

TOWN OF LAKE LUZERNE  
ZONING BOARD OF APPEALS  
JUNE 12, 2014  
7:00 PM

MEMBERS PRESENT: STANLEY GOLDBERG, HELEN HEDGER (ARRIVED AT 7:40), MARK MAYHEW, JAMIE MOELLER, ANNIE MCMAHON. ABSENT: JOHN PLANTIER.

A MOTION TO ACCEPT MINUTES OF THE MAY MEETING WAS MADE BY GOLDBERG, SECONDED BY MCMAHON. ROLL CALL VOTE: GOLDBERG, AYE, MAYHEW, ABSTAINED, MOELLER, AYE, MCMAHON, AYE. MOTION CARRIED.

**AGENDA:**

NEIL & JANET SHANAHAN – AREA VARIANCE - PUBLIC HEARING – STEPHANIE BITTER REPRESENTATIVE.

SCOTT FRIEDMAN – WE LIVE ACROSS THE STREET, GLAD YOU WANT TO LIVE HERE FULL TIME, I LIKE THE LOG CABIN STYLE. A FIVE BEDROOM HOME SEEMS A LITTLE BIG FOR A RETIRED COUPLE. I WAS SHOCKED BY THE STREET SURVEY, IF ROAD IS MOVED TREES WOULD HAVE TO BE REMOVED. REAR SETBACK IS SLIM BUT WOULD RATHER SEE IT BACK THERE THAN IN FRONT. ALSO AM CONCERNED ABOUT PARKING.

MR. SHANAHAN – NO MORE PARKING WILL BE NEED THAT ALREADY HAVE.

STEPHANIE BITTER – THE LEACH FIELD AND SEPTIC ARE GOING TO BE IN THE FRONT YARD, IF THERE ARE ANY TREES THAT HAVE TO BE REMOVED, THEY WILL BE REPLACED.

EILEEN HICKEY – 23 SIXTH AVE - IS CONCERNED ABOUT WHEN CONSTRUCTION WILL START, HERE FOR THE SUMMER AND DON'T WANT TO HAVE TO DEAL WITH EXCESSIVE TRAFFIC AND NOISE ALL SUMMER.

MR. SHANAHAN – THAT IS UP TO THE BUILDER AS TO WHEN HE CAN START – RESIDENCE IS NOT LIVABLE NOW.

SCOTT FRIEDMAN – WE ARE SO CLOSE TO THE CONSTRUCTION, I AM CONCERNED FOR MY WIFE AND CHILDREN.

MIKE BOLINGER – WE HAVE TO GO THROUGH THE PROCESS AND INSPECTIONS TO ENSURE SAFETY.

MR. DEITCHER – 20 FIFTH AVE – IN FAVOR BUT COULD THE CONSTRUCTION BE PUT OFF UNTIL FALL.

EILEEN HICKEY – ASKING THAT THE APPLICANT TAKE INTO CONSIDERATION THAT HE ISN'T THERE BUT A LARGE GROUP OF US ARE ALL SUMMER AND WOULD LIKE TO ENJOY THE SUMMER.

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THE BOARD DISCUSSES AND WENT OVER THE CRITERIA.

A MOTION BY MAYHEW, SECONDED BY MCMAHON TO APPROVE THE 10.6FT VARIANCE FOR REAR SETBACK CONTINGENT UPON THE APPLICANT SIGNING AN AGREEMENT WITH THE TOWN, APPROVED BY THE TOWN ATTORNEY, IN WHICH THE APPLICANT AGREES TO CONVEY TO THE TOWN AT NO CHARGE THAT PORTION OF HIS PARCEL UPON WHICH THE ATTACHED SURVEY SHOWS FIFTH AVENUE LIES. ROLL CALL VOTE: HEDGER, AYE, MAYHEW, AYE, GOLDBERG, AYE, MOELLER, AYE, MCMAHON, AYE. MOTION CARRIED.

RICHARD HALL – TWO LOT SUBDIVISION AND AREA VARIANCE  
RALPH RD.

APPLICANT NEEDS A VARIANCE FROM 20FT TO 6.8 FT AND 200 FT TO 98.26 FT. APPLICANT WANTS TO SUBDIVIDE INTO TWO LOTS AND KEEP THE GARAGE ON THE ONE LOT AND BUILD A HOUSE, SELL THE OTHER EXISTING HOME AND PROPERTY. THE TREES WILL STAY AS BUFFERS. BOARD DISCUSSED, THE PERCENTAGE OF THE VARIANCE IS TOO HIGH, IT WAS SELF CREATED, WILL CHANGE THE CHARACTER OF THE NEIGHBORHOOD AND BENEFIT CAN BE SOUGHT IN ANOTHER WAY.

A MOTION BY MAYHEW, SECONDED BY MCMAHON TO DENY THE REQUESTED VARIANCE OF 200FT TO 98.26 FT DUE TO THE PERCENTAGE, CHANGES TO NEIGHBORHOOD AND NEARBY PROPERTIES, SUBSTANTIAL AND NEGATIVE IMPACT, SELF CREATED AND CAN BE ACHIEVED BY OTHER METHODS. ROLL CALL VOTE: HEDGER, AYE, MAYHEW, AYE, GOLDBERG, AYE, MOELLER, AYE, MCMAHON, AYE. MOTION CARRIED.

LINDA MCGONAGLE – AREA VARIANCE – APPLICATION REVIEW  
62 READ PARK RD.

APPLICANT SUBMITTED AN APPLICATION FOR AN AREA VARIANCE TO ALLOW BUILDING OF A DECK.

A MOTION BY GOLDBERG, SECONDED BY MOELLER TO ACCEPT THE APPLICATION AS COMPLETE AND SET PUBLIC HEARING FOR JULY 10, 2014. ROLL CALL VOTE: HEDGER, AYE, MAYHEW, AYE, GOLDBERG, AYE, MOELLER, AYE, MCMAHON, AYE. MOTION CARRIED.

APRIL LEVY – AREA VARIANCE  
23 IVY LANE

APPLICANT RECEIVED A VARIANCE PREVIOUSLY FOR A FRONT PORCH AND FORGOT TO INCLUDE THE LANDING IN THE ORIGINAL APPLICATION. ASKING FOR AN ADDITIONAL AREA VARIANCE OF 2 FT

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A MOTION TO ACCEPT THE APPLICATION AND SET A PUBLIC HEARING WAS MADE BY GOLDBERG, SECONDED BY MAYHEW. ROLL CALL VOTE: HEDGER, AYE, MAYHEW, AYE, GOLDBERG, AYE, MOELLER, ABSTAINED, MCMAHON, AYE. MOTION CARRIED.

WITH NO FURTHER BUSINESS A MOTION TO ADJOURN WAS MADE BY GOLDBERG, SECONDED BY HEDGE WITH ALL IN FAVOR.

RESPECTFULLY SUBMITTED,

LORRI HOLCOMB, SECRETARY