

APPROVED
LAKE GEORGE VILLAGE ZONING BOARD MEETING
JULY 6, 2011- 7:00PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY

BOARD MEMBERS PRESENT:

Ron Mogren - Chairman, Dennis Barden, Virginia Henry, Kevin Merry, Tom Sullivan.

BOARD MEMBERS ABSENT: None

OTHERS PRESENT:

Doug Frost (Enforcement Officer), Carol Sullivan (Secretary), John Carr

Ron Mogren opened the ZBA meeting and the Public Hearing at 7:10 PM. Ron noted there was no public attendance this evening.

TAX MAP 264.06-2-40

OWNER/APPLICANT: JOHN CARR – ADIRONDACK PUB & BREWERY

ADDRESS: 33 CANADA ST

VARIANCE APPLICATION: V02-2011

ZONE: COMMERCIAL MIXED USE

The owner/applicant has applied for an area variance. A new second floor will be constructed to the rear of the existing building. This new second floor, in order to align with the first floor, will require a side yard setback of 3.17'. Owner/applicant is seeking 6.83' relief. A new 2 story addition will be constructed to the rear of the existing building. This new addition, in order to align with the rest of the building, will require a side yard setback of 5.25'. Owner/applicant is seeking 4.75' relief.

Carol pointed out to the Board that John's reference (in the application) to the possible future use of the property next door as commercial is not to be taken into consideration this evening. The property next door is currently a single family residential property. For the purpose of this meeting and in considering this variance the Board can only consider that property as single family residential. The future use has no bearing on tonight's meeting.

John Carr explained the current building is built very close to the property line. A side yard setback variance is needed in order to align the second story of the building with the first floor and the rest of the building. The current retaining wall will be removed and the new building will "go out" 2 feet beyond the where the wall is currently located; the foundation will become the retaining wall. John is hoping to have the second story and the addition line up with the original building. John mentioned he will use gravel to direct stormwater into a new stormwater drain which will be installed towards the rear of the parking lot. John also mentioned that if he were to move the addition to the south in order to meet the setback he would lose some of his parking. If he made the addition longer and narrower to accommodate the setback he would be closer to the rear (west) residential property. The property to the north is residential but the actual building sits very close to Canada St. So the proposed addition has little effect on the rear of the property. The height of the building, because of the grade of the property, will vary from approximately from 26 feet to 38 feet to the top of the cupola.

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The board felt John did a good job at looking at the alternatives for the building placement. They also agreed the second floor and addition will make the property more appealing.

Noting there was no public attendance, Ron Mogren made a motion to close the Public Hearing.

MOTION 2ND: Tom Sullivan

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

Ayes = 5 Nays = 0. Motion carried.

MOTION: Ron Mogren made a motion to grant the variance for the new second floor with a setback of 3.17' and to grant a variance for the new 2 story addition to the rear of the existing building with a side yard setback of 4.75' 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 to the health and safety of the neighborhood.
2. The variance will not have an undesirable effect on the character of the neighborhood because again, there is no detriment. This new construction will actually enhance the look of the building. The home to the north is residential but vacant.
3. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because John presented some other alternatives which the Board reviewed, however, they aren't feasible. The plan presented tonight is the preferred alternate.
4. The requested area variance is not substantial because the building is already on the property and it makes sense to line up the second floor and the new addition.
5. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood because the new construction does not affect the environmental or physical conditions. The addition of stormwater control actually enhances it.
6. The alleged difficulty was not self-created.

MOTION 2ND: Ginny Henry

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

Ayes = 5 Nays = 0. Motion carried.

Ron Mogren made a motion to adjourn the meeting at 7:40 PM, seconded by Kevin Merry and unanimously carried.

Aye – 5 Nay - 0 Motion carried.

Respectfully submitted,
Carol Sullivan
July 18, 2011