

**TOWN OF HAGUE  
ZONING BOARD OF APPEALS  
TOWN HALL  
HAGUE, NEW YORK 12836  
Telephone 518/543-6161**

**Minutes of:  
January 22, 2015  
TIME: 7:00 PM**

**PUBLIC HEARINGS:**

**1. BROWN (43.13-1-43) 17 Anchor Way (TR1) VAR 09-14**

Acting Chair Hanna called for anyone to speak in favor of the application:

Mr. Rizza – President of the Cape Cod Village Association stated that the association approved this application.

ZEO Clark read a letter from the association. She also read a letter from Mr. Conway, a neighbor, in favor of this application.

The Warren County Planning Board’s letter stated ‘no impact and no conditions.’

The Hague Planning Board made a positive recommendation to approve this application at the January 8, 2015 meeting.

Acting Chair Hanna called for anyone to speak against the application:

No speakers against this application.

At 7:04, Chris Navitsky moved to close the public hearing, Maureen Cherubini 2<sup>nd</sup> the motion. All member in attendance voted yea.

**CALL MEETING TO ORDER:**

Deputy Chairman Hanna called the meeting to order at 7:04pm

**INTRODUCTION OF BOARD MEMBERS:**

Board members: Acting Chair Jon Hanna, Linda Mury, Ray Snyder, Chris Navitsky, Maureen Cherubini, and Lindsay Mydlarz. Robert Goetsch was absent.

**APPROVAL OF MINUTES OF: December 18, 2014**

Chris Navitsky moved and Ray Snyder seconded a motion to approve the minutes of December 18, 2014 with recommended changes. All voted aye.

**1. BROWN (43.13-1-43) 17 Anchor Way (TR1) VAR 09-14**

**The Applicant would like to increase the footprint of the existing structure by adding a 149 sq. ft. addition and add a 1098 sq. ft. second story addition. No setbacks will become more nonconforming if the application is approved.**

**Zoning issues: 160-62 A Greater than 25% increase to a nonconforming house.**

Brown continues:

Chris Navitsky questioned whether stormwater management was included in the application. Mr. Best, Ms. Brown's representative, stated that there was presently storm water management on the property, but he has not looked into the situation. Mr. Best stated that there were drywells in the driveway presently. Chris Navitsky also asked whether the two trees towards Lakeshore Dr. were staying. Mr. Best said they would be trimmed back, but would stay.

Chris Navitsky made a motion to grant the variance with the condition that the Town's ZEO gives approval for the stormwater management on this property, Ray Snyder seconded.

- a. Will an undesirable change be produced in the character of the neighborhood or to the detriment of nearby properties?  
No, these changes are consistent with other changes in the neighborhood and the neighbors have no objections.
- b. Can the benefit sought by the applicant be achieved by some method feasible to the applicant other than an area variance?  
No. The applicant stated that the same effect could have been achieved with a basement, but the water table is too high.
- c. Is the requested variance substantial?  
Yes, but not overwhelming.
- d. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?  
No. It is a minimal increase in square footage and the applicant is willing to put in stormwater management devices.
- e. Is the alleged difficulty self created?  
Yes, with the request of an addition.

Roll Call Vote: Ayes - Linda Mury, Ray Snyder, Chris Navitsky, Maureen Cherubini, Lindsay Mydlarz, and Jon Hanna. Nays – none. Vote 6-0.

## **NEW BUSINESS:**

### **1. CAPE COD VILLAGE CLUB, INC. (43.13-1-31) NYS Rte. 9N (TR1) VAR 10-14**

**The Association would like to subdivide a 2.93 acre parcel into a .37 acre parcel (with a clubhouse) and a 2.56 acre vacant association parcel. A variance is required due the 1.1 acre zoning district. No additional development of either parcel is planned at this time.**

**Zoning issues: 160-6, 160-23 A & 150-13 Creating a parcel less than 1.1 acres**

Cape Cod Village Club, Inc. continues:

ZEO Clark stated that since the current acreage of the Association lots have two development rights, the APA suggested that if approval for the subdivision is giving a condition that the proposed Association lot retained only one development right, that way there would be no change in development (one development right currently is assigned to the Association Club House.)

The lots of this Association sold into private ownership in 1959, which predates the APA Act and the Codification of Hague, hence there was no formal subdivision.

There was a discussion on whether or not the lot size can be increased and the closeness of the building to the brook. The average lot size in the village is .09 acre, as states by the Association's President Mike Rizza. He went on to say that the Association has no plans to build on the larger lot at this time. When questions as why this request was made, Mr. Rizza stated the condition of the building was in need of repairs and the Association did not have the means to make improvements. They hope to sell the lot to someone who can make those renovations.

Linda Mury made a motion to deem this application complete with the correction that the Jenkins Brook is located 1.5 feet from the footprint of the building, Maureen Cherubini seconded.

Roll Call Vote: Ayes - Linda Mury, Ray Snyder, Chris Navitsky, Maureen Cherubini, Lindsay Mydlarz, and Jon Hanna. Nays – none. Vote 6-0.

Site Visit is scheduled for 1-26-15 at 4:00pm  
Public Hearing is scheduled for 2-26-15

**OTHER BUSINESS:**

A discussion on procedures for application denial ensued. ZEO Clark clarified some questions and will follow up with an email on this subject to all members.

**ADJOURNMENT:**

A motion was made by Maureen Cherubini, Chris Navitsky seconded to adjourn the meeting 7:35 pm. All voted aye.

Respectfully submitted,

Janet Hanna  
Recording Secretary