

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

**Minutes of:
October 26, 2017
TIME: 7:00 PM**

PUBLIC HEARINGS:

Chairman Goetsch called the Public Hearing to order at 7:00 pm.

1. STRONG (93.19-1-11) 7768 Lakeshore Drive (RC) VAR 10-17

Chairman Goetsch opened the public hearing at 7 pm. ZEO Clark read the recommendation from the Planning Board and reported that Warren County stated there was no county impact. A letter from Mr. Strong was acknowledged.

At 7:05 pm Ray Snyder made motion to close the public hearing, Linda Mury 2nd the motion. All members present voted aye.

Chairman Goetsch called the regular meeting to order at 7:05 pm.

INTRODUCTION OF BOARD MEMBERS:

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

APPROVAL OF MINUTES OF: September 28, 2017

Maureen Cherubini moved and Ray Snyder seconded a motion to approve the minutes of September 28, 2017 with the following corrections: On page 3, paragraph 1, line 2, insert "like" between "It looks" and "the railing" and in paragraph 4 line 1 change "a" to "and" so reads "...very angry and said he...." All voted aye.

OLD BUSINESS:

1. STRONG (93.19-1-11) 7768 Lakeshore Drive (RC) VAR 10-17

The applicant would like to erect a 5' high residential fence within 20 feet of a NYSDOT right-of-way and a 3' fence within the right-of-way. Zoning issues: 160-52 (A & B)

Chris Navitsky reiterated that he is a neighbor.

The Board discussed the need for a 5' high fence. Mr. Navitsky stated that he was the most aggrieved neighbor being directly across the street from the Strong's property and had no problem with the 5' high fence.

Ray Snyder made a motion to deny the application, Maureen Cherubini 2nd the motion stating they should only approve a 4' high fence. The chair said there is a conflict within the motion. The motion did not go to a vote of the Board. The Board member enter into more discussion of the application.

Chairman Robert Goetsch stated that the variance would have to be denied or approved but cannot be amended since the applicant was not in attendance.

Chris moved to approve the application as submitted and went through the required questions:

1- Will an undesirable change be produced in the character of the neighborhood or to the detriment of nearby properties?

No. Construction of the fence will not obstruct the view.

2- Can the benefit sought by the applicant be achieved by some method feasible to the applicant other than an area variance?

Not other than a fence. Could put in vegetation but that wouldn't work in a parking area.

3 - Is the requested variance substantial?

2 ft. could be deemed substantial but it is not an issue.

4- Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?

I don't believe so and it is necessary for safety reasons.

5- Is the alleged difficulty self-created?

Yes, although there are elevations they need to protect. So the 5 ft. fence would be safer.

Linda Mury seconded the motion.

Roll call: Robert Goetsch - yes, Lindsay Mydlarz - yes, Linda Mury - yes, Ray Snyder - no, Chris Navitsky - yes, Maureen Cherubini - no. Application approved 4 - 2.

NEW BUSINESS:

1. KARP (60.5-1-17) 43 Pine Cove Rd. (TRI) VAR11-17

The applicant would like to construct a 112 sq. ft. bedroom addition over an existing deck. They are also applying for a Variance for a 120 sq. ft. deck addition.

Zoning issue: 160-50 B. (b) (1)

ZEO Clark stated that the application related to this legal non-conforming house will not make it more non-conforming.

Chairman Goetsch noted he has worked for the Karps but not recently.

The board asked the ZEO that the application be adjusted to reflect the actual shoreline setback to the stairs. Chris Navitsky moved that they deem the application complete and put it on next month's agenda. Lindsay Mydlarz seconded. Motion approved.

A site visit was set for Monday, November 6, 2017 at 3 pm.

OTHER BUSINESS:

1. RICHARDS (12.18-1-16) 9568 Lakeshore Dr. (TR1) VAR 09-15

The owners of this property are requesting a two year extension of their Jan. 28, 2016 variance approval so they may have more time to complete their accessory structure .

Maureen Cherubini moved and Ray Snyder seconded a motion to approve a two-year extension, to begin on January 28, 2018. Goetsch, Mydlarz, Mury, Snyder and Cherubini voted yes and Chris Navitsky voted no. Motion approved 5-1.

ADJOURNMENT:

At 7:20 pm Maureen Cherubini moved and Lindsay Mydlarz seconded a motion to adjourn. Motion approved 6-0 vote.

Respectfully submitted,
Judy Stock
Acting Recording Secretary