

**Board Members:**

Cheryl Erickson, Chair  
James Dewar, Vice-Chair  
Rich Nawrot  
Troy Scripture  
Larry Bell, Alternate sitting in for Ross Schoembs

**Others Present:** Zoning Clerk, Julie Marinelli

**Meeting to be Called to Order:** 6:30 PM

**Pledge of Allegiance**

**Minutes Approval:** **For May 20, 2025:** The following changes will be made for the minutes. On page 4, balance test item #2 should read “**under 30 inches**” as opposed to 3’. On page #2, paragraph 6, reword “outside the side yard setback” to “**at the front of the porch, so not to encroach upon the side yard setback.**” And change the final sentence from “side” to “**front**” of the deck. On page 7, item #6, insert the following bold information in the first sentence “Mr. Scripture stated that the stairs must be placed parallel to the **front of the deck and stepped in a minimum of 3’ from the right side** to avoid the requirement for another variance request.”

Motion made by Mr. Nawrot, seconded by Mr. Scripture.

**New Business:**

**File # 2025-09-AV**  
**Tax Map # 36.12-1-70.2**  
**Raymond Pinto**  
450 East Shore Drive  
Adirondack, NY 12808

Applicant seeks an Area Variance from **Section 6.10 – Schedule of Intensity and Dimensional Requirements** and **Section 14.10 – Continuation** to increase the height of a pre-existing non-conforming single-family residence by 6’ to accommodate renovations of the second-floor bedroom and bathroom. The existing left Side Yard Setback is 4.7’ where 15’ is required. The left Side Yard Setback variance request is 10.3’. The existing right Side Yard Setback is 12.8’ where 15’ is required. The right-Side Yard Setback variance request is 2.2’.

Mr. Raymond Pinto approached the podium and presented his proposal. He explained that he wants to renovate the existing 2<sup>nd</sup> floor bedroom and bathroom. The 2<sup>nd</sup> floor features knee-walls and he proposes to raise the roof to create more headroom on the 2<sup>nd</sup> floor. To accommodate the new roof pitch, he intends to raise the roofline by 6 feet.

**Board Discussion:**

Chair Erickson stated that he is not going off the footprint of the existing house and that the existing structure triggers the need for the two side yard setback variances. Mr. Pinto replies that, yes, he is just going straight up.

Mr. Nawrot asked if this is the same home that the board approved the lot line adjustment a few years ago. Mr. Pinto responded that, yes, it is.

Chair Erickson asked about the dimensions of the application as they differ from what was stated. She reads from the application that the height of the structure will be 27' and 17' is the original height, and that would imply a 10' difference. She asked if this is an error on the application.

Chair Erickson clarified with Mr. Pinto that the distance to the peak of the house is going to be from the existing peak. Mr. Pinto asked if she was asking about the increase in height

Chair Erickson explained that if the existing roofline is 17' off the ground, and you want to increase to 27' than it should be a 10' foot difference. She was not sure if this was a clerical error.

The board asked Mr. Pinto for pictures of existing house for the next meeting, as this would clear up any confusion.

Mr. Dewar and Mr. Pinto discussed the plans and where the proposed construction will take place. Mr. Pinto displayed the plans for Mr. Dewar and pointed out where the proposed bathroom addition would be located. He showed the board the existing ridge on the front of the house. He explained that he needs to offset the ridge and increase the height. The other ridge will accommodate the bathroom. He pointed out to the chair both the existing and the new ridges on the site plan.

Chair Erickson explained that the distance from the existing ridge is 17' and the other is 27', so the variance request is for 10'. And that at his request they will change the variance request to reflect this. It is decided that there is no variance needed for height, just for side yard setbacks.

Mr. Pinto stated that the footprint of the home is not being changed, including the eaves. Mr. Bell asked if they are just extending the bedroom to the backwall. Mr. Pinto replied that, yes, they are.

Chair Erickson asked if the roofline would change at all, and Mr. Pinto replied that it will not. Mr. Scripture asked if the overhangs would change. Mr. Pinto replied that the overhangs will remain the same.

Chair Erickson asked for a motion to deem the application was complete with the contingency that photographs of the existing house would be included before the public hearing.

Mr. Dewar made a motion to deem the application complete and Mr. Bell seconded. A public hearing is set for July 22<sup>nd</sup>.

**File # 2025-10-AV**

**Tax Map # 36.11-1-9**

**Thomas & Gina Osika**

364 East Shore Drive

Brant Lake, NY 12815

Applicants seek an Area Variance from **Section 6.10 – Schedule of Intensity and Dimensional Requirements** and **Section 8.08 – Docks** to construct a new 6' X 12' open deck with railing and a total of 15' X 3' 8" stairway. The proposed Roadway Setback is 14.5' where 60' is required. The Roadway Setback variance request is 45.4'. The proposed Side Yard Setback is 7.5' where 15' is needed. The Side Yard Setback variance request is 7.5'. The proposed Shoreline Setback is 1' where 50' is needed. The Shoreline Setback variance request is 49'. The proposed dock of 248 SF creates a total Dock Surface Area of 438 SF for the entire shoreline lot where up to 400 SF is allowed. The Dock Surface Area variance request is 38 SF.

Representing Mr. and Mrs. Osika is Mr. Cunningham from K.B. Engineering. Mr. Cunningham explained that Mr. and Mrs. Osika are proposing to build a new intermediate, open deck between the road and the beach, with a railing and two sections of stairs. The new deck consists of the shared parcel with the Zeppetelli's and Stoudt's. The deck would be removed in the off season, and they are planning to use existing vegetation for screening. The Osika's looked at the possibility of moving the deck to the left, but this would cause the clearing of vegetation. Another issue would be the shallow water conditions if the dock was only 30' long. The Osika's are requesting 45.5 feet variance. Mr. Cunningham displayed the plans for the board and pointed out the 7' and 5" setback. He explained that this length and area are needed so that the client can make full use of the dock area.

#### **Board Discussion:**

Mr. Bell asked if the Osika's are sharing this parcel with two other neighbors and if this is the second dock in this area. Mr. Cunningham replied that there is a second dock and a

mooring which is contributing to the 30 square feet. Mr. Bell asked if the third family owned the mooring, and the other two neighbors owned the dock. Mr. Cunningham replied, yes. Mr. Dewar asked if the 438' also include the three owners. Chair Erickson replied that, yes, the 438' also include the neighbors, Zeppetelli and Stoudt, which is over the 400 SF limit that they have.

The chair stated that if this variance is approved no other moorings will be allowed, even if the property is sold and a new owner wanted an additional dock. They will need to have in writing Mr. Stoudt's approval, as his property value will be affected. Mrs. Osika stated that he did agree and that all three parties had to agree to proceed with the proposal. Chair Erickson explained that as they share the property, even though they have their own dock, it could be challenged. Mrs. Osika agrees that she will get the approval from Mr. Stoudt in writing. Mrs. Osika asked if they shared the dock with Mr. Stoudt if it could be divided. Chair Erickson stated that it cannot be divided in the deed as the property is already an individual interest between the three parcels.

Mrs. Osika asked what steps need to be taken if they wish to share the dock? Chair Erickson stated that they need to speak to the attorney about this and Mr. Legett will get back to them. She explained that it would most likely need to be in the deed, but the attorney would be who needs to answer this question.

Chair Erickson requested the following in order to deem the application complete:

- Photographs of the property
- Stakes marking the proposed stair locations
- A notarized letter from Mr. Stoudt confirming his consent and understanding of the impact on property value

Mr. Dewar made a motion to deem the application complete upon the conditions previously outlined. The motion was seconded by Mr. Scripture.

A public hearing is set for July 22<sup>nd</sup>.

**File # 2025-11-AV**

**Tax Map # 38.15-1-19**

**Kristen Brown**

45 Clearwater Lake Road

Brant Lake, NY 12815

Applicant seeks an Area Variance from **Section 6.10 – Schedule of Intensity and Dimensional Requirements** to construct a 24' X 28' house inclusive of an attached deck & porch, plus entrance stairs of 6.5' x 8'. The proposed Roadway Setback is 52.3' where 60' is required. The Roadway Setback variance request is 7.7'. The proposed Shoreline Setback is 45.8' where 100' is required. The Shoreline Setback variance request is 54.2'.

Representing Ms. Brown is Mr. Anthony DeGregorio from SRA Engineers. Mr. DeGregorio explained that Ms. Brown wishes to build a 24' X 28' house with an 8' attached half screened in deck on the front of the house going towards the lake, and a 4' X 8' porch on the roadside. She also proposes a drilled well, on site wastewater system. To build on this property a variance is needed as the front road and shoreline setbacks are overlapping. The house would be consistent with other houses in the neighborhood, along with its proximity to the lake. The house will comply with side yard setbacks, lot coverage and height requirements, but there is no way to build on the lot and meet the front and shoreline setbacks.

#### **Board Discussion:**

Chair Erickson asked if there is a public beach near the side of the parcel. Mr. DeGregorio replied that it is a neighbor's private beach, which is partially on Ms. Brown's land and so it their deck. The owner has spoken to them about moving it, in which they were agreeable. They are on good terms. It's the last lot available to build on in this area. He also explained that it is lot #13 on the site plan.

Mr. DeGregorio pointed out a discrepancy on the application. The site plan however, he believes is correct. He will verify this.

A discussion of the dimensions of the structure ensued. Chair Erickson stated that the stairs are where the variance starts from. The side near the stairs should be where the shoreline variance should come from.

Mr. DeGregorio asked if the stairs and the overhangs are all part of the variance. Chair Erickson replied that they are and asked him to put this on the site plan.

Mr. Nawrot asked why the house could not be moved back farther. Mr. DeGregorio explained that the septic is in the way, and they are working to keep the proposed house in the same line with the neighbors' houses. He added that they reworked the stairs to try and make the footprint as small as possible.

Chair Erickson read the definition of a structure to clear up any confusion. She explained that Mr. DeGregorio needs to take the variance request from the closest part

of the structure and edit the dimensions accordingly. Mr. DeGregorio asked if the board would prefer that he use feet and inches in the plans, as opposed to decimals be used in the dimensions. The board all agreed that this is better understood by all.

Chair Erickson asked Mr. DeGregorio if the property was staked out, so that the board can see where the house will be located. Mr. DeGregorio stated he will stake it out around the 4<sup>th</sup> of July weekend.

Mr. DeGregorio wanted to add to the record that that lot #12's deck was not surveyed, but their house was and to the best of their ability they lined this house up with the existing properties. They measured from the front of the houses. Mr. Nawrot asked if the deck lined up with the fronts of the other houses. Mr. DeGregorio replied that from the survey for the most part they due, and lot #14 has a deck and this was included on the survey. Mr. DeGregorio stated that the non-jurisdictional inquiry was received, that there are no wetlands, they are also under the 40 feet. He also stated that the SEQRA was completed. Chair Erickson stated that this is a type 2, and no action is required.

Chair Erickson requested a motion to deem the application complete, contingent upon:

- Revised plot plan with corrected dimensions
- Property staked to indicate house and stair placement

Mr. Dewar made a motion to deem the application complete seconded by Mr. Nawrot. A public hearing is set for July 22<sup>nd</sup>.

Mr. Nawrot made a motion to close the meeting, seconded by Mr. Bell.

**Meeting adjourned at 7:45 PM.**

**Next meeting: July 22, 2025**

Respectfully Submitted,

*Julie Marinelli*