

**Town of Ballston
Zoning Board of Appeals**

**TOWN OF BALLSTON
ZONING BOARD**

Regular Monthly Meeting: October 2012

ATTENDEES: Michael Lesniak, Chairman
Marilyn Bell, Vice Chairman
Ellen Brown
Robin Kane
Richard Kinney
Fred Rogner
Jan VanDeCarr
Patrick Maher, 2nd 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 September 2012 minutes were not available. They will be approved at the next Zoning Board Meeting.

Mr. Lesniak reviewed the agenda for this evening.

OLD BUSINESS: NONE

NEW BUSINESS:

Doug & Christine Owen - Public Hearing Scheduled
36 Main St. SBL #257.12-1-27
Area Variance 138-9.1 [Addition]

Mr. & Mrs. Owen are asking for a 10' variance to allow them to add a master bedroom and garage to the rear of the home at 36 Main St, Ballston Lake.

The neighbors to the north (the side that the addition is proposed for) have no problem with the proposed addition. To allow room for the addition the new septic is placed as far south on the property as code would allow. The addition will be one story. The roof line of the addition will be run opposite the existing homes roof line; therefore there is no concern about run off on to the neighbor's property. The existing detached garage will be taken down.

The Public hearing opened at 7:45 no one spoke the hearing was closed at 7:46

Mr. Rogner 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**

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- 3) Whether the requested area variance is substantial. **YES**
- 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. Kinney 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: Mr. Kinney 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: Mr. Rogner motioned to approve the 10' foot variance requested for 36 Main St. Mr. VanDeCarr seconded the motion all present voted in favor. **CARRIED**

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

Meeting was adjourned at 8:00pm.

Respectfully submitted,

A handwritten signature in cursive script that reads "Debora Bracht". The signature is written in dark ink and is positioned below the typed name "Debora Bracht".