

APPROVED - MINUTES
LAKE GEORGE VILLAGE ZONING BOARD MEETING
AUGUST 2, 2017 - 6:00 PM
VILLAGE ADMINISTRATION BUILDING
26 OLD POST ROAD - LAKE GEORGE, NY

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

BOARD MEMBERS ABSENT: n/a

OTHERS PRESENT: Doug Frost (Code Enforcer), Carol Sullivan (Secretary), Stephanie Fregoe (Secretary), James Burke, Kathleen Burke, Con Burke, Sean Quirk.

Ron Mogren opened the ZBA meeting and the Public Hearing at 6 PM and noted there was public attendance.

TAX MAP:	251.18-3-60
OWNER/APPLICANT:	KING NEPTUNE'S – SEAN QUIRK
ADDRESS:	2 KUROSAKA LANE
ZONE:	COMMERCIAL
VARIANCE APPLICATION:	REVISIT OF APPLICATION 1602V – ORIGINALLY APPROVED ON FEBRUARY 1, 2016

Applicant is seeking 100% relief from Section 220-26 Sign Standards A, General Regulations (7)

No sign or part thereof shall contain or consist of animation, pinwheels, posters, pennants, ribbons, streamers or other similar moving, fluttering or revolving devices. Such devices, as well as strings of light, shall not be used for the purposes of advertising or attracting attention when not part of a sign, except as provided below.

Sean Quirk is asking for approval of additional dates in order to use a “strobe light” at King Neptune’s which was previously approved by the ZBA for specific dates on February 1, 2017. In addition, he is asking for approval to use the strobe light either on Friday, Saturday or Sunday for specific weekends. The strobe light will only be used on one day of the weekend requested. He is also asking for approval for New Year’s Eve.

For instance, in 2017, February 19th was the Sunday of President’s Day weekend of the Winter Carnival. Sean is now seeking approval of either Friday, Saturday or Sunday (only one day that he chooses) of President’s Day Weekend of the Winter Carnival.

Therefore, Sean is seeking approval for using the strobe light outside at King Neptune’s on either Friday, Saturday or Sunday (only one day that he chooses) of the weekends when Lake George Village typically celebrates the following:

- Memorial Day.
- King Neptune’s Shake the Lake Fundraiser held at King Neptune’s each year (typically held the 3rd weekend of June).
- President’s Day weekend of the February Winter Carnival.
- Labor Day.
- Columbus Day.
- Halloween.

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AND

- New Year's Eve.

Sean Quirk addressed the Board. Sean stated that there were no reports or negativity that he is aware of and is requesting the remainder of dates for this year. On holiday weekends, one day within a certain time of 9 pm – 12 am or 11 pm to attract business on nights when he has bigger bands booked to give a more concert like appearance. He still has people walking through his door and say they have never been here before. His business is not on the road and people have to walk down the hill. He also has no parking.

Kevin Murray asked if the light is attracting people. Sean answered that he believes so. The light gives a good feeling of an attraction and not just a bar. He can hold 500 on his main dance floor and he has spent some money on big bands.

Sean would like to leave the day open on each holiday weekend as he sometimes can't book the bigger bands on a given night. If a band comes in on a Friday, he will use the light during that block of time on that Friday. If it is a Saturday, he will use the light on that Saturday during the block of time. Sean would like to use his discretion and it will just be the one night and not the Friday, Saturday and Sunday.

Ron asked if the public would like to comment.

Con Burke stated that he has seen the light in the sky and can't see how anyone could be offended by it.

Tom Sullivan stated that his is still opposed to it.

Mike Ravalli 2nd Tom's statement. Mike stated his concern for setting a precedence and is concerned about the village becoming a light show. In trying to make the village classy this will knock it down a notch. Mike stated he has seen the light in action and he is concerned we could have them all the way up and down Canada Street. As he and Tom stated in February, he is concerned about setting a precedence. Mike is a village resident full time.

Kevin Merry stated it is one date every month or month and a half and that he does not find Sean Quirk's light a distraction as it is being used for such a short period of time.

Mike Ravalli asked what other dates Sean was going to ask for and if 6 months from now he would come back with another set of dates.

Rob Gregor responded that the Board could vote on any additional dates. He addressed the 2 major issues. One was complaints: at this time, he understands that there are no complains. Two was in respect to setting a precedence: there have been no other applicants in the past 6 months.

Tom Sullivan stated that setting a precedence is not setting a foundation. Each application needs to be reviewed on its own merit. The Board discussed whether this is a waiver or variance from the sign law.

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7 dates were requested for the year and 4 have already gone through.

MOTION: Ron Mogren made a motion to approve the additional dates.

MOTION 2ND: Rob Gregor

Ron closed the public hearing.

Ron Mogren moved 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 will not be a detriment to nearby properties because the lights will be used on a limited basis and it is not an undesirable character with the lights shining up in the air.
2. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because the applicant is a business owner and is trying to bring people into his establishment and generate interest in his business.
3. The proposed variance is not substantial because it is on a limited trail basis.
4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district because it is temporary and on a limited time frame.
5. The alleged difficulty was not self-created.

MOTION: Ron Mogren made a motion to accept the application.

MOTION 2ND: Rob Gregor

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

Ayes = 3 Nays = 2 Motion carried.

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TAX MAP: 251.14-2-31
OWNER/APPLICANT: KATHLEEN BURKE
ADDRESS: 5 OLD POST ROAD
ZONE: RESIDENTIAL
VARIANCE APPLICATION: 1710V

Applicant is seeking relief from the Zoning Chapter 220 - Dimensional requirements.

The Residential zone requires a minimum of 10,000 square feet per lot.

The applicant is proposing a subdivision tax map # 251.14-2-31. Lot # 251.14-2-31 is currently a 20,488 ± square foot lot. Applicant is seeking to divide lot # 251.14-2-31 into two lots.

Lot # 251.14-2-31 will become 13,165.5± square feet; the current single-family residence will remain.

There will be a new lot of 7,322.5± square feet. Therefore, the applicant is seeking relief for 2,677.5 square feet for the new lot.

Rob Gregor declined to vote as he is an adjoining neighbor. He takes no position due to self-interest.

Con Burke addressed the Board and explained the two different proposals.

Doug Frost explained that Proposal #2 is a legal subdivision and does not need a variance. The variance is for Proposal #1. Irregular lot lines shown in Proposal #2 would not benefit Con or his neighbors. He would meet the required minimum square footage of 10,000. Proposal #1 would be less square footage, but would be a square lot. Con would meet the required set backs on the lots.

MOTION: Ron Mogren made a motion to close the public hearing.

MOTION 2ND: Tom Sullivan

Ron Mogren moved 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 will not be a detriment to nearby properties because this is a subdivision and the buildable area in Lot 10 hasn't changed.
2. The benefit sought by the applicant cannot be achieved by some other method feasible for the applicant because the alternative is that the stripes of land running off Lot 10 would have no benefit.
3. The requested area variance is not substantial because it is a subdivision.

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4. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood and there is no structure proposed at this time.
5. The alleged difficulty was not self-created.

MOTION: Ron Mogren made a motion to accept the application.

MOTION 2ND: Kevin Merry

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

Ayes = 4 Nays = 0 Motion carried.

MOTION: Ron Mogren made a motion to close the Board meeting at 6:30 PM.

MOTION 2ND: Mike Ravalli

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

Ayes = 5 Nays = 0 Motion carried.

Respectfully submitted,

Stephanie Fregoe

August 7, 2017