

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

**Minutes of:  
May 25, 2017  
TIME: 7:00 PM**

**PUBLIC HEARINGS: None**

**CALL MEETING TO ORDER:**

Chairman Goetsch called the meeting to order at 7:00 pm

**INTRODUCTION OF BOARD MEMBERS:**

Board members: Jon Hanna, Ray Snyder, Chris Navitsky, Maureen Cherubini, Robert Goetsch, Linda Mury, and Lindsay Mylardz. ZEO Clark was present.

**APPROVAL OF MINUTES OF: April 27, 2017**

Chris Navitsky moved and Jon Hanna seconded a motion to approve the minutes of April 27, 2017 as presented. All voted aye.

**OLD BUSINESS:**

**1. ASIEL (60.9-1-45) 20 Bobkat Ln. (TRI) VAR 07-17 Modified 5-19-17**

**The applicants would like to construct a 1 ½ story garage and mudroom addition to an existing house. The existing percentage of coverage is currently 30.74%, if approved the percentage of coverage will be 30.34 %.**

**Zoning issue: 160-23 A. Percentage of coverage.**

John Beitenbach, speaking for the applicant requested to remove this application as they plan to further modify the plans.

**2. SILVER BAY ASSN. (76.12-1-19) 87 Silver Bay Rd. (Hamlet Sec.) VAR 02-17**

**Silver Bay Assn. would like to replace the existing nonconforming Dining Hall with a new two story structure which will be attached to the existing nonconforming Inn. The proposed building will house a new Dining Hall, Kitchen, Conference Rooms and 22 new guest room.**

**If approved there will be a 43% increase to the existing sq. ft. of the Inn.**

**Zoning issue: 160-62 A. More than a 25% increase to the existing sq. ft.**

Silver Bay Assn. continues:

ZEO Clark stated that all information that has been requested by the board has been provided for DOT permits, gurney access, waste water treatment, DEC assurances that Silver Bay Association will be held to a valid SPDES permit.

Jace Brown from Phinney Design explained the path for a gurney coming in and out from the loading dock to the conference room.

Chris Navitsky is comfortable with the building design but still has concerns about environmental impacts. A draft permit is not valid and he does not see in writing the removal of 22 rooms when the new 22 rooms are added to the system. There is not a completion date for the wastewater system. If we place this as a condition to application, the building can still be built. What would our recourse be then? Chris thinks we need some assurances in writing.

Steve Tamm, CEO of Silver Bay Association, stated that Cedarwood Engineering has been employed to work with DEC on the septic system(s). Steve feels keeping Lake George clean is in the best interest of Silver Bay. He has stated that when the new 22 rooms are put in service, 22 older rooms of equivalent flow will be removed from service. This has been confirmed in writing with the DEC. The estimate date of a new septic system could be early 2019. Chris Navitsky says that the draft does not state anything about the 22 rooms, he would like something in writing. Steve Tamm will write a letter from Silver Bay in plain Language about when the new 22 rooms are put in service 22 older rooms of equivalent flow will be removed from service. The new building is planned to be open in the spring of 2018. Chris Navitsky asked if there are flow records of individual buildings. Tom Jarrett of Jarrett Engineering has started metering individual buildings.

Jon Hanna stated that this is the largest project he has been involved in and it has been very complex. He made a motion to approve, Lindsay Mylardz seconded:

With the conditions as follow:

- A letter will be received into the record from Bruce Tamm, CEO of Silver Bay Association stating that when the new conference facility is occupied Silver Bay will remove 22 rooms, of the equivalent flow, from service until such time as the new wastewater system is operational.
- Silver Bay must maintain a valid SPDES permit and receive the NYSDEC approval for the newly proposed waste water system.
- If any wastewater leaching device is installed on lot 76.12-1-19, lots 76.12-1-19, 76.16-1-3 & 76.16-1-4 must be merged to meet the Principle Dwelling units in this Zoned area.
- Silver Bay Assn. must obtain a NYSDOT final permit for the reconstruction of the service road entrance at NYS RT 9N.

Silver Bay Continues:

- a. Will an undesirable change be produced in the character of the neighborhood or to the detriment of nearby properties?  
Not the plans as submitted.
- b. Can the benefit sought by the applicant be achieved by some method feasible to the applicant other than an area variance?  
No, because of the scope of the project.
- 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?  
Many concerns have been brought up but due diligence has been presented.
- e. Is the alleged difficulty self-created?  
Yes, it is.

Roll Call Vote:

Ayes: Jon Hanna, Ray Snyder, Chris Navitsky, Maureen Cherubini, Robert Goetsch, Linda Mury, and Lindsay Mylardz.

Nays: None

Motion passed 7-0.

**3. D'ANTONIO (60.5-1-9) 7 Pine Cove Rd. (TR1) VAR 05-17**

**At the owners request this application Tabled until the June 22, 2017 ZBA meeting. The owners have begun to construct a 16' x 40 deck which is attached to their nonconforming house. They are now applying for an after the fact Variance so they may continue.**

**Zoning issue: 160-23 A, Rear line setback**

**NEW BUSINESS: None**

**OTHER BUSINESS: None**

**ADJOURNMENT:**

A motion was made by Maureen Cherubini seconded by Lindsay Mylardz to adjourn the meeting at 7:35 pm. All voted aye.

Respectfully submitted,

Janet Hanna  
Recording Secretary