

Town of Hague
Zoning Board of Appeals
March 23, 2006

Present: Robert Goetsch, Chairman
Mary Lou Doulin, George Ianson, Tina King, Lindsay Mydlarz, Bill Pittman

Absent: Martin Fitzgerald, Jr.

Also attending: Catherine Clark, ZEO
Nancy Young, Recording secretary

Robert Goetsch called the meeting to order at 7:00 pm.

Public Hearings

The Public Notice, as it appeared in the Glens Falls Post Star on March 14, 2006 was read by Cathy Clark.

Harrison, (43.17-1-1) Lakeshore Dr. TR1

Applicant wishes to erect a 4 ft. high by 320 ft. long fence 6 inches from the property line.

Robert Goetsch asked for comments in favor of the project. There were none.

The following people spoke in opposition to the proposal:

Joe Stanislawsky, neighboring property owner feels the fence will be too close to his home. It would limit his view and restrict airflow to existing vegetation.

Don Stricker, a neighbor, briefly reviewed the history concerning the existing fence and was concerned about long term environmental effects of the proposed fence.

The following 3 letters were read by Nancy Young:

Ludolf Megow, no date, against granting the variance

Claire and Don Best, dated 3/20/06, against the variance request

Joan Winne Grishkot, dated 3/19/06, no objection to granting the variance

Ms. Young read an e-mail from Sandy and Bill Vincelette, dated 3/21/06 stating they had no objection to replacing the old fence as long as guidelines are followed. Ms. Clark noted she has contacted the Vincelettes to clarify the nature of the variance request.

Navitsky, (93.19-1-10) Lakeshore Dr. RC

Applicant wishes to construct a single family residence and garage on a legal, non-conforming lot. A variance is needed for the rear line setback and percentage of lot coverage.

Chris Navitsky, applicant, listed the following justifications for approval:

A single family home will not negatively affect the neighborhood. It would be in character with the rest of the neighborhood. The home will be set back against the mountain and will not impact any view.

Removing the barn will increase the setback..

The existing wastewater system constrains the location for the building. The grade on the side of the house is better for building the needed handicap ramp.

There will be no negative physical or environmental impact. A storm water plan has been designed and a state of the art wastewater system will be installed.

The lot was pre-existing, therefore the hardship was not self-created.

No one else spoke for or against the project.

No letters were received concerning this proposal.

Robert Goetsch closed the Public Hearing at 7:15 pm. The regular meeting began immediately.

Regular Meeting

The minutes from 2/23/06 were approved on a motion heard from George Ianson, seconded by Lindsay Mydlarz.

Vote: Ayes: Goetsch, Ianson, Mydlarz, Doulin, Pittman

Nays: none

Abstain: King

Harrison, (43.17-1-1) Lakeshore Dr. TR1

After a brief discussion, Tina King moved to deny the variance request based on the following:

The hardship is self created.

Granting the variance would create a hardship for the neighbors.

The existing fence is within 50 ft. of the lake.

The new fence would be 6 inches from the property line.

Mary Lou Doulin seconded the motion.

Vote: Carried, 6-0

Navitsky, (93.19-1-10) Lakeshore Dr. RC

Chris Navitsky reviewed the plans with the Board.

The existing wastewater system for Kay Barton, located on his property, for which there is a deeded easement, dictates placement of the new construction. Mr. Navitsky, an engineer, assured members that measures have been taken should that system ever fail.

The lot is a pre-existing .5 acres.

Present lot coverage is 4%, proposed 16%.

The driveway will be paved, and has been included in the proposed lot coverage figure.

The rear set back for the existing barn is 9 ft. The barn will be removed; new construction be 16 ft. from same line.

The grade behind the new building is quite steep.

Storm water plans will need LGPC approval.
An APA jurisdictional inquiry is underway.

Tina King made a motion to approve the requested variances, with the condition there be no further increase of lot coverage, because of the location in the RC zone, and that the easement for the maintenance of the existing septic system last in perpetuity. George Ianson seconded.

The motion for approval was based on the following:

There will be no undesirable effect to the neighborhood. Removing the barn will reduce the non-conformity of the year yard setback.

The Navitskys were given the property. It could not be used without a variance.

The request is not substantial.

The proposal will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.

The hardship is self created.

Vote: Carried, 6-0

Puckette, (42.12-1-18) Lakeshore Dr. TR1

Robert Goetsch reviewed the proposal to add a 6 x 12 ft. addition to the rear of an existing non-conforming home. The addition will maintain the current 4 ft. sideline setback, thus requiring a variance. The Puckettes would like to extend their kitchen and build a bathroom on the first floor of the home. Verification of the existing setback is forthcoming, according to Cathy Clark.

Bill Pittman moved to deem the application complete and schedule a Public Hearing for the next meeting. Lindsay Mydlarz seconded.

Vote: Carried, 6-0

Permission has been granted for members to visit the site. A Site Visit was scheduled for Saturday, March 25th.

Berger, (12.18-1-17) Lakeshore Dr. TR1

The Bergers would like to remove a portion of their existing deck and staircase. The staircase, located on the north side, encroaches on the neighbor's property. A new staircase, with landings, would be constructed on the lake side of the property. This new staircase would connect to existing stairs to the dock. A variance is needed for the sideline and shoreline setbacks.

Motion heard from Tina King to deem the application complete and schedule a Public Hearing for next month. George Ianson seconded the motion.

Vote: Carried, 6-0

Permission has been given to visit the site. A Site Visit was scheduled for Saturday, March 25th.

Wisher, 43.5-2-15) Graphite Mountain Rd. Hamlet

Mr. Wisner would like to build a 9x16 ft. addition to the rear of an existing non-conforming structure in order to house a refrigeration unit. A variance for the sideline setback will be needed. Mr. Wisner would also like to add a cement stoop to the front of the building and has applied to NYSDOT for a permit.

A variance to construct an 8x16 ft. addition to the rear of the building was issued in 1994, but

the project was never completed.

Tina King moved, and Bill Pittman seconded a motion to deem the application complete and schedule a Public Hearing for next month.

Vote: Carried, 6-0

Mr. Wisner, who was in attendance, gave permission for members to visit the property.

A Site Visit was scheduled for Saturday, March 25th.

Wisher, (12.18-1-15.1 and 12.18-1-15.2) Lakeshore Dr. TR1

A lot line change is being requested to allow the applicants a 36 ft. dock on their residential property. Both lots are non-conforming and were created by variance in April of 2002. Variance approval was granted with the condition there be no further subdivision of the lots, which are jointly owned by Mr. Wisner and Ms. Eaton. A variance for the land area is needed. The Planning Board reviews all lot line changes.

Tina King moved and George Ianson seconded a motion to deem the application complete and to schedule a Public Hearing for next month.

Vote: Carried, 6-0

Mr. Wisner gave permission for members to visit the property. A Site Visit was scheduled for Saturday, March 25th.

Other business

Board members discussed the need to consider only the details of a proposal when reviewing a variance request. They should not be influenced by the applicants.

Adjournment

A motion to adjourn at 8:11 pm was heard from Mary Lou Doulin and seconded by Bill Pittman.

Vote: Carried, 6-0