

**LAKE GEORGE VILLAGE  
ZONING BOARD OF APPEALS  
NOVEMBER 6, 2024  
MEETING MINUTES**

**BOARD MEMBERS PRESENT:** Tom Sullivan – Acting Chairman, Mike Ravalli, Jeff Blau, Robert Lebar, and Kieran Murray (Alternate).

**BOARD MEMBERS ABSENT:** Ron Mogren – Chairman.

**OTHERS PRESENT:** Debonnay Meyers (Planning & Zoning Clerk), Dan Barusch (Director of Planning and Zoning), Ethan Hall, Heather Courtney, Mark Grabo, Glen Bruening, Gabriella Lawson, Tyler Lawson, Jon Lapper, Patricia Dow, Luke Dow, Matt Matcliffe, Laura Kohls, and David Kenny.

Tom Sullivan opened the meeting at 5:00 pm.

<b>TAX MAP:</b>	<b>251.14-3-31</b>
<b>OWNER/APPLICANT:</b>	<b>MARINE VILLAGE – LAURA KOHLS</b>
<b>ADDRESS:</b>	<b>370 CANADA STREET</b>
<b>ZONE:</b>	<b>COMMERCIAL RESORT</b>
<b>VARIANCE APPLICATION:</b>	<b>AV#10-2024</b>

Applicant is proposing a total of one (1) area variance to add a second story to the existing structure on the south side of the property line. Adding the second story would increase the height of the existing structure. The variance is for relief of §220-78(B).

1. Relief of §220-78(B): Expansion. Nothing in this chapter shall prevent the strengthening or alteration to a safe condition of all or part of a building or structure that is nonconforming, provided that the repair or alteration will not increase the height, size or volume of the building or structure or otherwise increase the nonconformity.

Tom Sullivan introduced himself as the Acting Chairman as the Chairman, Ron Mogren, couldn't attend the meeting. He also introduced each Zoning Board member, starting from the alternate Board member to the permanent Board members, by providing their full name for the record. Tom Sullivan concluded the introduction portion of the meeting by introducing the final two Village representatives, the Director of Planning and Zoning and the Planning and Zoning Clerk.

Tom Sullivan took the time to explain the series of events that occurred starting October 2, 2024, to tonight's meeting. He indicated this project was supposed to appear before the Board in October, but the application was withdrawn hours before the meeting. Within 72 hours of the meeting, the Planning and Zoning office received several comments from the public starting yesterday afternoon all the way to minutes before the meeting. He explained that the public was more than welcome to share their comments relating to the project; however, submitting their comments prior to several minutes from the meeting wasn't feasible for the Zoning Board and for the applicant to review everything. Therefore, Tom Sullivan declared that there will be no motion for approval and/or denial tonight from the Zoning Board, which would not allow the

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applicant to move forward with the Planning Board. Tom Sullivan also wanted to mention that both Boards would not be able to host a meeting in December, so the next available meeting would be in January.

Tom Sullivan stated that the Board would receive feedback from the public regarding the proposal; however, each member of the public must follow three considerations. The first consideration was for the applicant and/or member of the public to stand. The second consideration was that the person must be recognized by the Chair. The final consideration was for the person to state their full name and address before presenting their case. The reason behind the considerations was to help the Board and/or the public know who was speaking, prevent people talking over each other, and help Debonnay Meyers know who was talking for documentation purposes.

Tom Sullivan started the Public Hearing at 5:02 pm.

Tom Sullivan directed Marine Village to present their perspective on the project as they were the ones asking for relief of §220-78(B). Tom Sullivan then asked each person to identify themselves for the record. Jon Lapper introduced himself as the applicant's land use attorney and Ethan Hall as the applicant's architect. He concluded the introduction by mentioning that the applicants, Laura Kohls and Dave Kenny, were present as well.

Jon Lapper conducted his opening statement informing the Board of the history of the project. Jon Lapper explained that it was supposed to appear before them last month as the plan was to construct nine units to the southernmost building. However, on the day of the meeting, they had to withdraw their application. Jon Lapper continued to explain that instead of building straight up, they changed it to have the front units respect the 10-foot setback; so, doing that narrowed it down to one variance. Jon Lapper showed the Board that the corners of the building were pulled back to respect the 10-foot line. He continued to explain that the reason they were there tonight was to not only obtain approval for them to modify the building, but to change the building to make it conform. Jon Lapper said the building was considered non-conforming because of the three "red areas" that were shown on Ethan Hall's plans.

Jon Lapper flipped through the blown-up renderings and went over each rendering with the Board, so they had a better understanding of the process. Jon Lapper explained that the two-unit building in the middle of the property and its' pavement would be removed entirely. Making that change would increase permeability from 32% to 36 ¼ % and would remove that building from the Lawson's view. Jon Lapper concluded by saying that they were not there to obtain approval for the setback; but they were there to ask the Board to allow them to turn a non-conformity into a conformity.

Jon Lapper switched the topic to discuss neighbor concerns. He indicated that removing the asphalt and the second story building would be considered a good "give back" to the neighbors; however, to battle the neighbor concerns about visibility, they were prepared to squish those concerns and offer some resolutions. Jon Lapper indicated that they were unable to install a fence

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due to the topography, but they were willing to plant some evergreens. He also provided an alternative of withdrawing their application entirely and moving in a different direction. Jon Lapper turned the page to show the Board what would change. He pointed to the three red triangular areas on the rendering and explained that they had the choice to remove those. Doing that would not only make the building conform, but it also wouldn't require Zoning Board approval. Jon Lapper indicated that going in that direction would be costly for the applicant as new footing and new structural walls would have to be installed, but they were willing to do it.

Jon Lapper concluded his opening statement by advising Ethan Hall to take over the conversation. Jon Lapper told the Board that Ethan Hall would run through the plans and would answer all questions as Ethan Hall created them. Before Ethan Hall could go into detail, Tom Sullivan asked him to state his name for the record. Ethan Hall introduced himself as Marine Village's hired architect and then conducted his presentation. He then took the time to go over everything that was shown on the rendering, starting from interior changes to exterior changes. When Ethan Hall was providing details regarding the enclosed stairs and the stair towers, Jon Lapper chimed in, letting the Board know that the enclosed stairs were outside of the setback.

Ethan Hall shifted the conversation to talk about the last resort alternative for a brief second. He indicated that removing the three areas could be done as those areas were located on the first floor of the building. Ethan Hall pointed to each one and told the Board where each one was. He indicated that the first corner was in the front, the second was in the back, and the third was in the food prep area. With the location of those, it was possible, but it would be costly for the applicant. Ethan Hall then wanted to discuss exterior changes. He indicated the exterior construction would consist of new shingles, new roof, new siding, and some small modifications to the front to break it up. The interior modifications include creating an elevator shaft in the middle of the building as well as creating the second story and constructing each unit. Ethan Hall showed the Board that the ridge met the 40-foot regulation by pointing it out in the rendering. Ethan Hall concluded his presentation by asking the Board if they had any questions in relation to the project.

Tom Sullivan indicated that each Board member, including himself, went to the property and reviewed the parcel. He indicated that he pondered whether the building would be considered a one-story or two-story. Ethan Hall replied with one, but Dave Kenny said two. Ethan Hall turned to Dave Kenny and reiterated that it was a tall one-story building with a mezzanine. Tom Sullivan asked if those units could be placed in the existing building without constructing another level. Dave Kenny said he wouldn't need a variance if he removed the two corners. The Board expressed confusion as they felt their questions weren't answered.

Before Dave Kenny moved further with his explanation, he introduced himself as the owner of Marine Village. He stood in front of the renderings and used them to reiterate how he can escape the variance process. During the explanation, Ethan Hall interjected to inform the Board that units couldn't be created in the mezzanine area due to its' pre-existing construction. Before the Board could respond to Ethan Hall, Dave Kenny shifted the conversation back to talking about not needing a variance. Kieran Murray chimed into the conversation to ask Tom Sullivan about

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height calculation. Tom Sullivan indicated that for commercial hotels, they have a maximum of 40 feet. Kieran Murray asked Ethan Hall if they could provide plans showing height calculation. Jon Lapper indicated the final grade wouldn't be touched, so it would be irrelevant to provide that. Kieran Murray said providing the plans would help the Zoning Board put the request in perspective as he noticed there was a slope near the cabin area. Ethan Hall indicated that the final grade near there wouldn't be touched. Kieran Murray inquired about the possibility of adding retaining walls to which Ethan Hall said no.

Dan Barusch sensed that there was confusion amongst the Board in relation to the proposed new height. Dan Barusch asked Ethan Hall if the 39' 6" measurement measured from the ridge to the very bottom. Ethan Hall replied yes. Dan Barusch then told the Board that the measurements start from the lowest point of adjacent grade to the highest point. So, for this project, the lowest point would be next to the building and the highest would be the proposed new ridge. Ethan Hall stated that the lowest point was from the lakeside front corner of the building. Jeff Blau asked if the addition would include nine rooms or seven to which Ethan Hall replied nine. Tom Sullivan asked about windows shown in the rendering. Ethan Hall said egress windows were mandated to be installed there as those areas were bedrooms. Ethan Hall took a minute to have the Board imagine what the rooms would look like and then explain the regulations as to why egress had to be there.

During the conversation between Ethan Hall and Tom Sullivan, Laura Kohls stood up and waited to be recognized. Tom Sullivan asked her to state her name for the record. Laura Kohls introduced herself as the owner of Marine Village. She indicated she saw the confusion on Jeff Blau's face when he asked for the number of units. She offered to provide closure on his inquiries if he'd like a further explanation. The Board allowed her to provide an explanation. Laura Kohls indicated that the building would have nine new units, but because of the demolition of one building, the property would only have a new increase of seven.

Robert Lebar chimed in and provided the suggestion of frosting the windows to mitigate privacy concerns. He explained that the frost would decrease some of the neighbor's concerns, but it wouldn't be a fix for all their concerns. Ethan Hall and Jon Lapper said that could be done. Tom Sullivan asked the Board if they had any other questions before he asked the public to speak. Robert Lebar inquired about why they wanted to modify that building. Dave Kenny stood up and walked to the rendering to use it as a guide. Dave Kenny explained that The Marriott was his recent creation and told the Board how great it turned out. He continued to say that his projects would never be cheap or poorly executed, and that his end goal was to make Marine Village a five-star resort.

While Dave Kenny turning the conversation back to removing the two corners, The Board asked the same question again but reworded it to eliminate any confusion. Dave Kenny indicated that starting there would be the easiest way to get the resort process started. He then explained knocking down the middle building for green space would ultimately not only upgrade Marine Village's image, but it would also upgrade the Village's image. Dave Kenny then circled back to remove the two corners, so that way he wouldn't need to appear before the Zoning Board for

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approval. He then created a new alternative to remove the building entirely so he could build a new three-story building to offer 27 units instead of nine.

Before any other questions could be asked, Dave Kenny started pleading to the Board. He indicated that approving it tonight would allow him to start construction immediately. He explained that approving it in January would make it difficult as they open for business in May. He continued informing the Board that he flew all the way from Florida to be here and will be flying back tomorrow. He said he can understand the neighbor's concerns, but his vision was to upgrade the property. Dave Kenny then shifted the conversation to talk about the Georgian. He informed the Board that his son owns that and spent two to three million dollars on fixing up the property. He indicated that not many businesses upgrade their property to the extent of what his family had done for the Village. Dave Kenny concluded his statement by stating that the Boards should be more concerned over stormwater, not over businesses enhancing their facades on their properties. Tom Sullivan thanked Dave Kenny, Jon Lapper, Ethan Hall, and Laura Kohls for their commentary regarding the project and asked them to have a seat. Tom Sullivan reminded all that there would be no motion for approval and/or denial tonight as there are multiple variables the Boards must consider before moving forward.

Tom Sullivan then turned to the public and asked if Glen Bruening would like to go next. Patricia Dow stood up and walked towards the Board table to introduce herself. She asked the Board if they received her letter to which Tom Sullivan said yes. Patricia Dow wanted to inform all of Pine Point's history so that everyone had background knowledge of the area. Patricia Dow explained that Pine Point had always been residential, even before Dave Kenny bought Marine Village; and when he purchased the property, the zone was in the process of being revamped. She indicated that the zone is now labelled "Commercial Residential"; which allowed Pine Point to remain residential and for Marine Village to exist. Tom Sullivan asked if she meant "Commercial Mixed Use", and Patricia Dow said yes.

Patricia Dow informed the Board that she raised her kids there and that her husband had been in Lake George throughout his life. She added that her husband and his family contributed to Lake George by aiding in economic success via the Steamboat Company, but she expressed that that was not to be used as leverage. She indicated that the Board should review how their lives would change drastically. Patricia Dow stated that there were other alternatives and that they should consider pursuing them as moving forward with the project would ruin the residents' vision. Tom Sullivan asked Patricia Dow to specify what troubles her the most. Patricia Dow replied with height and privacy. Tom Sullivan asked if they moved the elevator shaft closer to their property, if that would decrease the concerns for privacy. Patricia Dow pointed out that she would still be concerned with the back windows. Tom Sullivan indicated that they could ask the applicant to frost them. Patricia Dow told the Board that her son, Luke Dow, took time to photoshop some photos; so that way the Board could see what the building would look like if they approved the second story addition. Tom Sullivan asked Patricia Dow if she sent them in. Debonnay Meyers said she received pictures, and she attached them with the letter. Dan Barusch asked if the pictures were the ones Glen Bruening sent in. Patricia Dow said no. Luke Dow chimed in to state he had made copies of the photos. Patricia Dow apologized to the Board

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saying that she had just come back from a conference and was under the assumption that they were turned in.

Dan Barusch asked the Board if they were willing to accept the photos now or if they wanted them to be brought to the next meeting. The Board said they could take them now. Luke Dow came up and handed the photos to Dan Barusch. Dan Barusch and Debonnay Meyers reviewed the photos, and then passed each one down to each Board member. Luke Dow indicated the photos were rough estimates; so, to keep in mind that it may be off a couple of feet. Tom Sullivan asked how he scaled it. Luke Dow explained that he knew that one-story would measure 10 feet and the pitched roof would measure four feet. So, if you total them, it would be 14 feet. By calculating that, he would add that number to the height of the existing building.

Tom Sullivan asked Dan Barusch if it would be possible for them to do the balloon trick to which Dan Barusch said yes. Jon Lapper stated that they had no issue doing that; but he reiterated that the setback and height had no correlation with the variance. Tom Sullivan stated that the public had concerns about the height, so the Board can request this if they felt it was necessary. However, the applicant can decline the Board's request. He added that doing that would help bring minds at ease. Jon Lapper and Ethan Hall talked amongst themselves to see if they wanted to do the 2' by 4' trick or the balloon trick. Dan Barusch said the balloon trick would be easier. Dave Kenny interjected and said the height of the building was within code; so, he wasn't sure why this was requested. Tom Sullivan stated that they didn't have to do it as it was a suggestion. Dave Kenny indicated that if he wanted to build an 18-foot wall, he could as it was within code. Tom Sullivan acknowledged what was said, but did question the existing height of the building. Ethan Hall said approximately 20 feet. He then told the Board that with the second story addition, the building would be 39' 6".

Jeff Blau said whether they knock the building down or just remove the non-conforming corners, the concerns from the public would still exist. Jeff Blau asked the Board if the frosted windows would be a requirement. Jon Lapper indicated that they offered to do that to mitigate privacy concerns. Dan Barusch chimed in and told Jeff Blau that they could condition it. Dave Kenny asked if the condition would be through the Planning or Zoning Board. Dan Barusch said it could be from either.

Tom Sullivan halted the conversation to address the public. Tom Sullivan asked who would like to talk next. Heather Courtney said she would like to go next. She then stood up and introduced herself for the record. She informed the Board that she lives at 1 Pine Point, and she would be the one most affected by it. She explained that she had several concerns; privacy being the main one, but she had other concerns such as sound, light infiltration, and possible damage to her property. Tom Sullivan asked her to elaborate. Heather Courtney indicated that she owns property beyond the fence, and she was worried that construction could damage her land. She also explained that the pitched roof could lead to water hitting her property.

Heather Courtney continued explaining her concerns by stating that her view would diminish. She said that she can walk in her house and feel like she's on vacation; but if the project goes

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through, the view of the lake and the mountains would be gone. She asked Dave Kenny if it would be possible to move the green space to the residential side. The Board asked for clarification as they were lost during her explanation. Heather Courtney said that Dave Kenny mentioned that his plans were to update Marine Village, but she indicated that it could be done by having the greenspace on the side instead of in the middle. Dave Kenny expressed his displeasure with the suggestion by stating that the building she was referring to be his office, and he would not bring that down.

Laura Kohls chimed in, wanting to contribute to the conversation by explaining that moving the green space to the side wouldn't mitigate the sound concerns. Heather Courtney indicated that she has lived in the Village for 26 years and was used to the noise from the events; but her noise concerns were more towards the sounds bouncing off the walls of Marine Village's building onto her property. Laura Kohls said she never received any noise complaints, so this was the first time hearing about this. Heather Courtney indicated that she never complained about the lights as they would come on in the laundry room occasionally; but if the second story gets built, the lights from the rooms would be on her property.

Heather Courtney indicated she was never approached regarding their plans, and she felt that she should've been notified. She also mentioned that she had a visitor in 2021 named Steve Cardona and he asked her to sell her property to Dave Kenny. She indicated she felt immense pressure from that conversation as he was the manager's boyfriend. She expressed gratitude for the Zoning regulation as it has protected Pine Point. Heather Courtney then turned to Dave Kenny and Laura Kohls and asked them what the right neighborly thing to do was. Heather Courtney indicated that whether he obtains the Zoning variance or not, he would find a way to slip through the cracks to get what he wants. She concluded her argument by saying that they should've reached out to the Pine Point residents and asked them for their comments regarding the project.

Heather Courtney then turned to the Board and expressed that if they approved the variance, she would be living like a hermit. Laura Kohls chimed into the conversation, indicating that moving the green space wouldn't be ideal for them. Heather Courtney replied to Laura Kohls informing her that the building near her property has a roof that's not in good condition and that it should be worked on. Laura Kohls, Heather Courtney, and Dave Kenny continued their escalated conversation while the Board was trying to resolve some internal confusion. Tom Sullivan halted everyone's conversation and informed all to have one person speak at a time. Heather Courtney apologized to Tom Sullivan. Tom Sullivan thanked Heather Courtney for speaking and asked her to sit down.

Tom Sullivan asked Glen Bruening if he would like to speak. Glen Bruening stood up and introduced himself as Pine Point's advocate and attorney. He wanted to apologize to the Board for his late submission. He explained that the letter was ready a while ago; but because they withdrew their application last month, they weren't notified of the change until the last minute. He explained that he tried to call Jon Lapper to address the concerns, but they were unsuccessful. Glen Bruening pulled out a copy of the letter that was submitted to the Board and said that his letter contained the statutory criteria for how the Board reviews variances. Based on how each

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criterion wouldn't be met for approval; he expressed that the variance should be denied, not approved. Glen Bruening continued his explanation by saying that the public had expressed their concerns about the project and how it would affect them. He indicated it would be a ginormous change for them as it would affect their entire view of the lake, their view of the mountains, and could bring noise, light, and damage concerns.

Tom Sullivan asked Glen Bruening if he toured the property. Glen Bruening said he did, and he was very familiar with the area as he was a Lake George graduate. He continued to explain that he spent a lot of time at the Courtney property and the property next door; and based on the location of the second story, it would eliminate the view of the lake and the mountains for both the Courtney property and its' neighbor. Tom Sullivan asked Glen Bruening for further clarification on his argument. Glen Bruening indicated that if they review the photo in Heather Courtney's kitchen to their yard, that view of the lake would be gone forever. Glen Bruening then wanted to bring up how it would affect the environment. He said in the drone shots, it is shown that the trees were used as a buffer between both the commercial and the residential lots. He said if the project obtained approval, it would disturb the integrity of the bank but also remove that buffer between the two properties. He added that this should be part of the conversation as it's not part of SEQR and the fact that it would affect the neighborhood. Glen Bruening went through each one of the five criteria and provided explanations as to why it wouldn't meet the criteria.

Glen Bruening then changed the subject to discuss the plans regarding the Village DRI Project. He said there's a half a million-dollar Urban Forestry project that would focus on replanting trees. He said it doesn't make sense to promote and complete a half a million-dollar project to add trees just to approve a project that removes trees. Kieran Murray asked if they saw a document that showed that tree removal. Glen Bruening said if they review the photos, they can see that the trees are above the existing first-story building. Robert Lebar asked how many trees would be removed. Glen Bruening replied with 12 to 15. Kieran Murray asked Glen Bruening how he got that number as he was showing a different number. There was a comment made by the audience saying the smaller and larger trees would be taken down, which would average 10 to 12 trees in total. Kieran Murray asked who owned the trees. Glen Bruening said both Marine Village and the property owners. Kieran Murray stated that Marine Village can't cut down trees that aren't on their property. Glen Bruening indicated that it wasn't a "who can do what with what tree" ordeal; it was more of "how this would affect the Courtney's property". He declared that it would be a detriment to the environment because it would disturb the ground but also remove the existing buffer.

Tom Sullivan turned to Dave Kenny and asked him if he would like to respond. Dave Kenny said three of his trees were dead and he had plans to remove them. Laura Kohls chimed in and said earlier in the year, they obtained approval from Dan Barusch to remove 10 dead trees. Dan Barusch said it could be seen on the drone imagery. While Dan Barusch reminded the Board he had to leave in five minutes, Dave Kenny and Laura Kohls were conversating about the trees. Tom Sullivan halted the conversation to ask Glen Bruening a question. He asked Glen Bruening if he believed he had a right to a view in New York State. There was no response to which Tom

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Sullivan explained that there was no right to a view in common law. He continued explaining that some municipalities added a view ordinance to their local laws, but Lake George does not have one. Glen Bruening responded back, telling Tom Sullivan that he was right; however, they were asking for the request to be included in the analysis in an attempt to preserve the area. Tom Sullivan thanked Glen Bruening for his explanation. Glen Bruening wanted to quickly add that when he read 220-78(b) and (c), the code wasn't clear. He said they can't just add to a non-conforming building this way based on what's in the code. He concluded his statement by saying the Board should reconsider providing the variance as 220-78(b) and (c) doesn't have clear wording.

Jon Lapper wanted to reply to Glen Bruening telling him that if the plans were to eliminate the corners and the area in the back, it would turn that building from non-conforming to conforming. He said those areas didn't meet the setbacks and that's why the building was labelled as non-conforming. Jon Lapper concluded his argument by saying they could tear down the building and start from scratch, but that wasn't the route they wanted to go, nor did they want to step on the neighbor's toes. He simply said their goal was to update their property little by little to enhance Marine Village's image.

Dan Barusch informed the Board that he had to leave as he must attend the Town's Zoning Board meeting. He informed the Board that if they plan to table, they must keep the hearing open. If they plan to approve the variance, they will have to do SEQR. He also reminded them that depending on the outcome, the Planning Board can review the application at November's meeting but can't move forward without Zoning's approval. Tom Sullivan asked if there would be a December meeting for the Planning Board. Dan Barusch said he heard from several sources that there wouldn't be a quorum, so it would likely be re-reviewed in January.

Dan Barusch left the meeting at 4:57 pm.

Dave Kenny asked Tom Sullivan if he could speak to which Tom Sullivan granted him permission. Dave Kenny indicated that he was leaning towards removing the corners and the back area, so he could move forward with the project.

Before any further discussion could continue, Tyler Lawson asked Tom Sullivan if he could speak to which Tom Sullivan said yes. Tyler Lawson introduced himself as the property owner of the property directly behind Marine Village. He wanted to inform all that he was not legally affiliated with Glen Bruening. He mentioned that he did provide pictures for Luke Dow to edit, but he did not want to be tied in with legal affairs. Tyler Lawson then started explaining why he was present. He indicated that he understood that Dave Kenny had the right to increase the height of his building; but he said if they were to move forward with that, he would feel very unsafe, and it would impact his family in more ways than one. He said the non-conforming portion of the building was within three to four feet within his property, and it's so close that he could literally touch it. He explained that even with removing the corners and frosting the windows, that would be the bare minimum to fix the public's concerns.

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Tyler Lawson expressed that when he got the property, his plan was to stay in the Village; but if this project goes through, that will give him pause. He also added that Dave Kenny's offer of removing the two units wasn't beneficial to him as the size of them was equivalent to a fence. Tyler Lawson then brought up the commentary to completely tear down the building. He said creating a new building would make the image of Marine Village a lot more pleasant than the existing building; however, the building would diminish the residents' privacy. Tyler Lawson indicated that 100 years from now, he can envision the residential homes turning into commercial hotels. He said it was the unfortunate truth, but he asked the Board to consider preserving the peace as long as they can as the future doesn't favor the residents. Tom Sullivan thanked Tyler Lawson for speaking.

Luke Dow said he would keep his commentary brief as the Board had a lot to review before the next meeting. Luke Dow said the colossus building wouldn't be blocking his view, but he could understand why the other residents felt the way they did. Luke Dow used the photos downstairs to show the Board and the residents where their properties were and how each property had a little history. Luke Dow pointed at the Sagamore photo and said the pile of sticks was Tyler Lawson's property and how the pine trees captured in his photos were the existing pine trees in the Sagamore photo. Luke Dow indicated the reason why Pine Point was named that was because of all the old pine trees that were there.

Luke Dow started providing details relating to Lake George's history, such as Pine Point being called the "Artillery Point" due to the French camping up by the Lake George High School. He then talked about the environmental consequences the project would have on Pine Point. Luke Dow mentioned that there was a protected bird species living in the trees; so, if the trees were to be disturbed, those birds would have to move elsewhere. Luke Dow also wanted to inform the Board that a while ago, his grandfather cut down a pine tree. That pine tree was sent to be milled. However, the tree couldn't go through the process because it had too many gasket balls and cannon traps in them. Luke Dow concluded his story by stating that Pine Point has history, and it should be preserved as much as possible.

Luke Dow then turned to Dave Kenny and said he could take the two unit building and make those three to four stories high. He explained that the building was much wider than the other building and using that building would offer more space; so, they would have the opportunity to add more rooms. Luke Dow then looked at the Board and said his goal was to keep Pine Point green. He then referenced French Mountain. He said not many people know of French Mountain, but they can see it at Pine Point. If that the building gets that additional story, it would diminish the view of that mountain. It also could block the sun from warming the properties. He concluded his commentary by stating that he would provide the Kenny's with more appropriate suggestions that would not only benefit them but would also benefit the residents. Tom Sullivan thanked Luke Dow for speaking.

Tom Sullivan asked if there was anyone else who would like to speak. Mark Grabo introduced himself as Heather Courtney's fiancé and asked if he could. Tom Sullivan said he can. Mark Grabo told the Board to review the photo of his kitchen. He said the wall would be his view as he

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would never be able to see anything else ever again. He then shifted to talk about why they moved to Lake George. He indicated he loved living there for 26 years; and that when they purchased the property, they planned to stay there until death. He continued by saying that Dave Kenny didn't reside in Lake George, so he wouldn't understand the damaging effects this project would cause. He said Marine Village was a business for him and all Dave Kenny cared about was making money. He indicated the rooms would be rented out to the same rotating group of people and Dave Kenny would come up with every reason possible to not frost the windows so their properties would be viewed by strangers.

Mark Grabo explained his familiarity with renderings. He said that based on other projects he reviewed, this project did not show a rear elevation. He indicated that the projects must show all four sides so that way everyone understood what was being done. He turned to face Dave Kenny and suggested alternatives. He mentioned that he could meet the requirement of egress by having only one window and one door. He explained that he didn't understand why Dave Kenny was adding an additional window to the backside. Mark Grabo turned back to the Board and indicated that there was a high possibility that strangers could watch everything. They could watch his grandson playing in the backyard and he couldn't do anything to stop it. Mark Grabo also wanted to express that if the second story got built, it would affect their property environmentally. It would result in tree removal, and it would prevent the wind from blowing on his property. He indicated he currently has windchimes outside, and they ring because of the breeze. If the tall building were to be constructed, it would be getting all the wind, and the chimes would never ring again. Tom Sullivan thanked Mark Grabo for speaking.

Before Tom Sullivan moved forward, Kieran Murray asked Tom Sullivan if he could ask a question. Tom Sullivan said yes. Kieran Murray asked Dave Kenny if he was correct on assuming that he would do this project one way or another. Jon Lapper said yes. Dave Kenny indicated that he was leaning towards making the building conform so he could expand. Kieran Murray turned to the public and told them he hated seeing a winner and a loser. He suggested having them compromise with Dave Kenny as they had the upper hand. Tom Sullivan thanked Kieran Murray and indicated that it was a great suggestion. Tom Sullivan then turned to the public and took time to explain what jurisdiction the Zoning Board had.

Tom Sullivan said that they don't deal with neighborly issues, but they do sympathize with the public. He mentioned that both parties brought great points, and the Board had a lot to think about. However, they will not sympathize with the public if they submit letters and documents to the Board right before the meeting. Tom Sullivan indicated that the Board needs time to process everything, and the decision will come in January. He explained that they were committed to deciding then if the proposition was still on the table. Tom Sullivan asked when the January Zoning Board meeting would be. Debonnay Meyers said January 8, 2025.

Tom Sullivan closed the Public Hearing at 6:14 pm.

**LAKE GEORGE VILLAGE  
ZONING BOARD OF APPEALS  
NOVEMBER 6, 2024  
MEETING MINUTES**

**MOTION 2<sup>ND</sup>:** Mike Ravalli

Tom Sullivan	Mike Ravalli	Robert Lebar	Jeff Blau	Kieran Murray
Aye	Aye	Aye	Aye	Aye

Ayes = 5 Nays = 0 Absent = 1 Motion carried.

The Board tabled the application, but no motion was created.

**MINUTES:**

**August 7, 2024 (RM, MR, JB, RL, KM)**

Tom Sullivan asked the Board their thoughts regarding the August 7<sup>th</sup>, 2024, meeting minutes. The Board was in mutual agreement to approve the minutes as presented.

Tom Sullivan made a motion to approve the August 7<sup>th</sup>, 2024, meeting minutes.

**MOTION 2<sup>ND</sup>:** Mike Ravalli

Tom Sullivan	Mike Ravalli	Robert Lebar	Jeff Blau	Kieran Murray
Aye	Aye	Aye	Aye	Aye

Ayes = 5 Nays = 0 Absent = 1 Motion carried.

Debonnay Meyers reminded Tom Sullivan that he was unable to make a motion as he wasn't present at the meeting.

Mike Ravalli made a motion to approve the August 7<sup>th</sup>, 2024, meeting minutes.

**MOTION 2<sup>ND</sup>:** Jeff Blau

Tom Sullivan	Mike Ravalli	Robert Lebar	Jeff Blau	Kieran Murray
Aye	Aye	Aye	Aye	Aye

Ayes = 5 Nays = 0 Absent = 1 Motion carried.

Tom Sullivan made a motion to adjourn the meeting at 6:16 pm.

**MOTION 2<sup>ND</sup>:** Jeff Blau

Tom Sullivan	Mike Ravalli	Robert Lebar	Jeff Blau	Kieran Murray
Aye	Aye	Aye	Aye	Aye

Ayes = 5 Nays = 0 Absent = 1 Motion carried.

Respectfully submitted,

*Debonnay Meyers*

Debonnay Meyers