

APPROVED - MINUTES

**LAKE GEORGE VILLAGE ZONING BOARD MEETING
MARCH 21, 2018 – 5:00 PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY**

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

BOARD MEMBERS ABSENT: n/a

OTHERS PRESENT: Dan Barusch (Director of Planning and Zoning), Stephanie Fregoe (Secretary), James D. Quirk, Jon Lapper, John Carr, Devin Dickinson, Tim Barber

Ron Mogren opened the ZBA meeting and the Public Hearing at 5 PM.

TAX MAP:	264.06-2-5
OWNER/APPLICANT:	JAMES D. QUIRK
ADDRESS:	21 SEWELL STREET
ZONE:	COMMERCIAL RESORT
VARIANCE APPLICATION:	1731

Applicant is seeking relief from the side yard setback of 15 feet to 4.8 feet. Applicant is proposing to build a metal sided boat storage building of 120' x 115'.

§ 220-28 E – Requires all accessory structures to meet current set back requirements.

Jon Lapper addressed the board. He explained that Mr. Quirk's boat storage building would visually be a big improvement to the neighborhood and ease traffic congestion on Sewell Street. Mr. Quirk will be able to conduct his daily operations inside rather than maneuvering boats into the road. Mr. Lapper stated that he has spoken with John Carr about the project and easing congestion in the road. Mr. Lapper explained that the building has been reduced from the original size of 120' x 115' to 120' x 100' to reduce the size of the project. They have added more landscaping and green space. Devin Dickinson presented the board with the new plans showing changes in size and added landscaping.

The variance for the set back of 4.8 on the rear side of the building must remain the same because of the shape of the property line and the size of the boats that would be stored. The walls of the building need to remain flat so Mr. Quirk is able to maneuver his boats inside the building and place them into the storage racks with a forklift. The 120' length would need to remain the same and Mr. Lapper noted that the neighbor, Mr. Carr has an existing fence along that side of the property, that blocks the view of the proposed building. Mr. Lapper explained that the door would need to remain on the west facing side so it is not visible from John Carr's sides of the building.

Devin Dickinson addressed the board regarding landscaping. The current site is mostly parking, gravel and boat storage. He did a full, minor storm water plan for all the roof run off for the new structure. He is proposing to remove some of the gravel for storm water management devices and has increased the amount of green space.

Mr. Quirk stated that he wants to alleviate moving boats in and out on the road. Mr. Barber addressed the board stating that they are also seeking a variance for a metal building. A boat storage building cannot be made of flammable material. He explained that Mr. Quirk's colors of the building and the added windows will help soften

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the look of the building. Mr. Barber further explained that Canada Street design guidelines do not allow metal buildings on Canada Street. Even though the building is located in a back lot and zoning allows a commercial boat storage building, it will still be visible from Canada Street. Mr. Barber explained that a flatter roof design is needed to address snow loads and not needing to add roof drainage. The proposed roof is flatter than what current zoning allows. He is seeking a variance for the roof, metal material and 4.8-foot set back.

Mr. Lapper asked Mr. Carr if he would like a current copy of the proposed plan and Mr. Carr replied that he had been given one. Mr. Carr addressed the board. He has spent the past 20 years on Sewell Street and has invested over \$3 million on improving the quality of Sewell Street. He feels that Sewell Street is not considered a back street, but a continuation of Canada Street. It is also a main entrance for many residents into the Village and back streets. Mr. Carr stated that he feels the look of this project substantially changes the look of the neighborhood. He feels that this project is to build as big a building and put as many boats in as possible and as cheaply as possible. Mr. Carr stated that this does not deserve a variance. He does welcome Mr. Quirk's attempt at building a building and expanding his business, however this building is massive. This project substantially changes the look of the neighborhood. This is not a warehouse zone, or industrial park and this building will look like that. There are people who live across the street and next door to this. Mr. Carr feels there are things Mr. Quirk could do to soften the look or reduce the size of the building. Mr. Carr stressed that this is a massive project that will greatly alter the characteristic of the neighborhood. He feels that every variance Mr. Quirk is seeking is self-created. He could change the pitch of the roof, the size of the building and where it is located on his property and the architecture. He could mix some wood into the design. Mr. Carr asked the board to weigh the legal concerns as this will substantially change the look of the neighborhood and would be a discredit to the residents.

Mr. Lapper addressed the board stating that boat storage is permitted use. The outside boat storage has been there and can remain there covered in tarps. It's not visually attractive. To have the operation happen inside a building is more attractive and is an improvement to the neighborhood. The height and size of the building are permitted. Kevin Merry stated that he disagreed with the height of the building and that the roof is above the allowed 40 feet as shown in the plans. Mr. Merry spoke with the builder at 2pm that afternoon who confirmed the roof pitch of 1-12 and height of 41' 6". Mr. Barber stated that those numbers are incorrect and were from the original building size proposed. The building won't be and cannot be over the maximum height allowed of 40 feet. If a steeper roof was proposed than Mr. Quirk would be unable to stack his boats into racks 4 tiers high. Mr. Lapper again stated that the building would not be over the allowed 40-foot height as they would have to apply for a height variance and they do not want to do that.

Rob Gregor asked what could be done to make this project look more attractive. He noted that Mr. Carr brings valid points to the discussion of making the area look more like a tourist area and not an airport hangar. Mr. Quirk responded that he used two colors and added windows to make the building more visibly attractive. This design and color matches the existing metal buildings on his property.

The board discussed the colors and noted that this is more of a planning board issue. Mr. Gregor wants to address the project overall. Mr. Quirk said that he would be open to changing the colors to have a more Adirondack like feel or natural look. Ron Mogren stated that he is ok with the side yard set back variance but he would like to see a better-looking building overall. The board discussed the possibility of having two buildings instead of one large building. Mr. Barber stated that they would not be big enough for Mr. Quirk to maneuver his boats around inside and place into the boat racks. Smaller buildings are not feasible and would cost substantially more. Mr. Quirk stated that the length of his boats that he stores depicts the needed length and width of the building.

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Mike Ravalli asked Mr. Quirk if all of the boats on his lot will fit into the new building. Mr. Quirk stated no because some of the boats are too big for the racks. The racks can hold boats up to 30 feet in length.

Tom Sullivan agrees with Mr. Lapper that all the area variances requested are minor ones. The steel sided building is compelling from an insurance standpoint, general durability and look five years after construction. Tom stated that he understands the size of the building needed even though it is jarring, however it is not illegal.

Mr. Ravalli said that he would prefer to see two structures even though it would be more expensive.

Kevin Merry said that he feels this is self-created and that changes could be made. Rob Gregor said that the board is searching to find a win-win situation. He asked what changes could be made. Mr. Lapper stated that they have already reduced the size of the building substantially to try and soften the project. If the project is not financially feasible than Mr. Quirk may not build the building and will continue his outside boat storage. As a lake side community, people expect to see boat storage buildings and this is a moderate one.

Dan Barusch addressed the board stating that almost all area variances are self-created. Ron read from the fact-finding sheet item #1 which states: "An undesirable change will not be produced in the character of the neighborhood or will not be a detriment to nearby properties because..."

The board agreed that this is what they are struggling on. Mr. Sullivan said he would rather see a building instead of 50 boats with covers on them. Ron asked about the landscape plantings that would be a buffer between the building and Sewell Street. The plans show 8-10-foot-high plantings. Devin replied that the plantings would be as large as possible to create a buffer, without impeding onto Sewell Street. Devin stated that he has done work for different marinas and the size of the buildings are difficult. The buildings are not like a warehouse or house where you can tweak the plans here and there. The plans have to accommodate for a forklift to move inside. You need a certain size building to put certain sized boats in. Splitting into two buildings would not work. You would not be able to move boats around and the sides of the building would have to remain open.

Mr. Carr readdressed the board. He noted that the expansion of Mr. Quirk's business is great and there is a lot of good things that can happen with this business. He suggesting getting together with the applicant, the builder and Mr. Lapper and coming up with some ideas to make the building look better, adding some architectural elements, while still accommodating as many boats as possible. Mr. Carr's customers will be walking by and will be starring at this building while dining. This project will greatly alter the look of the neighborhood.

Mr. Quirk stated that he has spent a lot of time and money putting this package together. He did look at using another part of his property but the size of his property won't fit the building. He has no other choice but to put the building where it is as presented. He did consider breaking the project down to two buildings but it will not work. He has put a lot of consideration into this project. It will be a significant upgrade for Sewell Street and it will correct the traffic flow.

Mr. Barber stated that the zoning allows for both businesses to be there, both a marina and restaurants. This has been a working marina for over 20 years. He feels that this is not a monstrous building and that the size of it has been blown out of proportion.

Mr. Mogren asked if they are restricted in where the windows are placed. Mr. Quirk replied that they were placed up high so they would not show directly into the rack system. They could be moved down and tinted. The current placement seems to be a good demarcation line from Canada Street.

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Ron would like to seek a compromise with the building. He is ok with the materials, size and the set back from the rear. He feels that this is somewhat of an undesirable change to the neighborhood. He mentioned from the planning boards perspective that earth tone colors and screening the building with plantings are good. There is nothing to break up the 12-foot-high blue walls. The zoning board has to make a decision on the overall appearance of the building.

The board discussed tabling the hearing. The applicant agreed to come back before the board with some changes.

Ron Mogren made a motion to keep the public hearing open until the next Zoning Board of Appeals meeting scheduled for April 4, 2018 at 5:00 PM.

MOTION 2ND: Rob Gregor

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

Ayes =5 Nays = 0 Motion carried.

Respectfully submitted,
Stephanie Fregoe
March 23, 2018