

Present:

Gary Frenz, Chairman
Cheryl Erickson, Vice-Chair
Carl Heilman
Thad Smith
Charles Lewis
Pat Farrell, Alt #1
Scott Olson, Alt #2

Also Present: Cathi Radner, Town Counsel

Bob Olson, Town Board Member
Bill McGhie-Planning Board Member
Patricia Greenwald
John Silvestri, Esq.
Elizabeth and Eugene Viani
Kathy and Mike Hill
Tim Beadnell

Approval of Minutes: Cheryl Erickson made a motion to approve the February minutes with modifications. 2nd by Charles Lewis. All Ayes.

Agenda Items: File #2014-01AV Tax Map 36.12-1-3 Halvorsen, Carl and Audrey
File# 2014-02AV Tax Map 72.13-1-32 Tumblebrooke Farm LLC
File#2014-04AV Tax Map 20.10-1-44 Sean Doyle
File#2014-03A Tax Map 88.-2-21 Crystal Lake HOA

The regular meeting was called to order by Chair, Gary Frenz at 7:00PM.

Pledge:

Communications:

New Business: File# 2014-01AV

Tax Map 36.12-1-3
Halvorsen, Carl & Audrey
455 East Shore Road
Area Variance for a shoreline and roadway setback

Attorney John Silvestri representing the Halvorsens was present to review File # 2014-01AV he stated that the present structure was only 900 square feet and was built in 1958. The applicants are proposing to demolish the existing structure and rebuild in the same footprint. They are going to leave the steps exactly the same but are proposing to alter the pitch of the roof to increase interior headroom and on the lakeside add a second floor porch above the lower porch with a roof over it. These alterations would add an additional 192 square feet to the structure.

Carl Heilman asked Attorney John Silvestri if there would be a height difference and if an APA permit would be required. Attorney John Silvestri responded by saying there would not be a height difference and he had submitted a Jurisdiction Inquiry Form to the APA and that the APA responded that they do not require a permit or variance for this project.

Cheryl Erickson queried that the proposed project was altering the bedroom count from 3 to 2 bedrooms and Attorney John Silvestri responded that was true.

Cheryl Erickson made a motion to deem application File # 2014-01AV complete and schedule a public hearing for July 22, 2014. 2nd by Thad Smith. ALL AYES

New Business: File# 2014-02AV
Tax Map 72.13-1-32
6941 State Route 8
Tumblebook Farm LLC-Patricia Greenwald
Area Variance for a 100 foot walkway to Access Lake

Patricia Greenwald was present to discuss the proposed boardwalk. She stated that she has a cottage on Route 8, she can see the lake but she cannot get to it. She has a dock permit for a 40 foot dock but she needs a 100 foot boardwalk to get to it. The proposed boardwalk would cross over a seasonal wetland area. She stated that she was meeting with the APA marine biologist on July 1st.

Jim Steen said that he had provided 2 photos to show that there is 100 feet to open water. This project was similar to the Lebowitz boardwalk and does require an APA permit.

Jim Steen said that he had provided 2 photos to show that there is 100 feet to open water. This project was similar to the Lebowitz boardwalk and does require an APA permit.

Patricia Greenwald stated that adjacent properties have similar problems like her and that her neighbor had received a variance for a boardwalk as well.

Cheryl Erickson asked if there was fill in the wetland area. Chairman Gary Frenz responded no and said there is no depth issue with dock this is just a seasonal wetland problem, and that is why it is before the ZBA and not the Planning Board.

Jim Steen stated that only the first 50' (from shoreline) of the boardwalk requires a variance from shoreline setback. The rest is code compliant but still needs an APA permit due to the wetlands.

Cheryl Erickson asked Patricia Greenwald if she had submitted an application to the APA yet and was answered yes but the APA needed more information before deeming it complete.

Patricia Greenwald was also asked who would be completing the project for her and she answered Mike Baker.

Cheryl Erickson made a motion to deem the project complete and schedule a public hearing for July 22, 2014, 2nd by Thad Smith. ALL AYES.

New Business: File# 2014-04AV
Tax Map # 20.10-1-44
821 East Shore Drive
Sean Doyle represented by Mike Hill Contracting
Area Variance for shoreline setback

Contractor Mike Hill was present to represent file#2014-04AV. He stated that he would be adding a 12x12 screened porch and 4x5'6" addition to an already existing 8x5'6" porch in order to create an entry and first floor bathroom for elderly residents of the property. He continued on to say that this was the most conforming area on the lot to expand to without tree cutting, vegetation disturbance and to work around the already existing septic area. The corner of this proposed structure was 31 feet from the mean high water mark and an area variance was needed as they did not have 50 feet. This was not a year round home and was made of an Adirondack structure and felt that the new addition would help anchor the existing foundation.

Carl Heilman asked about a deed for the property.

Cheryl Erickson questioned the way the variance application was written and stated that it was not similar to what had been presented in the past. Attorney Cathi Radner assured Cheryl as this application may be different it is still prepared the right way and that the information is correct.

Thad Smith made a motion deeming the application complete contingent upon receiving a copy of the deed on or before the next ZBA meeting and schedule a public hearing for July 22, 2014.2nd by Cheryl Erickson. ALL AYES

New Business: File# 2014-03A
Tax Map# 88.-2-21
Crystal Lake HOA
Appealing Zoning Administrators determination issuing ZC#2013-18

Attorney Cathi Radner explained to the Zoning Board of Appeals that their job was to determine if the Zoning Compliance Certificate should have been issued by Zoning Administrator Jim Steen That the responsibility of the petitioner was to convince the board that they have been damaged by the issuance of this compliance certificate. The applicant had the burden of proof.

Elizabeth Viani representing the Association explained that they have a court date on June 30 not regarding an appeal but one that the Court will either issue a Motion of Stay of construction or determine Tim Beadnell has the right to move forward with construction and hoped to be able to report at the next ZBA meeting.

Cheryl Erickson made a motion that the interpretation documentation was deemed complete and schedule a public hearing for July 22. 2nd by Thad Smith. ALL AYES.

PUBLIC COMMENTS: None

BOARD COMMENTS: Chairman Gary Frenz introduced our 2 new Board Member alternates Pat Farrell and Scott Olson and welcomed them.

In addition, Chair Gary Frenz reminded ZBA members of their required board training responsibility and suggested he would talk to Mark Schachner, Town

Counsel about providing an educational seminar in the Town Community Room similar to what was provided last year.

Town Board Member Bob Olson reminded the ZBA members that the three proposals presented this evening located on State and County Roads needed to get Warren County Planning Board Impact Approval prior to the next scheduled public hearings.

Being nothing further before the board Thad Smith made a motion to adjourn the June meeting. 2nd by Carl Heilman. ALL AYES

Meeting adjourned at 8:05

Respectfully Submitted

Dorothy Johnson