

APPROVED
LAKE GEORGE VILLAGE ZONING BOARD MEETING
NOVEMBER 3, 2010 - 7:00PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY

BOARD MEMBERS PRESENT:

Ron Mogren - Chairman, Dick Butler, Virginia Henry, Kevin Merry.

BOARD MEMBERS ABSENT:

OTHERS PRESENT:

Doug Frost (Enforcement Officer), Carol Sullivan (Secretary).

Chairman Mogren called the meeting to order at 7 PM and opened the Public Hearing for all three applications.

TAX MAP: 251.14-1-19

OWNER/APPLICANT: KEN GETHARD

ADDRESS: 167 COOPER ST.

ZONE: RESIDENTIAL

VARIANCE APPLICATION #1062 – PUBLIC HEARING

Owner/Applicant is applying for an area variance. Owner/Applicant is seeking relief from the 15 foot side yard requirement for the construction of a deck. Owner/Applicant is applying for a 5 foot side yard setback.

Ken explained they purchased the house approximately three years ago. He pointed out the house was built in the 70s and has a 5 foot setback for the side yard. Pointing to the footprint of the house he showed where the house is designed in an "L" shape and they would like to build a deck in the area of the L at the rear of the house thereby squaring off the design.

Carol mentioned the Village office did not receive any comments from the neighbors (within 250 ft.) who had been notified. Ron Mogren, addressing the audience asked for public comment. No one was present.

The board agreed there is not an impact to the residential area.

Doug reminded the applicant that he will have to go before the Planning Board regarding the design of the deck. This board is only looking at the variance tonight.

Ron Mogren, addressing the audience asked for public comment. There was no public comment.

MOTION: Ron Mogren made a motion to grant the five foot setback for the side yard based on the following Fact Finding items:

1. The benefit to the applicant as weighed against the detriment to the health, safety and welfare of the neighborhood or community is greater because there is no impact and therefore no detriment to the health and safety of the neighborhood.
2. The variance will not have an undesirable effect on the character of the neighborhood because the relief is 10 feet on the side yard at the rear of the house and the deck addition is small.

APPROVED
LAKE GEORGE VILLAGE ZONING BOARD MEETING
NOVEMBER 3, 2010 - 7:00PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY

3. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because the deck will fit nicely in the portion of the house as described and is within the confines of the setback that has already been established by the house.
4. The requested area variance is not substantial.
5. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood because the structure is not significant enough to pose any adverse environmental conditions.
6. The alleged difficulty was not self-created.

MOTION 2ND: Ginny Henry

Ron Mogren	Dick Butler	Virginia Henry	Kevin Merry
Aye	Aye	Aye	Aye

Ayes = 4 Nays = 0. Motion carried.

TAX MAP: 251.14-3-26
ADDRESS: 400 CANADA ST
OWNER/APPLICANT: SALIM AMERSI
VARIANCE APPLICATION: #1066 – PUBLIC HEARING
ZONE: COMMERCIAL RESORT

Owner/applicant is applying for an area variance for the freestanding “Surfside on the Lake” sign. Owner/applicant is seeking 100% relief from the Village Code which requires freestanding signs to be brought into compliance whenever any of the lettering, message or graphics is changed. Applicant’s proposal is to change the current manual reader board to a digital reader board.

Salim explained the sign is a classic sign from the 50s era and has been maintained over the years to keep it in quality condition. He explained he would like to change out the manual reader board and install a new digital reader board which will be 4 ft 3 inches x 4 ft 3 inches. Salim stated there is no difference in the size of the proposed reader board and the current reader board. Salim mentioned he did send a letter to the three neighboring properties to advise them of his intention and see if they had any objections; they did not.

Carol mentioned the Village office did not receive any comments from the neighbors (within 250 ft.) who had been notified.

Salim mentioned the sign has sort of become the Surfside on the Lake trademark as it appears on all their advertising, letterhead, logos, website, etc. He also pointed out the sign often appears in other media such as the Today Show when it filmed a show on Lake George.

The board agreed that LED is the new modern wave for lighting and they like the fact that the size of the reader board is not changing.

Ron Mogren, addressing the audience asked for public comment. John Carr mentioned that he supported the change and thinks it will make the sign more modern. The Georgian, represented

APPROVED
LAKE GEORGE VILLAGE ZONING BOARD MEETING
NOVEMBER 3, 2010 - 7:00PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY

by Ashish Tari, also indicated they like the idea and love the current Surfside on the Lake freestanding sign.

MOTION: Ron Mogren made a motion to grant the variance and to allow the freestanding sign to remain in its present state and allow the change to a digital reader board based on the following Fact Finding items:

1. The benefit to the applicant as weighed against the detriment to the health, safety and welfare of the neighborhood or community is greater because there is no impact because the size of the sign is not increasing and therefore no detriment to the health and safety of the neighborhood.
2. The variance will not have an undesirable effect on the character of the neighborhood because the reader board is remaining the same size and this is a small change to the existing sign.
3. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because the sign is being modernized to allow the continued use of a reader board.
4. The requested area variance is not substantial.
5. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood because the modification to the sign does not create an environmental impact.
6. The alleged difficulty was not self-created.

MOTION 2ND: Dick Butler

Ron Mogren	Dick Butler	Virginia Henry	Kevin Merry
Aye	Aye	Aye	Aye

Ayes = 4 Nays = 0. Motion carried.

TAX MAP: 264.06-2-40
ADDRESS: 33 CANADA ST
OWNER/APPLICANT: JOHN CARR
VARIANCE APPLICATION: #1067 – PUBLIC HEARING
ZONE: COMMERCIAL MIXED USE

Owner/applicant is applying for an area variance. Owner/applicant is seeking relief from the Village Code which requires accessory structures to be located a minimum of 10 feet from the principal building. Owner/Applicant is installing a 12 foot wide by 17 ½ foot high grain bin. Applicant/owner is seeking approval of a 0 foot setback from the principal building so the accessory structure can sit right next to the principal building.

John explained he was seeking a variance for an accessory structure and that the Planning Board views the grain bin as an accessory structure. Currently the Village Code requires a ten foot setback from the principal building for accessory structures. He would like to place the structure right next to his building behind a fenced area that currently houses the dumpster used for cardboard. It will be painted the same color as the building.

APPROVED
LAKE GEORGE VILLAGE ZONING BOARD MEETING
NOVEMBER 3, 2010 - 7:00PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY

Ron Mogren, addressing the audience asked for public comment. No one was present however, Carol mentioned Paul Livingston of a neighboring property stopped by the Village Office today to express his favoritism for this project.

MOTION: Ron Mogren made a motion to grant the variance to allow the John to place the grain bin next to his building based on the following Fact Finding items:

1. The benefit to the applicant as weighed against the detriment to the health, safety and welfare of the neighborhood or community is greater because placing the bin closer to the building will make it less noticeable.
2. The variance will not have an undesirable effect on the character of the neighborhood because the bin will be against the building.
3. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because adding the bin will eliminate trucking to the site.
4. The requested area variance is not substantial.
5. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood because the impact would be the same wherever the bin is located on the property.
6. The alleged difficulty was not self-created.

MOTION 2ND: Kevin Merry

Ron Mogren	Dick Butler	Virginia Henry	Kevin Merry
Aye	Aye	Aye	Aye

Ayes = 4 Nays = 0. Motion carried.

MOTION: Ginny Henry made a motion to close the public hearing.

MOTION 2ND: Kevin Merry

Ron Mogren	Dick Butler	Virginia Henry	Kevin Merry
Aye	Aye	Aye	Aye

Ayes = 4 Nays = 0. Motion carried.

MINUTES

MOTION: Ginny Henry made a motion to approve the June 2, 2010 minutes without change.

MOTION 2ND: Dick Butler

Ron Mogren	Dick Butler	Virginia Henry	Kevin Merry
Aye	Aye	Aye	Aye

MOTION: Dick Butler made a motion to approve the July 20, 2010 minutes without change.

MOTION 2ND: Kevin Merry

Ron Mogren	Dick Butler	Virginia Henry	Kevin Merry
Aye	Aye	Aye	Aye

APPROVED
LAKE GEORGE VILLAGE ZONING BOARD MEETING
NOVEMBER 3, 2010 - 7:00PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY

MOTION: Ginny Henry made a motion to approve the September 1, 2010 minutes without change.

MOTION 2ND: Kevin Merry

Ron Mogren	Dick Butler	Virginia Henry	Kevin Merry
Aye	Aye	Aye	Aye

Ginny Henry made a motion to adjourn the meeting, seconded by Dick Butler and unanimously carried.

Aye – 4 Nay - 0 Motion carried.

Respectfully submitted,
Carol Sullivan
November 17, 2010