

Town of Lake Luzerne
Zoning Board of Appeals Minutes

April 13, 2023

After reciting the pledge of allegiance, Acting Chairman James Moeller called the Zoning Board of Appeals meeting to order at 7:00pm with the following present: Burgess Ovitt, Michael Bordeau, Zoning Enforcement Officer Karen Putney, Deputy Zoning Enforcement Officer Kristopher Kassay, and Attorney Mary Kissane. Also present: Applicants Chris Gomoka & Lisa Williams, and Michael Goodhart, agent for owners Nancy Seid & Matt Witten

Acting Chairman Moeller opened the meeting with the following items on the agenda.

- I. Review New Application: Area Variance 2023AV-2
Parcel number: 292.8-1-6
Location: 528 Gailey Hill Road, Hamlet Residential (HR) zone, 0.28 acres Applicant: Nancy Seid & Matt Witten (represented by Michael Goodhart)
- II. Review New Application: Area Variance 2022AV-4
Parcel number: 285.-2-11
Location: 349 Gailey Hill Road, Residential Rural (RU) zone, 1.29 acres Applicant: Chris Gomoka & Lisa Williams
- III. Accept minutes: February 9, 2023
- IV. Old/new business

I. New Application: Area Variance 2023AV-2

-Application review for a second variance request for a side yard setback relief -Previous request of 12' shortened to a 10' request by changing depth of proposed addition -SEQR exempt under 617.5 (C) (16)

-Awaiting response from Warren County, previous application was determined to have no county impact

-APA Non-Jurisdictional

-Zoning Board of Appeals reviewed the application as submitted

After reviewing the application, **Acting Chairman Moeller made a motion to approve the application as complete as submitted, and set the public hearing date for Thursday,**

May 11, 2023 at 7:05pm, seconded by Burgess Ovitt.

All in favor: 3, Opposed: 0, carried.

II. New Application: Area Variance 2022AV-4

-Application review of a height variance for a 51'x30' 3-bay storage accessory structure that is 17' 9" from the lowest point to the bottom of the roof ridge

-Maximum allowed is 18' or the height of the principal structure, whichever is less

-Applicant/owner combined the adjacent parcel that has a permitted principal structure dwelling of 12'9" in height, after the accessory structure that is currently in violation was built

-Asking for a variance of 5'

-Erected without a permit on a parcel without a principal building, mostly within the footprint of the original dwelling

-Original dwelling on parcel was 72'x28' and 19 feet in height

-Owners had attempted to maintain the preexisting home as a storage building, but it became structurally unsound and had to be demolished

-Correspondence with owner/applicant pertaining to this violation started on November 9, 2021. ZEO had suggested combining the two lots, but height restriction is still an issue

-Not SEQR exempt

-APA Non-Jurisdictional

After reviewing the application, **Acting Chairman Moeller made a motion to approve the application as complete as submitted, and set the public hearing date for Thursday, May 11, 2023 at 7:05pm, seconded by Michael Bordeau.**

All in favor: 3, Opposed: 0, carried.

III. Accept minutes: February 9, 2023

No minutes to accept.

IV. Old/New Business

No old or new business to discuss.

Acting Chairman Moeller made a motion to adjourn the meeting at 7:20pm, seconded by Burgess Ovitt.

All voted in favor of adjournment.

Respectfully submitted,
Kristopher Kassay