

**APPROVED - MINUTES  
LAKE GEORGE VILLAGE ZONING BOARD MEETING  
AUGUST 1, 2012- 7:00 PM  
VILLAGE ADMINISTRATION BUILDING  
26 OLD POST ROAD - LAKE GEORGE, NY**

**BOARD MEMBERS PRESENT:** Ron Mogren - Chairman, Kevin Merry, Tom Sullivan

**BOARD MEMBERS ABSENT:** Dennis Barden, Ginny Henry

**OTHERS PRESENT:** Doug Frost (Enforcement Officer), Carol Sullivan (Secretary), Peter Clarke, Elliott Heyman.

Ron Mogren opened the ZBA meeting at 7:05 PM.

Ron mentioned the public hearing for the following applications is still open.

**OWNER/APPLICANT: JOANN STAFFORD-PAIGE**

**TAX MAP: 251.14-4-26.1**

**ADDRESS: 90 MONTCALM ST**

**ZONE: RESIDENTIAL MIXED USE**

**VARIANCE APPLICATION #V03-2012A**

Area variance is being sought for a boundary line adjustment between 90 Montcalm St. and 90 Helen St. Application is to move the Helen St. south side yard boundary line which separates the two properties; this will require a variance for the rear yard setback at 90 Montcalm St. The rear yard setback in the residential mixed use zone is 20 feet. The closest point to the proposed new rear yard setback at 90 Montcalm St. is 8.3 feet. Rear yard setback request is for 8.3 feet. Relief is 11.7 feet.

Ron asked for public comment. There was no public comment.

No additional comments were made by the Board.

Ron Mogren closed the public hearing for application V03-2012A – Joann Stafford-Paige

**MOTION:** Ron Mogren made a motion to approve the variance for a lot line adjustment at 90 Montcalm St. The rear yard setback will be 8.3 feet at the closest point to the proposed new rear yard property line at 90 Montcalm St. This motion is 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 detriment. The house at 90 Helen St. will have the same driveway that it has always had and the house at 90 Montcalm St. will have a driveway, garage and carport all located at 90 Montcalm St.
2. The variance will not have an undesirable effect on the character of the neighborhood because this is just a lot line adjustment.
3. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because there is no other method.
4. The requested area variance is not substantial because it is a lot line adjustment to allow for the existing driveway at 90 Helen St.
5. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood because there are no changes to the physical or environmental conditions of the neighborhood.
6. The alleged difficulty was not self-created.

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**MOTION 2<sup>ND</sup>:** Kevin Merry

Ron Mogren	Dennis Barden	Ginny Henry	Kevin Merry	Tom Sullivan
Aye	Absent	Absent	Present	Aye

Ayes = 3 Nays = 0. Motion carried.

**OWNER/APPLICANT: PETER CLARKE**

**TAX MAP: 251.14-1-23**

**ADDRESS: 34 WEST ST.**

**ZONE: RESIDENTIAL MIXED USE**

**VARIANCE APPLICATION #V05-2012**

Application is to construct a one car garage at the rear of the property. The rear yard setback requirement in the residential mixed use zone is 20 feet. Application is for an area variance for a 10 foot rear yard setback. Relief sought is 10 feet.

Ron asked for public comment. There was no public comment.

No additional comments were made by the Board.

Ron Mogren closed the public hearing for application V05-2012A – Peter Clarke.

**MOTION:** Ron Mogren made a motion to approve the area variance to construct a one car garage at the rear of the property having a 10 foot rear yard setback.

This motion is 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 the LGHS football field is located directly behind this property.
2. The variance will not have an undesirable effect on the character of the neighborhood because the garage will be located 10 feet away from the LGHS football field.
3. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because the location for the garage appears to be the best location given the neighboring properties and current driveway location.
4. The requested area variance is not substantial because there will be a 10 foot rear yard setback.
5. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood because there is no adverse physical or environmental impact to the neighborhood.
6. The alleged difficulty was not self-created.

**MOTION 2<sup>ND</sup>:** Tom Sullivan

Ron Mogren	Dennis Barden	Ginny Henry	Kevin Merry	Tom Sullivan
Aye	Absent	Absent	Present	Aye

Ayes = 3 Nays = 0. Motion carried.

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**OWNER/APPLICANT: RAY PADILLA  
TAX MAP: 264.06-1-24  
ADDRESS: 85 PHILIP ST.  
ZONE: SINGLE FAMILY RESIDENTIAL  
VARIANCE APPLICATION #V06-2012**

Application is to construct a 12 foot by 20 foot one car carport on the west side of the existing one car garage and to build a 36 foot x 8 foot deck addition onto the front (north side) of the house.

**Carport:**

The side yard setback in the single family residential zone is 10 feet. The closest point to the west side yard boundary line is 4 feet. Side yard setback request is for an area variance for 4 feet. Relief is 6 feet.

**Deck:**

The side yard setback in the single family residential zone is 10 feet. The closest point to the east side yard boundary line is 7.2 feet. Side yard setback request is for an area variance for 7.2 feet. Relief is 2.8 feet.

Ron asked for public comment. There was no public comment.

No additional comments were made by the Board.

Ron Mogren closed the public hearing for application V06-2012 – Ray Padilla.

**MOTION:** Ron Mogren made a motion to approve the area variance to construct a one car carport having a west side yard setback of 4 feet at the closest point and to construct 36 foot x 8 foot deck on the front of the house having an east side yard setback of 7.2 feet. This motion is 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 detriment and this is a property improvement.
2. The variance will not have an undesirable effect on the character of the neighborhood because both items are improvements.
3. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because the location of the carport is right next to the existing garage and the deck addition will be uniform along the length of the house.
4. The requested area variance is not substantial because the properties located to the east and west will maintain their privacy.
5. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood because there is no adverse physical or environmental impact to the neighborhood.
6. The alleged difficulty was not self-created.

**MOTION 2<sup>ND</sup>:** Tom Sullivan

Ron Mogren	Dennis Barden	Ginny Henry	Kevin Merry	Tom Sullivan
Aye	Absent	Absent	Present	Aye

Ayes = 3 Nays = 0. Motion carried.

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**OWNER/APPLICANT: ELLIOTT HEYMAN  
TAX MAP: 264.06-2-45  
ADDRESS: 51 CANADA ST. ZONE:  
COMMERCIAL MIXED USE  
VARIANCE APPLICATION #V07-2012**

Owner/applicant is applying for an area variance for the freestanding "Windsor Motel" 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 maintain the current 68 square foot size of the sign which includes the reader board, to have permanent lettering on the reader board with a light background which will be back lit.

Ron asked for public comment. There was no public comment.

Last month Ron asked Elliott to look at the sign and see if there is any way he can reduce the size of the variance and Elliott agreed. Elliott explained to the Board this evening that he has looked at the size of the reader board and the size cannot be reduced. The reader board actually has a frame around it which cannot be changed without some work being put into it. He explained he is trying to maintain the sign in the same shape and design it has been since the 1950s. The Board thanked Elliott for taking a closer look at changing the reader board.

Ron Mogren closed the public hearing for application V07-2012 – Elliott Heyman.

**MOTION:** Ron Mogren made a motion to approve the 100% relief variance for the freestanding "Windsor Motel" sign. The applicant will be allowed to maintain the current size of the sign, 68 square feet (including the reader board). The reader board will have permanent lettering, a light background and will be back lit. This motion is 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 detriment, the sign remains as it always has been except for the reader board which will be permanent. .
2. The variance will not have an undesirable effect on the character of the neighborhood because this is actually an improvement which prohibits vandals from taking the letters or moving the letters around to state something inappropriate.
3. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant.
4. The requested area variance is not substantial because the sign is essentially the same as it has always been except for the permanent reader board.
5. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood because it is in keeping with other signs in the neighborhood.
6. The alleged difficulty was not self-created.

**MOTION 2<sup>ND</sup>:** Tom Sullivan

Ron Mogren	Dennis Barden	Ginny Henry	Kevin Merry	Tom Sullivan
Aye	Absent	Absent	Aye	Aye

Ayes = 3 Nays = 0. Motion carried.

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**MOTION:** Ron Mogren made a motion to approve the July 11, 2012 minutes.

**MOTION 2<sup>ND</sup>:** Kevin Merry

Ron Mogren	Dennis Barden	Ginny Henry	Kevin Merry	Tom Sullivan
Aye	Absent	Absent	Aye	Aye

Ayes = 3 Nays = 0. Motion carried

**MOTION:** Ron Mogren made a motion to adjourn the meeting at 7:30 PM

**MOTION 2<sup>ND</sup>:** Tom Sullivan

Ron Mogren	Dennis Barden	Ginny Henry	Kevin Merry	Tom Sullivan
Aye	Absent	Absent	Aye	Aye

Ayes =3 Nays = 0. Motion carried

Respectfully submitted,  
Carol Sullivan  
August 6, 2012