

Approved

ZONING BOARD OF APPEALS

May 3, 2011

Present: Michael Dudick, Chairman, Eric Prescott, Randy Gifford, Douglas Strother, Christopher Lemire (7:05), Jennifer Vucetic

Also Present: Joel Peller, Esq., ZBA Counsel
Steve Myers, Director, Building & Zoning

Absent: Deborah Ferro

Mr. Dudick called the meeting at 7:05 p.m.

PLEDGE OF ALLEGIANCE

NEW BUSINESS:

The secretary read the legal notice as it appeared in the *Daily Gazette* on April 28, 2010

1. An application from **Joseph Valenti** for a front setback variance to install a 24” round, above ground pool. Section 208-12 requires an 80’ setback from front property line. 72 feet available, 8 foot variance required.
Property is located at 2 Equinox Court, Clifton Park, NY (Permit #80817).

Mr. Joseph Valenti presented the application. He stated he wants to install an above ground pool. He has a corner lot which requires that he have an 80 foot setback from both Equinox and Carriage Roads. He said he has 72 or 76 feet setback on the Carriage Road side, so he is looking for a variance of 8 feet.

Mr. Strother stated this is fairly straightforward. He asked Mr. Valenti if he had considered, for the future, any plans to put on a deck or other encroachments. He mentioned that in the past there has been “creep” on things like that.

Mr. Valenti answered that he would not have a deck, only a pool with a ladder. He said he understood that that if he wanted to do it on that side, he would have to come back for a variance. He added that, if he wanted to do a small deck, he believes he would have enough space on the Equinox side.

Mr. Dudick asked why he can't build it so it doesn't require a variance. Mr. Valenti responded that there is a slope of the yard on the northern side and in order to get it far from Carriage, he would have to level it. Mr. Dudick reiterated that it would require less excavating and Mr. Valenti agreed.

Mr. Myers stated he had worked with the applicant and he got the pool as far away as they could but it did result in needing a variance. He had no issue with it.

Mr. Lemire made the motion to close the public hearing. Mr. Strother seconded. All approved.

Mr. Dudick indicated that this is a tale often told of a corner lot with setback issues creating a problem. He said it doesn't seem to him to be a substantial request and is reasonable.

Mr. Dudick made the motion to approve the application as presented. Ms. Vucetic seconded.

Ayes: Dudick, Lemire, Strother, Vucetic, Prescott, Gifford Noes: None

Application approved for 8 foot front setback variance from Carriage Rd.

Mr. Dudick made a motion to approve the minutes of April 19, 2011. This was seconded by Mr. Gifford. Ayes: Prescott, Gifford, Dudick, Strother, Lemire, Vucetic. Noes: None. Minutes approved.

Mr. Dudick discussed training opportunities with the members of the board and suggested anyone who is interested in training offered should complete an application.

Mr. Myers and the board discussed the application on 10 Maxwell Road (Permit # 80819) which is due to be presented on May 17, 2011. The application involves an addition to the building. Mr. Myers informed that the application went to the Saratoga County Planning Board for review. The Planning Board is not scheduled to meet until two days after the Zoning Board meets. The Board agreed to move this application to the June 7, 2011 meeting of the Zoning Board. The secretary will notify the applicant.

The next meeting is May 17, 2011.

Mr. Dudick made a motion to adjourn the meeting at 7:20 p.m. Mr. Prescott seconded. Approval unanimous.

Respectfully Submitted,

Susan White
Secretary

cc: Town Clerk, Town Board, Town Attorney, Zoning Board Members, Joel Peller, Counsel,
Steve Myers, Department of Building and Development, Planning Board, ECC, Assessor,
Highway