

Board Members Present:

- ___ Bill McGhie, Chair
- ___ Dan Freebern, Vice-Chair
- ___ William Siegle
- ___ Steve Mullins
- ___ Barbara French
- ___ Dave Iasevoli, Alternate # 1
- ___ Philip Smith, Alternate # 2

Others Present: Michael O'Connor, Ed Moore, Roger Newkirk, Art Dombrowski and Zoning Administrator Scott Olson.

Meeting Called to Order: 7:00 PM

Pledge

Review of Minutes: Vice-Chair Dan Freebern made a motion to accept the October 21, 2020 minutes as written. Second by Bill Siegle. **ALL AYES.**

NEW BUSINESS:

File # 2020-04 SPR
Tax Map 72.13-2-44
ADK Leisure Properties LLC
7027 State Route 8
Brant Lake, NY 12815

Requesting a Site Plan Review from **Section 8.09** for a dock to sit at 96' from the shoreline where 40' is maximum.

Zoning Administrator Scott Olson spoke to the Board members. He stated that this is a multiple access dock in a not associated approved SD that was created in 1968 prior to Zoning Law. This will be because the applicable Code that applies is **Section 8.09** and in that section it states on page **40 (Zoning Law) B** "for all other multiple access docks, the multiple access dock and other appropriate dock standards of **(Section 8.08)** shall apply." That is why the variances for the square footage and the dock length are needed from the ZBA.

Roger Newkirk the owner spoke to the Board about his proposed project. He wanted to make the Board aware of two things 1) the existing dock has been there for several decades and it already exceeds the length and square footage. The existing width is the same. 2) 'inaudible'. What they are trying to achieve is to get 11 parcels deeded rights to use docks and the beach. Because the bay area is extremely shallow, they have to get to 44' to get 26' depth necessary for navigating boats safely. That's why the existing dock already exceeds the 40' limit. So by reconfiguring the existing dock on the same footprint and having the boats come in from the side instead of the front allows us to put more boats into the existing dock space and allow the all the right holders to effectively exercise their rights. Clearly not having access to the dock affects their property values. not much different than what is there already other than the direction the boats will come in. The closest property line is 66' away and 440' on the other side of the parcel because we have 550' of shoreline and looking at Section B it talks about 7 boats per 100' of shoreline if you look at Section B it states and 1 boat for each additional 15' that would allow us to have 37 boats and we are not looking for that many boats. In terms of safety and traffic control intend to put up ropes in the swim area and have had boats going in and out of the area all the time without any problems.

Chair Bill McGhie asked how far the swim area from the docks is.

Roger responded it is 80' to the edge of the docks and the swim area is about 40' wide.

Chair Bill McGhie asked if he is comfortable that there is enough room for the boats to get in.

Roger responded that yes he is going to give up about 30' to have the boats come in from the side for safety.

Steve Mullins asked if they are taking the old dock out?

Roger stated they will reconfigure what is there and add existing pieces.

Steve Mullins asked if they will use the same type of decking that there now.

Roger responded that they will replace with aluminum docking with flat feet on the ground and we use a bubbler in the winter and don't pull the docks out every year.

Chair Bill McGhie asked Roger if you will continue to use the bubbler.

Roger responded that is correct we use a bubbler every season without incident.

Steve Mullins asked if there are 7 houses in the association.

Roger responded that it is not an association. There are 11 single families on the additional parcels that have dock and beach rights that were given in the 1960's and now want their docks and rights.

Steve Mullins asked if they will be adding any more in the future.

Roger responded that this SPR will be the only one. There are no plans for further Variances or Subdivisions. Other than my own parcel the other parcels are too small to be subdivided. I own a 40-acre parcel that could possibly be subdivided.

Chair Bill McGhie asked if he has room for about 12 boats.

Roger stated that he figures about 10 full size boats and then about 4 small type of fishing or rowboats should fit. Two fingers closer to the shore are in shallower water.

Chair Bill McGhie asked if this is in the bay so it will be out of traffic.

Roger responded that is correct and not near any boat traffic and other peoples swim docks are out further than where their boats are docked.

Chair Bill McGhie asked if they are going to use any buoys to secure the boats.

Roger stated no they will not be mooring boats out in the water.

Steve Mullins asked about the lake bottom conditions.

Roger responded only with the existing dock it's very shallow and they need 26" of water so they need to be out 44'

to get to the right depth.

Vice-Chair Dan Freebern asked what exactly the variance from the ZBA is.

Zoning Administrator Scott Olson stated that **Section 8.08 A and C** are the two issues for the variance. So, they need a variance for square footage and length of dock. They are proposing 721 square feet of dock and the existing is 550 square feet.

Chair Bill McGhie stated that the opinion of the Board for this proposal does not require a Public Hearing.

Vice-Chair Dan Freebern made a motion to deem the application complete as long as the Public Hearing is conducted by the ZBA. Second by Bill Siegle. **ALL AYES.**

Vice-Chair Dan Freebern made a motion to approve the proposal for **File # 2020-04 SPR, Tax Map 72.13-2-44** contingent upon approval by the ZBA for the variances. Second by Steve Mullins. **ALL AYES.**

NEW BUSINESS:

File # 2020-02 SD
Tax Map # 36.11-1-14
Edward T. Moore
East Shore Drive
Adirondack, NY

Requesting a two-lot subdivision for a lot that was merged to now be split into two lots. Lot #1 will be 2.22 acres and Lot # 2 will be 2.273 acres.

Michael O'Connor is representing Mr. Moore. He stated that Mr. Moore owned lots 2, 3 for quite some time. He merged lots 2 and 3 and now he would like to go back to the original subdivision. He wants to separate lots 2 and 3. Both lots meet all the density requirements for subdivision. They did file a JIF with the APA, and they approved saying no permit was necessary from them for the subdivision.

Steve Mullins asked for clarification stating there were 4 lots originally and 2 were combined; lots 2 and 3 for tax purposes.

Ed Moore stated that they were combined already when he purchased them. He does not know why they were merged. He went on to explain that he will retain lot 2 and he is selling lot 3 to the person purchasing lot 4 and that purchaser plans to build a single-family house on the lots after merging them.

Steve Mullins asked if the new lot will have 200' of road frontage.

Michael O'Connor stated that will have 110' of frontage.

Chair Bill McGhie asked if we have maps.

Michael O'Connor stated they do not have the maps yet.

Steve Mullins had a question on the EAF form number 7. Is the site of the proposed action located in or does it adjoin, a state listed Critical Environmental area and Mr. Moor checked off yes? Is this property in a critical environmental area.

Zoning Administrator Scott Olson stated that the GIS does not indicate this is in a critical environmental area.

Michael O'Connor changed that answer to no.

Steve Mullins asked if this area is all flat.

Ed Moore responded saying it is sloped. There is a driveway going up to a flat (plateau) area then it goes up again. It is near Blue Sky Estates.

Steve Mullins asked if the parcel has property on both sides of Adirondack Road.

Michael O'Connor responded that is correct and when the purchaser builds, he will need a permit from the APA.

Vice-Chair Dan Freebern asked what zone this property is located in.

Zoning Administrator Scott Olson responded R1-1.3-acre zone.

Chair Bill McGhie stated that he is a little uncomfortable that we don't have a new map for this application.

Vice-Chair Dan Freebern stated he does not need it prior to deeming complete.

Chair Bill McGhie said the map included with the application is not adequate and the Board members all agreed.

Zoning Administrator Scott Olson stated that the Subdivision request needs a Public Hearing next month and suggested that they can deem the application complete and schedule a Public Hearing for December provided the maps are received prior to the Public Hearing.

Michael O'Connor stated he is not sure he can have the maps before the December 16th Public Hearing.

Discussion ensued regarding the correct maps necessary that need to be received prior to the December 16, 2020 Public Hearing.

Being no further questions or comments Vice-Chair Dan Freebern made a motion to deem the application complete contingent upon the Mylar and 4 copies of the maps be provided by December 16, 2020 Public Hearing. Second by Steve Mullins. **ALL AYES.**

Michael O'Connor stated he is not sure he can get those maps prior to December 16, 2020 and if he cannot he will let the Board know and the Public Hearing will be cancelled until the following month.

Reminder: None

Correspondence: None

Public Comments: Ed Moore asked Zoning Administrator Scott Olson if you build a home do you need to get a Zoning Compliance from the Town and a Building Permit from Warren County. Zoning Administrator Scott Olson responded that he will need a ZCC from the Town and a Warren County building permit plus a septic permit which needs to be designed by an engineered plan.

Board Member Comments: None

Vice-Chair Dan Freebern made a motion to adjourn the meeting. Second by Steve Mullins. **ALL AYES.**

Meeting adjourned: 7:50 pm

Next Meeting: December 16, 2020

Respectfully Submitted,
Terri Katsch, Secretary