

**Present at Meeting:**

Cheryl Erickson, Chair  
James Dewar, Vice Chair  
Rich Nawrot  
Ross Schoembs  
Troy Scripture,  
Brian Logan, Alternate # 1

**Also Present:** Attorney Brian Reichenbach, Zoning Administrator Scott Olson, Attorney Rob Simon, Anthanay Beadnell, Bret Winchip, Walt Schwartz, Peter Palmer, Bill McGhie, Dan Freebern, Steve Mullins, Bill Siegle,

**Pledge**

**Review of Minutes:** Jim Dewar made a motion to accept the May 26, 2020 minutes as written. Second by Ross Schoembs. **ALL AYES.**

**NEW BUSINESS:**      **File # 2020-02 AV**  
                                 **Tax Map # 72.13-1-23**  
                                 Susan Goldrick  
                                 13 Brant Lake Estates Loop  
                                 Brant Lake, NY 12815

Requesting an Area Variance for a rear-yard setback from Section 6.10 for the addition of a rear deck.

Brett Winchip representing the Goldrick family spoke about the proposed project. Susan Goldrick is requesting a variance for a rear yard setback as part of a renovation project. The shape of the property comes to an inside corner on the rear line so presently the existing current structure is non-conforming to the rear line. With these renovations only the new deck will come close to the rear yard line an 8' deep deck for second floor egress so they are asking for a rear yard variance of 19.6' which puts the structure at 30.4' from the rear line. The addition is within the setback. We don't want to pull it forward because currently it aligns with the houses on either side which are also close to the rear line. If pulled forward they would have to do new parking that would require tree cutting.

Chair Cheryl Erickson asked if they are keeping the existing structure.

Walt Schwartz replied yes they are keeping the existing structure.

James Dewar asked about the staircase in the front of the home and if it is new.

Bret Winchip responded the new entrance will be the same distance to the front setback as the current entrance.

Chair Cheryl Erickson asked if the sets of plans could be left for the Board to go over the addition for next month's meeting.

Bret Winchip responded yes they would leave the construction and elevation drawings for the addition; however, this addition is not part of this variance request. The variance request is for the rear deck only.

Rich Nawrot asked if the deck could be moved any place else on the property.

Bret Winchip responded that the entrance on the front is attached to the first floor and with the new deck in the back it will be an egress for the home which provides a safety measure.

A letter was submitted from the President of the Brant Lake Estates Loop Association that indicated the proposed preliminary plans as it pertains to the Association by-laws and the deed covenants for the parcel are in accordance with the by-laws and the Association does not take exception to the proposed addition.

Being no further questions or comments Ross Schoembs made a motion to deem the application complete and schedule a Public Hearing for July 28, 2020. Second by Rich Nawrot. **ALL AYES.**

**PUBLIC HEARING: File # 2020-01 AV**  
**Tax Map # 53.-3-1**  
Anthony and Susan Beadnell  
East Schroon River Road (across from Schroon Lake Boat Launch) Adirondack,  
NY 12808

Requesting Area Variances from Section 8.07 Commercial Marina to construct six floating dock fingers, each 3' x 15' along the existing dock structure providing mooring for 12 boats in order to provide docking for guests at the 48 space trailer park the Beadnells are building at the site of the former Glendale Drive-in Movie in Pottersville.

1. Density area request for a 1.71-acre lot for the commercial marina where at least 3.2 acres is required.
2. Side yard setback request that is required to have a side yard setback of no less than 25% (200') of the shoreline width of the property in question (800') and in any event, no less than a 15' setback. A request is being made for his property of 152.5' for a 139.8' variance request which will set his side yard at 12.7'.
3. A dock surface area should contain no more than 400 square feet of surface area. A minimum of 250' of vacant shorefront measured at mean high water shall be required for the construction of each dock. The dock surface area would be a total of 680 square feet with a variance request of 280 square feet.

There was a discussion by the members regarding the zoning district the parcel is located within and the change was made on the application to the correct zoning district which is RRD 10 acres.

Rob Simon representing Anthony Beadnell refreshed the Board's memory about the proposed project. Rob Simon showed the Board members the map where the existing dock and property are located. What they will be adding are parking spaces, adding six (6) 3' x 5' fingers by using the existing dock structure to

minimize disturbance to the shoreline. They will be adding Port-a-Potties as well. This will serve the trailer park that Mr. Beadnell is building in Chestertown.

Chair Cheryl Erickson asked if the dock surface area is 680 square feet. The Chair stated that the existing docks being 680 sq ft and adding 6 fingers (3'x5') would make the dock surface area 546.7 sq ft. If being 82' long, a 5' wide addition would be a total of 946.7 sq. ft, which makes the variance request 546.7 sq ft. Therefore, the application has to be changed to reflect the corrected numbers on the application. The side yard setback is a pre-existing and is 12.7' where at least 15' is required.

Ross Schoembs had a question for Rob Simon regarding his statement in his letter of proposal that states, "The site seems tailor made for this project". He asked Rob Simon to explain the statement because the variances requested are very large.

Rob Simon responded that the site is next to State Land which is vacant land, not imposing on anyone, there is no other use for this parcel, they will be using the existing dock which minimizes disturbance to the shoreline and there is an existing road that enables them to put in parking spaces. It has a huge shoreline and they could actually put in more docks up the shoreline to relieve the side yard setback but that would mean more disturbances to the shoreline.

Ross Schoembs also asked how this proposal is consistent with the neighborhood. He lives on Schroon Lake and he does not see other docks like this one.

Rob Simon responded there is Waconda Campgrounds on the river, where this parcel is located on the South side of the bridge. There are plenty of other docks along the river. It is going to be docks but all it is will be is a dock system, porta- potty and parking spaces. No other structures, no fuel supply and no other buildings.

Rich Nawrot asked Rob Simon if they will be rebuilding any part of this dock because part of the existing dock below the stairs is leaning towards the river.

Rob Simon stated that they will be putting fingers on the dock and resurfacing the entire system. Some of the cribs are not too straight.

Rich Nawrot stated currently there are five boats docked.

Anthony Beadnell stated they belong to family members and are not currently rented.

There was a lengthy discussion regarding the length of the docks and the boat lengths. There was also discussion about buoys or markings for the navigable part of the river and to mark the shallow water. Discussion also included amount of spaces between each docked boat. After discussion the Board members and the applicant decided to place five (5) fingers instead of six (6) which would also reduce parking spaces.

Anthony Beadnell stated that the plan is to have enough room for six to eight boats for the RV people that will be put in the water by him or RV park employees and not fueled at the docks.

Chair Cheryl Erickson asked Mr. Beadnell if they would all be pontoon boats or a variety of boats.

Troy Scripture stated that he sees about 7 boats being docked there.

There was another discussion regarding how the boats will get in and out of the dock and turn out onto the river and whether or not there is enough room to navigate the boats.

Anthony Beadnell stated that everything will be controlled by the Beadnells and employees of the RV Park. They will not all be large pontoon boats next to one another.

Rich Nawrot asked Mr. Beadnell if he considered making the dock system requested smaller because he feels that the variances requested are rather large.

Another lengthy discussion ensued regarding the churning up of the bottom of the river by the boats and the current in that location.

Chair Cheryl Erickson stated that being they are now going to bring the dock system down to five fingers it will make the variance request smaller. They will also be able to take out 4 parking spaces. She asked Anthony Beadnell if he will be paving the road.

Anthony Beadnell stated that they will be parking on the grass and he is not repaving the road.

Chair Cheryl Erickson asked if they are taking out any trees to provide for the parking.

Anthony Beadnell stated that he will not be taking out any trees to provide for parking.

Jim Dewar asked if adjoining owners' notices were sent out and if anyone responded to the proposal.

There were no responses to the proposal by any of the adjoining owners.

Ross Schoembs would like to limit the length of the boats that will be docked.

Anthony Beadnell and Rob Simon stated they would have no problem with that limitation or condition.

Another discussion developed regarding the marking of the shallow water and Rob Simon stated that they will contact the DEC regarding that issue.

Chair Cheryl Erickson asked if there were any more questions for the applicant and if there were any members of the public that wanted to make any comments.

Rich Nawrot asked if they are going to reduce to five fingers will they need a new application.

Chair Cheryl Erickson stated that that will not be necessary because they will be spacing the five fingers over the 82' existing dock.

Being no further questions or comments Jim Dewar made a motion to close the Public Hearing. Second by Troy Scripture. **ALL AYES.**

Chair Cheryl Erickson also stated that the Warren County Planning project review was not yet received and once received the Zoning Office will advise on the results.

After reviewing the SEQR form Ross Schoembs made a motion to consider a SEQRA negative declaration. Second by Jim Dewar. **ALL AYES.**

The Board reviewed the Area Variance criteria:

Chair Cheryl Erickson stated that the Board would now go ahead and discuss the Balancing Test for the three variance requests to balance the benefit to the applicant with detriment to the health, safety and welfare of the community. They have changed the variance request for the dock surface area which will now be 901.7 sq. ft. and the amount of the variance request is now 501.7 sq. ft. Mr. Beadnell has a long narrow strip of land with a pre-existing, non-conforming 82' dock.

The ZBA further finds:

1. The proposed project can be achieved by other means feasible to the applicant but in doing so he would have to do a lot of work creating a whole new dock system at the shoreline which would disturb the shoreline, so this particular way is a better option and is the most environmentally friendly way. His goal is to maximize the number of boats which can be docked along that strip of land that he currently owns. This will offer the campers from the RV Park a docking facility.
2. There will be no undesirable change in neighborhood character or undesirable change to nearby properties. It is an existing non-conforming dock and there is a public boat launch and public beach in the neighborhood. These docks will only be used seasonally and fingers will be removed in winter time.
3. The request is substantial; however, it is three variances and they are large requests. It is in the 10 acre zone with a density for commercial marinas to be at least 3.2 acres and the applicant has 1.71 acres but it is not detrimental to approval of this request. Side yard setback is substantial but it is pre-existing. Dock surface area is 901.7 square feet which is 125% of dock surface area which is substantial. In order to mitigate that large request the applicant would have to reduce to four fingers and it would not really change the percentage of the request by that much.
4. The request will have a very small adverse physical or environmental effect on the property or to neighboring properties. There will not be any fuel at this location and the boats will be filled prior to being put in the water by the RV Park employees. These will be short term rentals. There will be some disturbance from the bottom by the boats however, not that much disturbance. By using pre existing dock they will not have to disturb the shoreline as much as if they had to put in a whole new facility. There will be a maximum number of days that a boat can be docked that will be three (3) days.
5. The proposed project is self-created; however, it is a pre-existing dock but also not determinative.
6. This is the minimum variance necessary. The applicant will be reducing the request to five fingers down from six fingers and if they took out any more it is less to Mr. Beadnell's benefit to achieving his objective and does not make a big difference percentage wise.

Being no further discussion and based on the previous discussion the following Board members made a motion to approve the requested variances for a side yard setback of 12.7', a density variance for 1.71 acres and a dock surface area of 901.7 square feet in order to place 5 (3'x15') fingers on the 82' of pre-existing non-conforming dock **with the following conditions:**

1. Ask DEC if buoys are needed to mark shallow water and advise the Board of decision.
2. Maximum length of boats will be 24' boats.
3. Maximum amount of days for RV Park boats to be docked will be three (3) days.

Chair Cheryl Erickson, **AYE**. Jim Dewar, Vice-Chair, **AYE**. Ross Schoembs, **AYE**. Troy Scripture, **AYE**. Rich Nawrot, **NO** because the size of the variances are very large percentage wise and he does not want to set a precedent.

**Reminders:**

**Correspondence:** None

**Public Comments:** None

**Board Comments:** Ross Schoembs asked about letters or reminders to be sent to shoreline residents regarding docking and mooring on Schroon Lake as discussed at last month's meeting. Scott Olson, Zoning Administrator stated that we will not be sending out those letters and if any Board member has an issue or knows of any particular violations with docks on Schroon Lake to bring them to his attention and he will investigate the situation and issue violation letters if necessary.

Being no further comments Jim Dewar made a motion to adjourn the meeting. Second by Troy Scripture.  
**ALL AYES.**

**Adjourn:** 8:55 PM

**Next meeting date:** July 28, 2020

Respectfully Submitted,  
*Terrí Katsch*, Secretary