

**Present at Meeting:**

Cheryl Erickson, Chair  
James Dewar, Vice Chair  
Ross Schoembs  
Rich Nawrot  
Troy Scripture  
Brian Logan, Alternate # 1  
Neil Brandmaier, Alternate #2

**Also Present:** Town Attorney Brian Reichenbach, Zoning Administrator Jim Steen, Pete Palma, Frank Hill, Bob Olson, Mary Lee O'Connor, Jim Guyatte, Shielene Guyatte, Peter and Eileen Purcciarelli, Albert, Marie Barbera, and Dan Galusha,

**Pledge**

**Review of Minutes:** Vice-Chair Jim Dewar made a motion to accept the April 27, 2021 minutes with corrections. Second by Ross Schoembs. **ALL AYES.**

**NEW BUSINESS:**

**File # 2021-04 AV**  
**Tax Map # 36.3-3-17**  
James Guyatte  
201 East Shore Drive  
Adirondack, NY

Requesting an Area Variance from **Section 6.10** for a Side yard setback for a Pole Barn to sit at 5' where 15' is required.

The applicant was present at the meeting to speak about the project. Jim Guyatte said that he wants to build a 24' x 24' open pole barn for storage. The pole barn is going to sit at 5' from the side yard not 10'.

Chair Cheryl Erickson asked James Guyatte if he submitted the additional plat information that was requested last month.

James Guyatte stated that he sent it in with the paperwork; however, he did not send it to the Zoning Office. He can if you require it.

Chair Cheryl Erickson asked secretary Terri Katsch if Mr. Guyatte provided a plat with all the structures on the property and she responded no I have not received that information.

Chair Cheryl Erickson asked James Guyatte where his neighbor's house is in relation to the pole barn.

James Guyatte responded that the neighbor's garage is 10' off his (neighbors) property line and the pole barn will be right behind next to his garage. He spoke with the neighbor and he has no objections to the placement of the pole barn.

Chair Cheryl Erickson asked James Guyatte to provide a letter from the neighbor indicating his agreement with the placement of the proposed pole barn at the next meeting.

Vice-Chair Jim Dewar asked how far the pole barn is from your existing house.

James Guyatte responded 30'- 40' from existing corner of my house. It will be in the middle of the property from the road to the lake. The road and lake setbacks are conforming. The only setback that does not meet setbacks is the side yard and if he moved it 15' then it's in my driveway.

Vice-Chair Jim Dewar asked if the pole barn will be made with 4' x 4's?

James Guyatte responded he is not sure yet, whatever the County requires. It will be 12' high, 6' x 6' posts, probably every 8' on the sides and maybe a 12' footer in middle.

Vice-Chair Jim Dewar asked if it will slope north to south.

James Guyatte responded it will be sloping east to west sloping towards the road and the lake on my property.

Vice-Chair Jim Dewar asked if the pole barn will be enclosed.

James Guyatte responded no, it will be open on all sides and be for the boat and toys to be stored in winter.

Being no further questions or comments Vice-Chair Jim Dewar deemed the application complete and set a Public Hearing for June 22, 2021 and provide a letter from the neighbor indicating no objections to the placement of the pole barn. Second by Troy Scripture. **ALL AYES.**

**NEW BUSINESS:**                      **File # 2021-05 AV**  
   **Tax Map # 55.10-1-5**  
   Jason Letts  
   18 N. Sand Beach Rd.  
   Brant Lake, NY 12815

Requesting an Area Variance from **Section 6.10** for a Side yard setback for a residential cottage (+/- 1,071 square foot) residential cottage with an attached 319 square foot screened in porch to sit at 25' from the shoreline and 10' from the side yard where 100' and 15' are required.

There were no representatives present to speak about this project and therefore it was tabled until the June 22, 2021 hearing. Zoning Administrator Jim Steen did speak with the representative for this project and let them know they were on the agenda on May 18, 2021.

**NEW BUSINESS:**                      **File # 2021-07 AV**  
   **Tax Map # 72.-1-57.8**  
   David and Mary Lee O'Connor  
   7131 Route 8  
   Brant Lake, NY 12815

Requesting an Area Variance from **Section 6.10** for a Side yard setback for a 24' x 26' garage to sit at 8' where 15' is required.

Mary Lee O'Connor presented her proposal to the Board members. She would like to place a 1 ½ story 2 car garage (24' x 26') for storage. The Zoning Administrator at the time, Scott Olson, recommended to set it back as to not impede on the neighbor's view. We asked our neighbor if they would mind if it moved it so as not to impede their

view. We are setting it where there used to be trees. We need it for parking and storage because they have a tiny cabin.

Vice-Chair Jim Dewar asked if there is an existing driveway.

Mary Lee O'Connor stated no driveway they just park on the lawn.

Rich Nawrot asked if there is a reason you cannot move the garage over and not have to get a variance.

Mary Lee O'Connor said we could but there is a house across the road and if put there it would impede their view and the other neighbor had no problem with the placement as well

Vice-Chair Jim Dewar asked if it is Bernie Bolton's house.

Mary Lee O'Connor stated no the new owner is Mr. Bill Black.

Vice-Chair Jim Dewar asked if she has a survey or if a survey was ever done.

Mary Lee O'Connor stated they are trying to get a survey done but the surveyor has not responded back to them yet. A survey was done back when Martin owned the land and divided it up. The neighbor to the North had one done last year and it moved the line, so we want to confirm that it moved the line. We hope to hear from the surveyor before this is all finalized.

Chair Cheryl Erickson asked if there is a deed on file.

Secretary Terri Katsch responded yes, there is a deed is on file.

Chair Cheryl Erickson asked if any trees will be removed.

Mary Lee O'Connor responded that her husband removed about 8 small trees removed but not in the green space.

Troy Scripture asked if it is one and a half stories and what will be stored.

Mary Lee O'Connor responded there will be no water or heat, it will be just for storage. My husband wants to put a wood working shop on the ground floor. We will have electricity.

Chair Cheryl Erickson asked if the placement of the garage is flagged for when Board members walk the property.

Mary Lee O'Connor there is a stake down by the water and I don't know if there is one by the other side. My husband did put stakes where they want to locate the garage and I will make sure all four are there.

Being no further questions or comments, Rich Nawrot made a motion to deem the application complete and set a Public Hearing for June 22, 2021. Second by Ross Schoembs. **ALL AYES.**

**NEW BUSINESS:**

**File # 2021-08 AV**  
**Tax Map # 20.10-1-57**  
Albert Barbera  
873 East Shore Drive  
Adirondack, NY

Requesting an Area Variance from **Section 6.10** for a Shoreline setback of 0' where 50' is required and a Roadway setback of 23' where 50' is required to build 16' x 20' deck with a staircase to the shoreline.

Albert and Marie Barbera were present to speak about their proposal. Albert stated that he would like to build a deck on the shoreline. The deck will be 20' x 16' like the other neighbors have. He would like to be able to sit down by the water with the family to enjoy the view.

Chair Cheryl Erickson asked if their house is the one on the corner.

Albert Barbera responded yes.

Chair Cheryl Erickson asked if you are replacing a deck or building a new one.

Albert Barbera responded they are building a new deck.

Rich Nawrot asked if the picture given to the Board is the picture of your property and if the other decks are at the high-water mark. Will you be doing the same thing.

Marie Barbera stated it will be flush with road. It will be 23' from the center of the road.

Rich Nawrot asked if the elevation is flush with the road.

Marie Barbera responded yes, correct the elevation is flush with the road and it is the same as the other neighbors' decks.

Vice-Chair Jim Dewar asked if this is a copy of their survey.

Marie Barbera responded yes.

Rich Nawrot asked how much lake frontage they have.

Marie Barbera responded they have 43' of lakefront and the deck will take up 20', the stairs are 32" and 10' on each side.

Chair Cheryl Erickson asked if there were any more questions or comments.

Being no further questions or comments Vice-Chair Jim Dewar made a motion to deem the application complete and set a Public Hearing for June 22, 2021. Second by Troy Scripture. **ALL AYES.**

**PUBLIC HEARING:**

**File # 2021-03 AV**  
**Tax Map # 88.7-1-5**  
Peter Pucciarelli  
27 New Street  
Brant Lake, NY 12815

Requesting an Area Variance from **Section 6.10** for a **Roadway setback** for a covered patio 20' x 16' covered patio to sit 15' from the road where 50' is required. Also requesting a **Shoreline setback** for the structure to sit at 15' where 50' is required.

Eileen Pucciarelli was present to speak about her project. Eileen stated that they live at 27 New Street and have waterfront property. They would like to place a 20' x 16' covered patio on the waterfront side. She refreshed the Board's memory of their proposed project. The contractor has not come up with the plans however it will be on the land not into the water or the road. It will have a slightly pitched roof.

Rich Nawrot asked if any correspondence received on this proposed project.

Secretary Terri Katsch responded no correspondence and/or emails, phone calls were received regarding this proposal.

Rich Nawrot asked about drainage from the roof.

Eileen Pucciarelli said she spoke to the contractor about run-off and putting a line of rocks under the roof but it's very flat there and would be no runoff into the water or the road.

Being no further questions or comments from the Public and no negative feedback was received the Public Hearing was closed.

Chairperson Cheryl Erickson stated that the Board would now go ahead and discuss the Balancing Test to balance the benefit to the applicant with detriment to the health, safety, and welfare of the community.

The ZBA further finds:

1. The proposed project cannot be achieved by other means feasible to the applicant because they could not move it closer to the house at all.
2. There will be no undesirable change in neighborhood character or undesirable change to nearby properties. It is in keeping with the rest of the area and will not change anything. It is very similar to the other properties in the area.
3. The request is substantial; however, this is not prohibitive. The structure is a nice size, and this is a small property bound by the shoreline and the roadway. This is right in the middle of the two setbacks. There is no other real place on the property to put it.
4. The request will not have any adverse physical or environmental effect on the property or to neighboring properties. The run-off from the roof will not be substantial and they will address the run-off with the contractor again and this is a very flat piece of property.
5. The proposed project is self-created; however, it is not prohibitive.
6. If approved this will be the minimum variance necessary with the following **condition: Stone or gravel will be put on the south side of the roof to prevent run-off into the lake. Storm water mitigation on both sides where it pitches down.**

Being no further discussion and based on the previous discussion Vice-Chair Jim Dewar made a motion to approve the requested 35' variance for a roadway setback where 50' is required and approve the 35' variance from the shoreline where 50' is required. **With the condition: Stone or gravel will be put on the south side of the roof to prevent run-off into the lake. Storm water mitigation on both sides where it pitches down.**

Second by Ross Schoembs. **ALL AYES.**

**Adjourn: 7:20 PM**

**Next meeting date:** June 22, 2021

Respectfully Submitted,  
*Terri Katsch*, Secretary