

Town of Bolton
ZONING BOARD OF APPEALS
MINUTES
Tuesday, October 19, 2021
6:00 p.m.

SEQR = State Environmental Quality Review
PB = (Town of Bolton) Planning Board
WCPS = Warren County Planning Staff
APA = Adirondack Park Agency
LGPC = Lake George Park Commission
DEC = Dept. of Environmental Conservation

Present: Jason Saris, Brendan Murnane, Holly Dansbury, Joy Barcome, Jim Senese, Alternate; Lorraine Lefevre, Planning & Zoning Director; Richard Miller, PE, Town Planner; Joshua Westfall, AICP

Absent: Jeff Anthony, Dan Sheridan & Counsel; Michael Muller

The meeting was called to order at 6:00 p. m.

Jason Saris asked if there were any changes or corrections to the September 21, 2021 minutes.

RESOLUTION:

Motion by Holly Dansbury to approve the September 21, 2021 minutes with the following condition: page 3 paragraph 4 should read as follows: *Holly Dansbury asked if the structure was changing from a single story home to a two story home. Mr. Buschelli replied this was correct.* **Seconded by** Jim Senese. **All in Favor. Motion Carried.**

1. **V21-28 Brockley, Tom;** Represented by Keith Buff. Seeks Area Variance related to construction of single-family residence for the required 75' stream setback, 13+/- feet proposed. Zoning Districts RL3 and RM 1.3. Property Location: South Farm Road, located south of #86 South Farm Road. No property address. Section 156.00 Block 2 Lot 20. Subject to APA, WCPS and LWRP Review.

Keith Buff presented the following

- The big issue with this variance is the 75' setback from the water course.
- They are abiding the 50' setback from South Farm Road.
- They are also within the 20' setback on the northeast side.
- They are encroaching on the 75' setback on the water course.
- They are about 62' on one corner and 67' on the other corner away from the water course.

Jason Saris inquired about the 13' proposed from the water course on the application. Town Planner: Joshua Westfall, AICP explained that the applicant was looking for 13' of relief.

Mr. Buff stated that they would love to push the building up which would encroach on the 50' setback. Jason Saris explained that the applicant would have to request relief from the setback and if they were changing the application substantially, it would need to be readvertised. Mr. Buff stated if they needed to reapply to request the 2 variances, they would.

Jason Saris stated that the application states that this request is for a single-family dwelling, but there was talk of it being a multi-family dwelling with 2 kitchens in it. Mr. Buff stated it was a single-family dwelling and if one of the kitchens needed to be eliminated it would be.

Dan Mylod, co-owner, stated they would be sharing the house with the Brockley's, and they would like a spot for the main house and a guest house. Jason Saris explained that the zoning allows for a primary residence and a guest cottage, but the guest cottage could not have cooking facilities. If they wanted two primary residences, they would need to see that they have density required. Planning & Zoning Director; Richard Miller said that the applicant could have a multi-family dwelling and they had plenty of density for this.

Brendan Murnane asked Chris Navitsky if knowing that the requested setback from the wetlands was 62' +/- as opposed to the 13' +/- depicted in the agenda would impact his letter on the project. Mr. Navitsky replied no.

RESOLUTION

Now, upon motion duly made by Brendan Murnane and seconded by Lorraine Lefevé it is resolved that the ZBA table this application at the applicant's request for additional information. **All in favor. Motion Carried.**

2. **V21-29 Lo Bue, Shannon;** Seeks Area Variance related to construction of a storage structure for building front yard setback; 50' required, 10' proposed. For side yard; 20' required, 10' proposed. And for lot coverage 15%, approximately 21% +/- proposed. Zoning District RM 1.3. Four Evergreen Lane, Bolton Landing. Section 171.19 Block 1 Lot 61. Subject to WCPS and LWRP Review.

RESOLUTION

Now, upon motion duly made by Brendan Murnane and seconded by Jim Senese, it is resolved that the ZBA does hereby table the variance request as the applicant was not present. **All in favor. Motion Carried.**

The meeting was adjourned at 6:16 p.m.

Minutes respectfully submitted by Kate Persons