

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

**Minutes of:
May 26, 2016
TIME: 7:00 PM**

PUBLIC HEARINGS:

CALL MEETING TO ORDER

Chairman Goetsch called the meeting to order at 7:15 pm

INTRODUCTION OF BOARD MEMBERS:

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

APPROVAL OF MINUTES OF: April 28, 2016

Jon Hanna moved and Ray Snyder seconded a motion to approve the minutes April 28, 2016. All voted aye.

OLD BUSINESS:

NEW BUSINESS: None

OTHER BUSINESS:

An appeal has been requested for the ZBA's interpretation of the intent of our definition of a marina. Should it include the rental or gifting of two dock spaces or less of a residential dock which is located on a residential lot?

Chapter 160

The Codes of the Town of Hague

§ 160-10. Definitions

MARINA

A waterfront facility renting, gifting or selling berths or moorings for boats not registered to the property owner, his family or a renter of a dwelling unit on the same zone lot; may include the sale of marine products and services, including gas, oil, dry storage, repairs, new and used boats, sales and service, boat rentals and charters.

After a discussion of the Board of the input of the joint ZBA & PB workshop a motion was made by Jon Hanna for the following determination:

That the Zoning Board of Appeals hereby determines that the intent of the definition of a Marina, as written in Article III, Section 160-10 does not apply to the renting or gifting of two or less dock spaces or moorings of a dock which is connected to a residential lot.

The motion was seconded by Ray Snyder.

Roll call vote:

AYES: Snyder, Mydlarz, Cherubini & Hanna

NAY: Goetsch & Navitsky

Resolution #1 of 2016 attached.

ADJOURNMENT:

A motion was made by Jon Hanna, Lindsay Mydlarz seconded to adjourn the meeting at 7:17 pm. All voted aye.

Respectfully submitted,

Janet Hanna
Recording Secretary

**TOWN OF HAGUE
ZONING BOARD OF APPEALS**

Resolution #1 of 2016

For the Zoning Board of Appeals Interpretation of the Definition of a Marina as Stated in Article III, Section 160-10 of the Codes of the Town of Hague.

WHEREAS, in Article XII section 160-68 grants the Zoning Board of Appeals the authority to make an interpretation of the Codes of the Town of Hague.

WHEREAS, the Town of Hague Zoning Board of Appeals has received an Appeal from the Planning Board for its interpretation of the definition of a Marina to exclude the rental or gifting of two berths space or moorings or less connected to a residential property.

WHEREAS, this action would be consistent with the ruling of the Adirondack Park Agency of which the Town of Hague has a Local Land Approved Program from said agency. The agency only considers a dock a Marina if the owners rent more than two berths or moorings to the public.

WHEREAS, the renting or gifting of two dock spaces or less has been a common practice throughout the Town of Hague for many decades and has been encouraged by Warren County Real Property to subsidize their ability to pay the rising lakefront property taxes.

WHEREAS, to require all residents to apply for Variance approval or Site Plan Review to rent their docks or mornings (of 2 or less) would impose an undue hardship on the property owner and to the Zoning Board of Appeals and Planning Board as well.

NOW BE IT RESOLVED, that the Zoning Board of Appeals hereby determines that the intent of the definition of a Marina, as written in Article III, Section 160-10 does not apply to the renting or gifting of two or less dock spaces or moorings of a dock which is connected to a residential lot.

Introduced by: Jon Hanna

Seconded by: Ray Snyder

DULY ADOPTED BY THE FOLLOWING VOTE:

AYES: Snyder, Mydlarz, Cherubini & Hanna

NAY: Goetsch & Navitsky

DATED: May 26, 2016

Respectfully submitted by:

Janet Hanna, Recording Secretary

