

Present at Meeting:

Cheryl Erickson, Chair
James Dewar, Vice-Chair
Rich Nawrot
Ross Schoembs
Troy Scripture

Also Present: Attorney Brian Reichenbach, Interim Zoning Administrator Christine Hayes, Chris Clarke, Bob Olson and Alan LeCours.

Pledge

Review of Minutes: Vice-Chair Jim Dewar made a motion to approve the December 19, 2023, minutes with changes. Second by Ross Schoembs. **ALL AYES.**

NEW BUSINESS: **File #: 2024-01 AV**
 Tax Map #: 20.10-1-48
 Ruth Yates Living Trust
 Represented by Alan LeCours
 832 East Shore Drive
 Adirondack, NY 12808

Requesting an Area Variance from **Section 6.10** for a Shoreline Setback to replace a 10' x 5' lower deck platform to sit 10' from the shoreline where 50' is required, and to replace a 16' x 4' staircase and a build a 28' x 12' stone patio. The variance request is 40' where 50' is required.

Alan LeCours is present to represent his mother-in-law Ruth Yates Living Trust. Alan stated that this is a one-acre property. At the top of the property sits a log cabin and on the bottom portion of the property near the lake is a small 10' x 5' wooden deck that needs to be replaced. A 9' x 28' deck is there now and they want to replace it with a 12' x 28' stone patio. There are also a set of 16'x 4' stairs that will be replaced on the same footprint. They meet all the setbacks except for the shoreline setback. Alan also had pictures of the structures to be replaced for the Board members to see.

Vice-Chair Jim Dewar asked what the retaining wall will look like from the lake.

Alan LeCours stated that the retaining wall is about 3' – 4' high and will not be seen from the lake or the road. The stone patio will be flush and not seen from the Road.

Ross Schoembs asked if the staircase that is 16' x 4' and base is pre-existing and will be replaced.

Alan LeCours responded yes; they will be replaced in kind.

Chair Cheryl Erickson stated that the stone patio is flush with the ground and will not be seen from the road. The other two items will be replaced in kind.

Alan LeCours stated yes that is correct.

Ros Schoembs asked if any utilities will be down by the decks.

Alan LeCours stated no, there will not be any utilities there.

Chair Cheryl Erickson asked Zoning Administrator Christine Hayes what is the measurement from the center line of the road to the edge of the road.

Christine Hayes responded it's 25' from the edge of the road to the center line of the road so the roadway setback for this project would 48.5' plus 25' to equal 73.5' and that would not require any variance.

Being no further comments or questions Vice-Chair Jim Dewar made a motion to deem the application complete and set a Public Hearing for February 27, 2024. Second by Troy Scripture. **ALL AYES.**

PUBLIC HEARING: **File: 2023-09 AV**
 Tax Map #: 36.3-3-52
 Chris Clarke
 116 East Shore Drive
 Adirondack, NY

Requesting an Area Variance from **Section 6.10** for a **Rear Yard Setback** for a 10' x 14' accessory structure shed to sit 18' from the rear yard setback where 22.5' is required. The variance request is for 4.5'. This is an after-the-fact variance request.

Chair Cheryl Erickson and Rich Nawrot asked if the variance request is correct on the agenda and it was not. So the Agenda had to be changed to a variance request of 4.5' and the shed will sit at 18' where 22.5 feet is required for an accessory structure from the rear yard line.

Ross Schoembs asked if Chris Clarke had any complaints from his neighbors regarding the placement of the shed.

Chris Clarke stated no he has not had any complaints.

Chair Cheryl Erickson stated there is nothing around the shed, it has a solid gravel base, it is already there and loaded with kayaks and things.

Ross Schoembs asked if Chris Clarke will have any utilities in the shed or plans to have any in the future.

Chris Clarke responded no; the shed will not have any utilities.

Chair Cheryl Erickson stated that there are no further questions or comments, so we are going to close the Public Hearing.

Chair 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 this is an after the fact variance and it is already in place so it would not be feasible to move and it is only a 4.5' variance request.
2. The proposed project will not create any undesirable change in the neighborhood character or undesirable change to nearby properties because it sits in the woods, it is a minor structure away from the road and there have been no neighbor complaints regarding this shed.

3. The request is not a substantial variance request; it is a minor variance of 4.5 feet and it is sitting 22.5' away from the rear yard.
4. This request will have no adverse physical or environmental effects to neighboring properties because it is already there and there is no one around it.
5. This proposed project is self-created, but it is not prohibitive.
6. This is the minimum variance necessary and requires no conditions. It is just a small storage shed.

Being no further questions or comments Vice Chair Jim Dewar made a motion to approve the application for **File: 2023-09 AV, Tax Map #: 36.3-3-52**. Second by Rich Nawrot. **ALL AYES**.

PUBLIC HEARING:

File: 2023-08 AV

TABLED

Tax Map # 36.11-1-9

Rena Zeppetelli, Thomas Osika and Robert Staudt
East Shore Drive
Adirondack, NY

Requesting an Area Variance from **Section 6.10** for dock surface area where (400 square feet is the maximum). They have a total of 414 square feet allowable (138 square feet x 3 = 414 square feet) and they are asking for 3 docks (and 2 moorings) that will have a combined surface area of 620 square feet. The variance request is for 206 square feet.

Chair Cheryl Erickson stated that this is still tabled.

Interim Christine Hayes stated that they have changed the plan dramatically and once they get all of the information that I have requested back to me I will make a determination as to whether or not they still need a variance and I will let the Board know.

Reminders: None

Correspondence: None

Public Comments: Interim Zoning Administrator Christine Hayes told the Board members that Kristena Hill resigned as the Zoning Administrator and the Town Board has interviewed four people so far and made an offer to one of the applicants who declined the position. So, we are still looking for a new Zoning Administrator.

Board Comments: None

Being no further comments or questions Rich Nawrot made a motion to adjourn the meeting. Second by Vice-Chair Jim Dewar **ALL AYES**.

Adjourn: 7:30 PM

Next meeting date: February 27, 2024

Respectfully Submitted,
Terri Katsch, Secretary