

Town of Clifton Park

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Zoning Board of Appeals



APPROVED

8-15-17

ZONING BOARD OF APPEALS May 16, 2017

Present: Chairman Dudick, Jerry Cifor, Mario Fantini, and Michael Bloss.

Absent: Chris Lemire, Lisa McCoy, Randy Gifford and Terry Cosgrove

Also Present: Tom McCarthy, Esq., Town Attorney
Steve Myers, Director, Building and Zoning

The Meeting was called to order at 7:02 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

OLD BUSINESS

The secretary read the legal notice as it appeared in The Gazette on May 11, 2017:

1. **Application from Philip G. Gibbs for an area variance from Section 208-11 which requires a 50' front setback for residence. Living room addition will result in a 47' front setback; 3' variance required. Property is located at 4 Acorn Grove, Ballston Lake, NY 12019. (Permit #81128)**

Mr. Gibbs presented the application, advising that he is looking to construct a 12' x 17' living room addition, which would extend 7' off the front porch structure on his Van Patten executive ranch style home. He explained that because the home has a small kitchen and dining room, they have moved things around to make the existing living room into the dining room. He added that the living room addition in the front of the house would allow them ability to entertain their family in a large dining room and give their home a more contemporary look.

He further stated that his home is situated on a cul-de-sac and therefore the setback zone is curved so at one point he would need 2' and at another point he would need 1', which is why he is requesting a 3' variance.

Upon inquiry from Mr. Dudick, he stated that reducing the proposed addition by to not encroach upon the setback would make the living room about 9' x 17', which would not be ideal.

Upon inquiry from Mr. Bloss, Mr. Gibbs confirmed that he had spoken with his neighbors who indicated they had no problem with the application.

Mr. Myers confirmed he had received proof of mailing of the required notices to the surrounding neighbors from the applicant and stated that this is a Type II action and therefore, no further SEQRA review by the Board is required.

Chairman Dudick opened the Public Hearing and asked for questions or comments. Being none, he made a motion to close the Public Hearing. Mr. Cifor seconded. All voted in favor and the Public Hearing was closed.

Mr. Dudick then made a motion to approve the application as submitted. Mr. Fantini seconded.

Mr. Dudick stated that he does not believe an undesirable change in the character of the neighborhood would be created by the granting of the variance and that although the benefit sought by the applicant could be achieved by reducing the dimensions of the proposed addition, as the applicant had explained, the dimensions of the room would not be ideal and he would prefer to have a square room as opposed to a long rectangular room. He added that in his opinion, the proposed variance is not substantial; would not have an adverse effect on the physical or environmental conditions of the neighborhood; and that the alleged difficulty is not a significant self-created issue that should prevent approval of the application.

He then made a motion to approve the SEQRA recommendation provided by Mr. Myers. Mr. Cifor seconded. All voted in favor and the Type II SEQRA recommendation was adopted.

The secretary called the Vote:

Ayes: Mr. Cifor, Mr. Dudick, Mr. Fantini and Mr. Bloss.

Noes: None

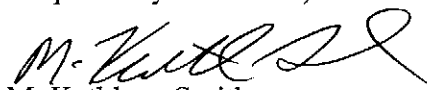
Application approved.

As Neil Weiner, Esq. will be taking over as Board Counsel for the next meeting, Chairman Dudick thanked Mr. McCarthy for his time spent with the Board.

The minutes from the May 2, 2017 meeting were not able to be approved due to lack of attendance.

Mr. Dudick made a motion to adjourn the meeting. The motion was seconded by Mr. Fantini. Approval was unanimous. The meeting was adjourned at 7:15 p.m. The next scheduled meeting is June 6, 2017.

Respectfully submitted,



M. Kathleen Smith

Secretary, Zoning Board of Appeals

Cc: Town Clerk, Town Board, Zoning Board Members
Tom McCarthy, Esq., Neil Weiner, Esq.
Steve Myers, Department of Building and Development
Town Assessor, Town Highway Department