

**LAKE GEORGE VILLAGE
26 OLD POST ROAD
ZONING BOARD OF APPEALS
APRIL 7, 2021
MEETING BEGINS AT 5:00 PM**

BOARD MEMBERS PRESENT: Ron Mogren – Chairman, Kevin Merry, Tom Sullivan, Mike Ravalli, Jeff Blau

BOARD MEMBERS ABSENT: n/a

OTHERS PRESENT: Dan Barusch (Director of Planning & Zoning), Lori Bott (Secretary), Steve Miller, and Peter Quagliaroli.

ZONING BOARD OF APPEALS PUBLIC HEARING

Dan Barusch stated that the meeting is authorized by executive order 202.1. The public has been invited to attend the meeting via Zoom. All votes except for the final decision on the variances can be conducted by an all-in favor. This meeting is being recorded and will be transcribed and will be made available to the public.

TAX MAP:	251.10-3-54
OWNER/APPLICANT:	KAREN GAWRYCH
ADDRESS:	21 SCRIMSHAW LN
ZONE:	RESIDENTIAL
VARIANCE APPLICATION:	AV3-2021

Applicant is proposing a total of one (1) area variance. The variance is for an extension to an existing deck.

The variance requested is as follows:

- Relief of 220-20-Dimensional Table: Minimum side setback is 15 feet. Current deck is four feet from the neighbor's property. The extension will extend the deck forward and will remain four feet from the neighbor's property.

Ron Mogren opened the public hearing at 4:59 p.m.

Ron Mogren asked Steve Miller attending on behalf of the applicant, Karen Gawrych, to approach the Board and explain the request for the variance. Steve Miller explained that he will be expanding the existing deck forward, and the distance from the neighbor's property will remain four feet.

The Board asked if he had spoken to the neighbors about the deck expansion. Steve Miller stated that he had and that the neighbors had no concerns and that the existing shrubbery provides privacy.

Meeting Minutes - APPROVED

Ron Mogren made a motion to approve the application as submitted and addressed the benefit to the applicant as weighed against the detriment to the health, safety and welfare of the neighborhood or community is greater because:

1. An undesirable change will not be produced in the character of the neighborhood or constitute a detriment to nearby properties because the proposal is minor in nature and is a continuation of an existing deck.
2. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because of the situation surrounding the project. There is no other space to align the deck to avoid the set back.
3. The requested area variance is not substantial because the size requested is reasonable.
4. The alleged difficulty was not self-created. It was based on the existing deck.
5. The benefit sought by the applicant cannot be achieved by some other method feasible because of the location of the existing deck.

MOTION 2ND: Kevin Merry

Ron Mogren	Tom Sullivan	Mike Ravalli	Kevin Merry	Jeff Blau
Aye	Aye	Aye	Aye	Aye

Ayes = 5 Nays = 0 Motion carried.

TAX MAP:	251.14-2-1
OWNER/APPLICANT:	CRABBY JOE'S PETER QUAGLIAROLI
ADDRESS:	325 CANADA STREET
ZONE:	COMMERICAL MIXED USE
VARIANCE APPLICATION:	AV2-2021

Applicant is proposing a total of two (2) area variances. The first variance is for the size of a wall sign. The second variance is for the sign to be a white interior lit sign with a red outline.

The variances requested are as follows:

- Relief of 220-24(B)(5): Wall signs. Total wall signage shall not exceed 1.5 square feet per linear foot of building frontage, 10% of the total area of the building facade, or 25 square feet, whichever is less. Relief of this provision to have a sign that is 104 square feet, asking for 79 square feet of relief.
- Relief of 220-24(B)(1)(c)[2]: Internally lit signs with a transparent or light background color are prohibited. Relief of this provision to have a small portion of the internally lit sign with the name of the company, "Joe's" to be white with a red outline.

Ron Morgren asked Peter Quagliaroli to approach the Board and explain the request for the variances. Peter Quagliaroli explained that he is changing the facade of the building. He feels that the sign will be an appropriate size for front of the restaurant and that a smaller sign would

get lost in all the open space. Peter Quagliaroli further stated that he wants to attract attention and foot traffic with his sign and that he has been working with the building's owners to make significant improvements to the building.

The Board expressed concerns about granting a variance for a sign that was four times larger than currently allowed. A picture of the neighboring buildings and their respective signs was displayed for everyone to see what the existing signs looked like and their sizes relative to the size of their corresponding store fronts. It was expressed by the Board that if one sign this large was allowed then they would see several more requests for signs that are significantly larger than the current code allows. The Board let Peter Quagliaroli know that they would not be able to grant a variance for a sign four times larger than the code allows.

The Board and Peter Quagliaroli discussed the concerns outlined by the Board and discussed various options as well as how the second request for an internally lit sign factored into the overall request. The various options discussed included: having Peter Quagliaroli go back to the drawing board and redesign the sign, submit various renderings with the sign as designed in various sizes, straightening out the letters to save square footage, and reducing the amount of ship-lap on the facade to make a smaller sign appear larger.

The Board proposed conditionally granting a variance for sign that is 40 square feet as long as the design remained the same as the original proposal. Peter Quagliaroli agreed to the compromise and said that he would be able to get the new renderings submitted to Dan Barusch within two weeks.

Ron Mogren made a motion to approve the application under the condition that the sign size be reduced to 40 square feet, allowing for an extra 15 square feet of sign because the size is explicitly in the lettering, there is no backdrop to be counted, and the white lettering in Crabby Joe's is inconsequential and is part of the approval. The benefit to the applicant as weighed against the detriment to the health, safety and welfare of the neighborhood or community is greater because:

1. An undesirable change will not be produced in the character of the neighborhood or constitute a detriment to nearby properties because the variances are not great.
2. The benefit sought by the applicant cannot be achieved by some other method and the compromised reached is a feasible solution for this project.
3. The requested area variance is not substantial because the sign is oversized but it is generally just the letters and nothing in between.
4. The proposed variances will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood.
5. The alleged difficulty was not self-created. It was based on criteria set forth from the acceptable sign.

MOTION 2ND: Tom Sullivan

Ron Mogren	Tom Sullivan	Mike Ravalli	Kevin Merry	Jeff Blau
Aye	Aye	Aye	Aye	Aye

Ayes = 5 Nays = 0 Motion carried.

There was a discussion between Dan Barusch and Peter Quagliaroli regarding the code for window and door decals. As per the code, windows can have 35% coverage and doors can have 25% coverage. The signs can not be neon or electronic devices. Peter Quagliaroli gave an overview of how the construction was progressing to the Board.

Ron Mogren made a motion to close the public hearing at 5:37 p.m.

MOTION 2ND: Mike Ravalli

Ron Mogren	Tom Sullivan	Mike Ravalli	Kevin Merry	Jeff Blau
Aye	Aye	Aye	Aye	Aye

Ayes = 5 Nays = 0 Motion carried.

APPROVAL OF MINUTES FROM MARCH 3, 2021 (RM, TS, KM, MR, JB)

Ron Mogren made a motion to approve the minutes from March 3, 2021.

MOTION 2ND: Tom Sullivan

Ron Mogren	Tom Sullivan	Mike Ravalli	Kevin Merry	Jeff Blau
Aye	Aye	Aye	Aye	Aye

Ayes = 5 Nays = 0 Motion carried.

Ron Mogren made a motion to close the meeting at 5:39 p.m.

MOTION 2ND: Kevin Merry

Ron Mogren	Tom Sullivan	Mike Ravalli	Kevin Merry	Jeff Blau
Aye	Aye	Aye	Aye	Aye

Ayes = 5 Nays = 0 Motion carried.

Respectfully submitted,
Lori Bott
April 7, 2021