

**LAKE GEORGE VILLAGE ZONING BOARD MEETING
DECEMBER 5, 2018 – 5:00 PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY**

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

BOARD MEMBERS ABSENT: Jeff Blau

OTHERS PRESENT: Dan Barusch (Director of Planning & Zoning), Stephanie Fregoe (Secretary), Devin Dickinson

ZONING BOARD OF APPEALS PUBLIC HEARING

TAX MAP:	251.14-3-28
OWNER/APPLICANT:	VINCENT CROCITTO
ADDRESS:	380 CANADA STREET, LAKE MOTEL
ZONE:	COMMERCIAL RESORT
VARIANCE APPLICATION:	1854

Applicant is proposing to replace existing 10 x 12-foot metal frame nylon canopy with a 10 x 12-foot wood post and beam pergola. Location of proposed pergola will be 40 feet from the lake at its closest point, same as existing canopy. A 50-foot shoreline setback is required.

Ron Mogren called the meeting to order at 5:00pm and opened the public hearing.

Devin Dickinson addressed the Board. Mr. Dickinson is representing the Lake Motel. He explained that Vincent Crocitto, would like to replace the existing metal canopy with a wood framed pergola. It is very similar to one that was built at the Super 8 Motel in Lake George, which Mr. Crocitto also owns. Pictures of the pergola at the Super 8 were submitted with the application as an example. The proposed pergola will be similar in construction with the same color of stain. An outdoor fireplace is also proposed. Mr. Crocitto has spoken with the Fireplace Company to discuss feasibility and code issues. Mr. Dickinson explained that a variance is needed because the pergola doesn't meet the set back requirements from the lake. No other alternatives are available as the structure has been set back as far a possible. It will be set up against an existing retaining wall.

Tom Sullivan asked where the fireplace would be in relation to the pergola. Mr. Dickinson explained that the fireplace would be centered in the pergola and on the South side. There is a concrete retaining wall that goes around the pool area and the fireplace will be up against that wall. The pergola is roughly 10 x 20 and the fireplace will go in the middle of that.

Mr. Mogren asked if this has gone to the Adirondack Park Commission. Dan Barusch explained that because the Village of Lake George is considered a hamlet by APA land classification, the Village has jurisdiction over the project. If the project was over 40 feet or was in a wetland area, or if you were expanding an existing structure by more than 25%, then APA approval would be needed. A very small number of projects in the Village will ever go to the APA. APA usually delegates to the Towns the shoreline setbacks, especially in the hamlet.

Mr. Mogren asked if anyone from the public would like to speak. No one spoke on the project.

Mr. Mogren stated that the project seems harmless. Its an improvement and he doesn't have an issue with.

Tom Sullivan, Mike Ravalli and Kevin Merry agreed.

Mr. Mogren made a motion to close the public hearing.

MOTION 2ND: Kevin Merry

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

Ayes = 4 Nays = 0 Motion carried.

Tom Sullivan made a motion to approve the application 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 proposed structure will be wholly located in a Commercial Resort zone and will be invisible from the street and no more visible from neighboring properties than the canopy it will replace.
2. The requested area variance is necessary not to achieve a particular benefit but because the proposed structure is relatively more permanent than the existing one and its setback will be the same as the existing structure it will replace.
3. The requested area variance is not substantial because the proposed structure has only a slightly larger footprint than the existing one and is the same distance from the lake in terms of the required setback and requested variance.
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 property is located entirely within the Commercial Resort zone, is located as far back on the hotel's pool deck as possible, thus minimizing its visual presence, and is essentially the same size as the existing structure. It will have no environmental impact.

5. The alleged difficulty was not self-created but is a function of the presence of the current canopy structure at the time of the applicant's purchase of the property and his desire to enhance the longevity and appearance of the structure but not the purpose of the guest accommodation.

Dan Barusch stated for the record that this is a Type II SEQR project.

MOTION 2ND: Mike Ravalli

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

Ayes = 4 Nays = 0 Motion carried.

Dan Barusch explained to the Board that he has been working with Debra McKinney to validate training and attendance. Stipends will be issued after the holidays in January. If a member is short on credits, Dan will notify that member.

Mr. Mogren made a motion to approve the minutes from November 7, 2018.

MOTION 2ND: Tom Sullivan

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

Ayes = 4 Nays = 0 Motion carried.

Mr. Mogren made a motion to close the meeting.

MOTION 2ND: Mike Ravalli

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

Ayes = 4 Nays = 0 Motion carried.

Respectfully submitted,

Stephanie Fregoe

December 6, 2018