

Present at Meeting:

Cheryl Erickson, Chair
James Dewar, Vice Chair
Ross Schoembs
Troy Scripture
Neil Brandmaier, Alternate #2

Also Present: Town Attorney Mark Schachner, Zoning Administrator Matt Magee, Karen and Jake McCauley, Ken and Carolyn Gallo, Tim Wade.

Pledge

Review of Minutes: Ross Schoembs made a motion to accept the August 24, 2021 minutes as written. Second by Troy Scripture. **ALL AYES.**

PUBLIC HEARING:

File # 2021-09 AV
Tax Map #: 36.12-1-60
Ken and Carolyn Gallo
41 Lakeview Drive
Adirondack, NY 12808

Requesting an Area Variance **from Section 6.10** for a Roadway setback to build a 24' x 28' addition with a garage beneath and adjacent screened-in-porch to sit at 49.12' from the roadway where 60' is required.

Tim Wade from Verdant Architecture PLLC is representing the Gallo's proposed project refreshed the Board's memory about the variance request for the roadway setback. Tim stated that we are adding on a 24' x 28' garage addition to the existing house. The garage portion of the addition will be on the lower level and finished space on the upper level. The footprint will be 672 square feet added and the existing home is 960 square feet. So, they are increasing to the living space 1632 square feet. They will need an interior stair up to the mail level from the garage. The existing opening on the foundation wall will be used as the interior stair. In doing so, we end up blocking the existing entry to the home and they are proposing to demolish the existing screen porch and add a new screen porch as indicated on the drawing. In doing that it does put it closer to the road and will sit 49.12' from the center line of the road where 60' is required. Tim stated that pretty much sums it up.

Neil Brandmaier asked if the creation of the new porch is what is driving the variance request and is there any alternative placement for the porch so as not to need a variance.

Tim Wade responded yes, the creation of the new porch is why we need the variance request and an alternative would be to only have a door directly into the house.

Neil Brandmaier asked if the current entry way is through the existing porch which causes the need for a new stairway up to the house. Would it make sense to make it longer and skinnier?

Tim Wade responded he thinks that this is minimal request as it is only 12' deep.

Chair Cheryl Erickson stated the existing one is 15' deep.

Tim Wade stated they already turned the porch sideways.

Neil Brandmaier asked what the small grayed area in front of porch is on the site plan.

Tim Wade responded that is the covered entry to the new screened porch. The roof line covers the porch and stairs for safety reasons to keep snow and ice off the porch during the winter.

Chair Cheryl Erickson stated that is not what's triggering the variance it is the eve of the covered porch and staircase that is making the request for the variance from the centerline of the road.

Tim Wade stated that there are other constraints on the site. Behind the driveway is a stream preventing addition moving closer to the stream. Trying to maintain the existing driveway presents accessibility challenges. In order to give the covered entry way safe visiting access and gives long term accessibility for people who may live there in the future.

Neil Brandmaier asked if the Gallo's find it necessary for the porch to face the street, as opposed to the side of the porch.

Tim Wade responded there is a substantial difference in grade and moving it to the other side would present challenges and if moving to the east side would move it more towards the stream which also has challenges so we feel how it's located now is the most effective way.

Troy Scripture asked how close do you get to the stream?

Tim Wade responded they will maintain the same distance from the stream and follow the topography on grade on a lesser slope.

Chair Cheryl Erickson asked if staying on the existing driveway with a little bit of overhang.

Tim Wade stated they are keeping the existing hammerhead on top of driveway and adding some asphalt on one side.

Neil Brandmaier asked if you have a view of the lake from the porch or in the back.

Tim Wade responded yes, a view of the lake from the porch but no view in the back because of the trees.

Chair Cheryl Erickson asked if the septic is located in the back?

Tim Wade responded that the septic variance was just approved by the Town Board of Health and it will be located across the stream.

Troy Scripture asked how they will handle stormwater runoff.

Tim Wade responded that the pitched roof runs off the sides, no stormwater runoff treatment right now except a swale along the driveway and or a rain garden. The east side of the new addition captured toward the stream. The existing driveway draining towards the area that maintains the same drainage as existing.

Troy Scripture asked how far from the driveway to the stream?

Tim Wade responded about 30', so they are maintaining some distance and good groundcover exists and site work will maintain that.

Chair Cheryl Erickson asked if anyone else had any questions or comments.

Chair Cheryl Erickson entered into the record the note from neighbor Eleanor McBride indicating she has no objections to the proposed project.

The Public Hearing was closed.

Chair Cheryl Erickson stated that because we don't have the Warren County impact statement a decision cannot be made tonight; however, we will discuss the Balancing Test.

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 can be achieved by other means feasible to the applicant; however, the impact of the other options would cause additional problems or challenges such as not covering the stairs causing a safety issue. If stairs were turned there would be a steeper pitch, it is a small variance and would not be worth altering the design. The impact of the options would cause additional challenges, it would change the flow of the house and have an impact on the living space. This has been designed well and if redesigned it would be a burden to the applicants. It is architecturally pleasing as currently designed.
2. There will be no undesirable change in neighborhood character or undesirable change to nearby properties. It is consistent with the neighborhood and it will be a nice update to the style of the home.
3. The request is not substantial. It is only a 16% variance request. The variance is for an eve over the porch to cover the stairs for inclement weather and it is a modest request.
4. The request will not have any adverse physical or environmental effect on the property or to neighboring properties. No trees will be cut down, the permeable area will be the same and there is very little, if any changes to the environment.
5. The proposed project is self-created, but this is an older 3 season cabin built in the 1950's and it will be updated.
6. If approved this will be the minimum variance necessary and no conditions attached.

Chair Cheryl Erickson stated that we will not be able to vote tonight as we are waiting for the Warren County recommendation to come into the Zoning Office. We will meet again on October 26, 2021 at which time we will take action.

PUBLIC HEARING: **File # 2021-10 AV**
 Tax Map #: 20.10-1-59
 Karen McCauley
 4 Church Street
 Adirondack, NY 12808

Requesting an Area Variance from **Section 6.10** for a Shoreline setback of 50' and Roadway setback of 22.5' to extend an existing deck.

Karen McCauley was present to speak about her proposed application to enlarge her deck from a 10' x 16' deck to a 16' x 20' deck. It will be going 6' more towards the lake and 4' wider to the side.

Neil Brandmaier asked Karen McCauley if there are a series of decks along the road near the Adirondack Lodges.

Chair Cheryl Erickson explained the location to the Board members.

Chair Cheryl Erickson asked if they were just upgrading.

Karen McCauley stated they will be changing the footings on the deck as well.

Neil Brandmaier asked if Karen McCauley's house was the newer house on Church Street.

Karen McCauley responded yes, that is correct.

Ross Schoembs asked if the footings would need repairing with the current size of the deck.

Karen McCauley responded yes, that is correct.

Chair Cheryl Erickson stated that they would have to repair the deck anyway and the deck becomes more usable if a little bigger and it is the same size of the neighbor's deck.

Being no further questions or comments Chair Cheryl Erickson closed the Public Hearing.

Chair Cheryl Erickson stated that a Warren County recommendation was received and indicated no county impact with this proposed deck. There were no neighbors who had any objections to enlarging the deck.

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. If they kept it as small as is now it would not serve the applicants well because they need more room. The house being across the road makes this their lake front. The footings must be replaced anyway.
2. There will be no undesirable change in neighborhood character or undesirable change to nearby properties. It is consistent with the neighborhood.

3. The request is substantial. However, given the nature of the placement of the deck any deck would be substantial. It makes sense because it is so close to the road to extend outward. It is in keeping with the nature of the project.
4. The request will not have any adverse physical or environmental effect on the property or to neighboring properties. The footings will be replaced
5. The proposed project is self-created, but the existing deck needs to be fixed and it is not prohibitive.
6. If approved this will be the minimum variance necessary and no conditions attached.

Being no further discussion Vice-Chair Jim Dewar made a motion to approve the area variances from **Section 6.10** for a Shoreline setback for a deck to sit at 0' where 50' is required and roadway setback for the deck to sit at 27.5' where 50' is required. Second by Ross Schoembs. **ALL AYES.**

It was decided by the ZBA members and the Gallo's to have a special hearing on their project once the Warren County recommendation is received. Everyone will be notified by email of the date of the Special Meeting.

Reminders: The Letts septic variance was denied; however, he will be presenting a new variance request to the ZBA for setbacks on his property to build a structure.

Correspondence: None

Public Comments: None

Board Comments: None

Being no further comments Ross Schoembs made a motion to adjourn the meeting. Second by Neil Brandmaier. **ALL AYES.**

Adjourn: 8:15 PM

Next meeting date: October 26, 2021

Respectfully Submitted,
Terri Katsch, Secretary