

Town of Lake Luzerne  
Zoning Board of Appeals Minutes  
March 14, 2024

After reciting the pledge of allegiance, Chairman Matthew Palitsch called the Zoning Board of Appeals meeting to order at 7:00pm with the following present: Burgess Ovitt, Rayl Zupal, Michael Bordeau, Kayla Jarrell, Zoning Enforcement Officer Karen Putney, Deputy Zoning Enforcement Officer Kristopher Kassay, and Town Attorney Mary Kissane. Also present: Renee Elliott and Richard Buys.

**Chairman Palitsch opened the Zoning Board of Appeals meeting with the following items on the agenda.**

- I. Review Revised Application: Area Variance 2023AV-9  
Owner/Applicant: Renee Elliott and Richard Buys  
Location: 44 Harris Drive  
Parcel Number: 317.16-1-50  
Lot Size: 0.14 Acres  
Town Zone: HR (Hamlet Residential)  
APA Land Use Classification: Moderate Intensity
- II. Accept minutes: February 8, 2024
- III. Old/new business

**I. Review Revised Application: Area Variance 2023AV-9**

Renee Elliott and Richard Buys are seeking relief from Local Law No.3 of 2019, Ancillary Structures which references Article VI-General Regulations, Accessory Structures.

The preferred location of the proposed 12’x12’ shed has been changed so that the variance request is for a 27-foot Front Yard Setback from the center of East River Drive where the required setback is 60 feet from the center of the road. An alternate location for a 10’x10’ shed on the Harris Avenue side of the dwelling has also been indicated on the submitted plot plan for consideration if the preferred location is deemed to be unacceptable by the Zoning Board of Appeals. This location would require a variance for a side yard setback of 5’ from the side property line where the required setback is 10 feet from the property line.

The applicant is also seeking relief of fence height restrictions to permit an existing 6-foot-high fence facing East River Drive where 4 feet is the maximum height allowed in the Zoning Ordinance.

SEQR: Exempt per 617.5 (c) (12) and (16)

Referral to County Planning: No significant inter-community or county-wide impact

APA: Non-jurisdictional letter in file

**Matthew Palitsch made a motion to accept Area Variance application 2023AV-9 as complete, seconded by Burgess Ovitt.**

**Palitsch: Aye  
Zubal: Aye  
Burgess: Aye  
Bordeau: Aye  
Jarrell: Aye**

**All in favor: 5, Opposed: 0, motion carried.**

**Matthew Palitsch made a motion to set the Public Hearing for Area Variance application 2023AV-9 on April 11, 2024 at 7:05pm, seconded by Burgess Ovitt.**

**Palitsch: Aye  
Zubal: Aye  
Burgess: Aye  
Bordeau: Aye  
Jarrell: Aye**

**All in favor: 5, Opposed: 0, motion carried.**

## **II. Accept minutes: February 8, 2024**

**Matthew Palitsch made a motion to accept minutes from February 8, 2024, seconded by Michael Bordeau.**

**All in favor: 5, Opposed: 0, motion carried.**

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

The Zoning Board of Appeals needs an alternate member. There has been no response from the notice that was posted on the website.

**Matthew Palitsch made a motion to adjourn at 7:19 PM, seconded by Rayl Zubal.**

**All in favor: 5, Opposed: 0, motion carried.**

Respectfully submitted,  
Kristopher Kassay