variance for a garage at 12 Lakehill Rd. Mr. Kinney seconded the motion and all present voted in favor. **CARRIED.**

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**Gary Hafensteiner - *Public Hearing Scheduled***  
**33 Midline Rd. SBL #257.8-1-19**  
**Area Variance 138-8.1 [Addition]**

Mr. Gary Hafensteiner and Mrs. Muriel Hafensteiner brought a plan for a mudroom. The mudroom has to be 2ft closer to the door as to not compromise the structure. It was stated that the board appreciates the effort made to make the mudroom appealing to the eye.

Ms. Bell 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. **YES** (all but Mr. Rogner)

Public Hearing opened at 7:54 no one spoke hearing closed at 7:55

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

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

**MOTION:** Ms. Bell moved to grant an area variance for the addition at 33 Midline Rd. Mr. Rogner seconded the motion and all present voted in favor. **CARRIED.**

**MOTION:** Ms. Bell made a motion to adjourn. Mr. Rogner seconded the motion. **CARRIED.**

Meeting was adjourned at 8:00pm.

Respectfully submitted,

  
Debora Bradt