

**Town of Horicon
Zoning Board of Appeals**

**January 23, 2018
Minutes**

Present at Meeting:

Cheryl Erickson, Chairperson
Scott Olson
Pat Farrell
James Dewar

Also Present: Town Attorney Justin Grassi, Bob Olson, Mac Hadden and Jim Steen.

Chairperson Cheryl Erickson called the meeting to order at 6:56 p.m.

Pledge

Review of Minutes: Scott Olson made a motion to accept the December 19, 2017 minutes as amended. Second by Pat Farrell. **ALL AYES.**

PUBLIC HEARING: **File 2017-20 AV**
 Tax Map # 70.15-1-12
 Maclane Hadden
 3519 East Schroon River Road
 Brant Lake, NY 12815

Requesting an Area Variance for a shoreline setback from Zoning Code 6.10 to place a covered open picnic area attached to the garage to sit 78' from the shoreline where 150' is required.

Maclane Hadden was present and spoke about the proposed project to refresh the memory of the Board Members. The map and pictures that were included with his application show exactly what he wants to do with this proposed project. He wants a covered open area to make the building have a nicer appearance on the property as well as the view from the river. He looks forward to doing his landscaping and putting the final touches on the proposed project.

Chairperson Cheryl Erickson asked if he is proposing to extend 16' from the garage wall.

Maclane Hadden responded that they are about 16' out and after the pitch it comes in about a foot (15') so it looks esthetically correct.

Chairperson Cheryl Erickson asked if the garage is non-conforming.

Mac Hadden stated that yes and he needed roadway and shoreline setback variances to build the garage.

Jim Dewar asked Maclane Hadden if he will be adding more slab.

Maclane Hadden responded no he is planning on using crushed stone or patio block. He does not want to pour any more concrete and prefers to use lower maintenance materials.

Being no further questions or comments Scott Olson made a motion to close the Public Hearing. Second by Pat Farrell. **ALL AYES.**

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UNFINISHED BUSINESS : **File 2017-20 AV**
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Requesting an Area Variance for a shoreline setback from Zoning Code 6.10 to place a covered open picnic area attached to the garage to sit 78' from the shoreline where 150' is required.

Before completing the Balancing Test Chairperson Cheryl Erickson stated that the Warren County review statement was received indicating no county impact from this proposed project.

Scott Olson made a motion to deem this a TYPE II SEQRA action and no further SEQRA review is necessary. Second by Pat Farrell. **ALL AYES.**

Chairperson Cheryl Erickson stated that no negative correspondence or comments were received from any neighboring owners regarding this proposed project.

Chairperson Cheryl Erickson stated that the ZBA shall now balance the benefit to the applicant with the 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 the garage is the perfect place to put this proposed project. It is no closer to the shoreline than the existing house and enhances the side of the building. It is consistent with the neighboring properties.
2. There will be no undesirable change in the neighborhood character or undesirable change to any nearby properties because it is consistent with the other homes in the neighborhood. It improves the visual from the river as well.
3. The requested variance is substantial; however, is mitigated because the garage wall will be improved upon with the attached covered area. The garage is already non-conforming and this structure will be no closer to the river than the existing house.
4. The request will have no adverse physical or environmental effects on the property or to neighboring properties. No trees will be removed with this proposed project and the rain runoff from the length of the garage will have the least impact. Brush in the front of the patio area will absorb runoff and will create a nicer visual effect from the river.
5. The alleged difficulty is self-created but that does not necessarily preclude this as a denial.
6. This is the minimum variance necessary for this setback because the building is already non-conforming and is improving on what is currently there. It will be no closer to the river than the existing house. It will beautify the property and will create a nicer visual impact from the river.

Being no further questions or comments and based on the previous discussions, Scott Olson made a motion to approve the Area Variance for a shoreline setback from **Zoning Code 6.10** to place a covered open picnic area attached to the garage to sit 78' from the shoreline where 150' is required. Second by James Dewar. **ALL AYES.**

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Communications: **None**

Public Comments: Town Board member Bob Olson spoke about the requirement for training for the Board members. He indicated that Mark Schachner does training at the Town itself and if anyone is interested in any certain subject we can arrange for Mark to do a training here in Horicon.

Board Comments: Chairperson Cheryl Erickson stated that there are still no applicants for alternates for the ZBA and the search continues. New ads were recently placed and hopefully by word of mouth someone will apply for the position.

Being no further comments or questions Scott Olson made a motion to adjourn the meeting. Second by Pat Farrell. **ALL AYES.**

Adjourn: **7:17 PM**

Next Meeting Date: February 27, 2018

Respectfully Submitted,
Terri Katsch, Secretary