

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

**Minutes of: June 28, 2018  
TIME: 7:00 PM**

**PUBLIC HEARINGS:**

Deputy Chairman Hanna called the hearing to order at 7:00 pm

**1. MCCARVILLE (26.10-1-3) 43 Forest Bay Rd (TRIR) VAR 03-18**

Brian Huntsman of Eric & Eric Construction explained that he was the construction manager and he assumed he could relocate the garage as long as it was within the setbacks. He was unaware of zoning regulations. It was moved due the steep slope of the land at the original location. ZEO Clark stated that if any changes were made to an approved permit from the Town and the County the applicant would have had to request a modification to the permit before the construction of the structure began.

Sandy Warner, Forest Bay Property Association President and also a neighbor wanted to clarify the issue to explain to the association. She has no issue with this application.

Wayne Gunther, also a neighbor has no issue with this application.

ZEO Clark read the recommendation from the Planning Board. Dick Frasier stated that a site visit was made. The garage is located more than 50 feet from where the approved application placed it. The Warren County person inspecting the foundation evidently didn't notice this change. The owners didn't notice this change? We have been plagued with after the fact variances. Judy Gourley made a motion to make a recommendation to the Zoning Board of Appeals to deny this application, Pam Peterson seconded. All voted aye.

Warren County Planning board returned a determination of "No County Impact."

**2. REGIMBALD (25.2-1-17) 9565 Graphite Mtn. Rd (OCI) VAR 04-18**

Rose and Ralph Regimbald spoke in favor of subdivision of their land.

ZEO Clark read the recommendation from the Planning Board. Dan Belden made a motion to make a positive recommendation to the Zoning Board of Appeals, Meg Haskell seconded. All voted aye.

At 7:10 pm the board voted to close the Public Hearing.

**CALL MEETING TO ORDER:**

Deputy Chairman Hanna called the meeting to order at 7:10 pm

## **INTRODUCTION OF BOARD MEMBERS:**

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

## **APPROVAL OF MINUTES: May 24, 2018**

Maureen Cherubini moved and Ray Snyder seconded a motion to approve the minutes of May 24, 2018. Chris Navitsky abstained, he was not present. All others voted aye. 5-1-0 approved.

## **OLD BUSINESS:**

### **1. MCCARVILLE (26.10-1-3) 43 Forest Bay Rd (TRIR) VAR 03-18**

**A 24' x 26' garage, was permitted to be built 56.6' from the frontline setback, but was found to be built 2.9' from the frontline of this property.**

**A Survey and Variance application were requested to stay this violation.**

**The applicants are now requesting a Variance for a garage built 2.9' from the frontline of this property.**

**Zoning issue: 160-24 A. frontline setback**

Chris Navitsky stated he understood the relocation due the slope, but the applicants needed to request a modification to the permit to the County and the Town for the change of location before construction began. He recommends a condition for storm water management added to this application, if approved. He is not opposed to the approval of this application as relocation would cause great disturbance of the land.

Chris Navitsky made a motion to grant this application, Lindsay Mydlarz seconded the motion with the condition that storm water management is added to the applications and plans are approved by the ZEO.

- a. Will an undesirable change be produced in the character of the neighborhood or to the detriment of nearby properties?  
Yes, it could by, relocate/reconstructed at great expense.
- b. Can the benefit sought by the applicant be achieved by some method feasible to the applicant other than an area variance?  
No, other in the neighborhood have garages close to the road.
- c. Is the requested variance substantial?  
Yes, very substantial.
- d. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?  
No with the condition of storm water management it may be an improvement.
- e. Is the alleged difficulty self-created?  
Yes.

McCarville continues:

Roll Call Vote:

Ayes – Jon Hanna, Chris Navitsky Lindsay Mydlarz, and Maureen Cherubini

Nays – Ray Snyder, Linda Mury

Motion Passed 4-2

**2. REGIMBALD (25.2-1-17) 9565 Graphite Mtn. Rd (OCI) VAR 04-18**

**The owner is requesting a variance for a two lot subdivision.**

**Zoning issue 160-27 A.**

Chris Navitsky made a motion to grant this application, Maureen Cherubini seconded with the condition that storm water management be part of any new development on the newly created vacant lot.

- a. Will an undesirable change be produced in the character of the neighborhood or to the detriment of nearby properties?  
No, they are both consistent with the neighborhood.
- b. Can the benefit sought by the applicant be achieved by some method feasible to the applicant other than an area variance?  
No.
- c. Is the requested variance substantial?  
No, it is minimal.
- d. Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?  
No, with the condition of storm water management on the new lot.
- e. Is the alleged difficulty self-created?  
Yes, lots were combined in 2001, but previously two separate lots.

Roll Call Vote:

Ayes – Jon Hanna, Chris Navitsky Lindsay Mydlarz, Ray Snyder, Linda Mury and Maureen Cherubini

Nays – None

Motion Passed 6-0

**NEW BUSINESS:**

**1. SISCA (76.20-1-3.1) 8 Silver Bay Road (TRIR) VAR 05-17**

**The owners are requesting a 4' high x 27' long spilt rail fence to be installed 23' from the mean high water mark of Lake George.**

**Zoning issue: 160-24 A**

Carol Sisca stated that her neighbors rent their house and renters constantly come on to her property and dock. The fence is to deter them.

Linda Mury deemed this application complete, Ray Snyder seconded. All voted aye.

Sisca continues:

A site visit was declared unnecessary. A Public hearing will be held July 12, 2018 at 7:00pm.

**OTHER BUSINESS: None**

**ADJOURNMENT:**

A motion was made by Chris Navitsky, seconded by Ray Snyder to adjourn the meeting at 7:42pm. All voted aye.

Respectfully submitted,

Janet Hanna  
Recording Secretary