

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

**Minutes of: March 28, 2019
TIME: 7:00 PM**

PUBLIC HEARINGS:

Chairman Robert Goetsch opened the hearing at 7:00 pm

1. HANNA (93.16-1-40) 36 Sabbath Day Pt. Rd. (TRIR) VAR 01-19

There was no one to speak for or against this application. Warren County letter stated ‘no impact.’

Lindsay Mydlarz made a motion to close the public hearing, Chris Navitsky seconded at 7:02pm

CALL MEETING TO ORDER:

Chairman Robert Goetsch called the meeting to order at 7:03 pm

INTRODUCTION OF BOARD MEMBERS:

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

APPROVAL OF MINUTES OF: February 28, 2019

Jon Hanna moved and Ray Snyder seconded a motion to approve the minutes February 28, 2019. Chris Navitsky abstained, all others voted aye.

OLD BUSINESS:

1. HANNA (93.16-1-40) 36 Sabbath Day Pt. Rd. (TRIR) VAR 01-19

The owners would like to remove a 12’ x 25’ legal nonconforming shed from the lakeside of their property and place a new 14’ x 28’ shed on the roadside of their property. The existing shed is currently on the sideline of the property and is within the shoreline setback. The proposed shed will sit 2’ from the sideline and 2’ from the frontline if approved.

Zoning issue: 160-24 Front and side setbacks

Jon Hanna recused himself.

Chris Navitsky made a motion to approve this application, Maureen Cherubini seconded.

- a. Will an undesirable change be produced in the character of the neighborhood or to the detriment of nearby properties?
No, it is a small property, several alternatives were presented by the applicant but all were dismissed as unfeasible.
- b. Can the benefit sought by the applicant be achieved by some method feasible to the applicant other than an area variance?
Removing an old decaying structure is the only feasible methods.
- c. Is the requested variance substantial?
It could be considered substantial.
- d. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?
No, and none of the neighbors returned comments on the application.
- e. Is the alleged difficulty self-created?
Yes, because it is a small lot.

Roll Call Vote:

Ayes – Lindsay Mydlarz, Chris Navitsky, Ray Snyder, Maureen Cherubini, and Robert Goetsch.

Nays -0

Abstain – 1 Hanna

Motion Passed 5-1-0

NEW BUSINESS:

1. MATO Properties, LLC (12.18-1-15.1) 9574 Lakeshore Dr. TRI VAR 02-19

The owners are applying for a Variance to convert a large (4,000 sq. ft.) single family dwelling into a two family dwelling. The building was formally Indian Kettle/The View restaurant.

Zoning issues: 160-23 C (2) (a) & 160-56 Multi-family dwellings

Per ZEO Cathy Clark the last subdivision in 2002 had several restrictions attached. The footprint is not increasing, there is no well, lake water only, and there is no septic, just holding tanks. It is zoned for 1.1 acres per dwelling, the existing lot is .97 of an acre. Shoreline required is 100' per dwelling. This lot has 253' of shoreline.

Robert Goetsch feels this is new use and a septic system is needed. He also question use of existing of docks.

Chris Navitsky questioned the need for DOH approval of the holding tanks or a new septic system. The ZEO stated that residential septic are govern under the Towns septic laws.in conjunction with DOH Standards. He also feels a storm water management system is needed, possibly removing the tarmac and replacing with vegetation.

The board feels the application is incomplete. They are requesting:

A letter from LGPC on dock permits status.

A storm water management plan. Pavement removal?

Septic evaluation, whether or not it is feasible.

Documentation on any advanced water treatment system.

OTHER BUSINESS: None

ADJOURNMENT:

A motion was made by Jon Hanna, Lindsay Mydlarz seconded to adjourn the meeting at 7:40pm. All voted aye.

Respectfully submitted,

Janet Hanna

Recording Secretary