

Town of Lake Luzerne

Zoning Board of Appeals Minutes

March 9, 2023

After reciting the Pledge of Allegiance, the meeting was called to order at 7:04pm with the following members present: Chairman Matt Palitsch, James Moeller, Burgess Ovitt, Annie McMahon, and Rayl Zubal. Also present were Zoning Enforcement Officer Karen Putney, Deputy Enforcement Officer Kristopher Kassay, Attorney Mary Kissane and Michael Goodhart, agent for owners Nancy Seid & Matthew Witten.

- I. Public Hearing: Area variance 2023AV-1, Applicant Michael Goodhart, agent for owners Nancy Seid & Matthew Witten, parcel number 292.8-1-6, 528 Gailey Hill Rd. asking for Side Yard Setback relief
- II. Accept minutes from ZBA meeting: February 2023
- III. New/Old Business

**I. Public Hearing: Area variance 2023AV-1**

There were no in person or zoom attendees during the public hearing, but one email was received on February 19, 2023 by neighbors Amy Seid and Richard Solomon of 536 Gailey Hill Road in favor of the area variance.

- No means of ingress or egress were indicated on the drawings submitted by Michael Goodhart.
- The existing deck appears to be shaped to meet setback requirements.
- The proposed alteration converts screened in porch to a larger 3-season porch.
- APA jurisdictional determination is still in progress because of wetlands on parcel.

**Annie McMahon made a motion to approve the application as submitted for Area Variance 2023-AV1, contingent upon APA approval, seconded by Burgess Ovitt.**

**Ovitt: Nay**

**Zubal: Nay**

**McMahon: Nay**

**Moeller: Nay**

**Palitsch: Nay**

**All in favor: 0, Opposed: 5, denied.**

**Burgess Ovitt made a motion to deny the application for Area Variance 2023-AV1, seconded by Chairman Palitsch.**

**Ovitt: Yea**

**Zubal: Yea**

**McMahon: Nay**

**Moeller: Yea**

**Palitsch: Yea**

**All in favor: 4, Opposed: 1, carried.**

## **II. Approve minutes from ZBA meeting: February 9, 2023**

**No minutes submitted to accept.**

## **III. New/Old Business**

The Zoning Board of Appeals is working on a list of recommended changes to the Zoning Ordinance to submit to the Town Board.

Councilman James Niles has indicated that changes to the Zoning Ordinance is a high priority on the upcoming revision of the Town's Comprehensive Plan.

After funding is determined and a consultant is hired, a committee is to be formed to do the revision. This will be a long-term process.

Discussion ensued pertaining to past Zoning issues, violations, and potential Zoning Ordinance changes.

**James Moeller made a motion to adjourn at 8:07pm, seconded by Annie McMahon.**

**All voted in favor of adjournment.**

Respectfully submitted,

Kristopher Kassay