

**LAKE GEORGE VILLAGE
26 OLD POST ROAD
ZONING BOARD OF APPEALS
AUGUST 5, 2020
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), Stephanie Fregoe (Secretary), Kari Donohue, Ethan Hall

Meeting was held via Zoom.

ZONING BOARD OF APPEALS PUBLIC HEARING

TAX MAP:	251.10-2-14
OWNER/APPLICANT:	KARI DONOHUE
ADDRESS:	19 CHERRY STREET
ZONE:	SINGLE FAMILY RESIDENTIAL
VARIANCE APPLICATION:	AV3-2020

Applicant is amending the previous application to ask for additional variance for parking. Relief requested is of Zoning Code section 220-23(A)(1) for 19 Cherry Street, which requires two (2) parking spaces to be on the same parcel as the proposed single-family dwelling. The proposal includes two (2) parking spaces for the new residence at 19 Cherry Street to be located across the street at 20 Cherry Street.

Ron Mogren called the meeting to order at 5:04pm.

Dan Barusch refreshed the Board on the application that was reviewed in last month's Planning Board meeting. Once Dan followed up with the Mayor and DPW regarding parking, giving Kari the ok to park on Cherry Street, he found there was some miscommunication understanding Kari's request about parking. DPW and the Mayor confirmed that there cannot be parking on Cherry Street in the Village right of way, or at the end of the road, which is a snow storage location for the plow trucks in the winter months. Kari and Ethan have come up with modifications to the site plan application from June Zoning Board variance request. The requirement states that single family dwellings require two parking spaces on their lot. They have located those two spaces on the lot across the street which is also Kari's lot. Ethan Hall has drawn up a cover letter explain this and has provided maps detailing where the spaces will be across the street. Ethan has filled out page 4 of the application which answers reasons for relief of the parking requirements.

Ron addressed the red outlines on the map and asked if the four parking spaces are in the Village right of way. Ethan explained that the black dotted line shows the right of way. The four parking spaces are not within the Village right of way. One map was taken from Google Earth and the other from Warren County GIS so the angles are slightly different.

Ron asked if the triangle lot was sold, how would parking be addressed in the future to another buyer. Kari stated that she is not looking to sell the property. Ethan suggested a deed restriction for 20 Cherry Street that says two parking spaces will remain for 19 Cherry Street.

Ron agreed and suggested some sort of legal description for the location of those cars. Dan Barusch agreed. Ethan noted that the parking for the prior home at 19 Cherry Street was on the road in the right of way. This variance request would be taking care of that problem.

Ron suggested putting a condition into the approve regarding an easement. Dan screen shared the map for the Board to see. Ron talked about the small area that Kari is proposing to pave. Ron stated that he saw no environmental impact with paving such a small area.

Ron asked if there were any comments from the public. No comments were made. Ron Mogren made a motion to close the public hearing.

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.

Dan Barusch screen shared page four of five from the application for Ron Mogren to read into the record.

Ron Mogren made a motion to approve the application with conditions 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 there are no new structures involved and there is insignificant impact with two cars.
2. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because the lot in question is too small to add cars on and there is no on-street parking and there is no other feasible location.
3. The requested area variance is not substantial because it is only two cars and a very small amount of new asphalt pavement and it is not significant for any kind of runoff.
4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because the impact of that small amount of asphalt pavement will not be significant enough to cause any impact.
5. The alleged difficulty was not self-created.

Condition: This is conditional upon some sort of legal arrangement such as an easement across the street. This would be a permanent situation for the future property owners. There will be no parking on the Village right of way, as shown on the attached site plan.

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.

Dan Barusch noted that while he and Ethan work together for the permitting process, that Kari should work on a draft easement proposal before permits are given.

APPROVAL OF MINUTES FROM JUNE 3, 2020 (RM, TS, KM, MR, JB)

Ron Mogren made a motion to approve the minutes from June 3, 2020.

MOTION 2ND: Jeff Blau

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 5:29pm.

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.

Respectfully submitted,
Stephanie Fregoe
August 7, 2020