

**Town of Bolton**  
**ZONING BOARD OF APPEALS**  
**MINUTES**  
**Tuesday, February 13, 2018**  
**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:** Joy Barcome, Holly Dansbury, Lorraine Lefevé, Carla Cumming, Jason Saris, Zoning Administrator, Pamela Kenyon and Counsel Michael Muller

**Absent:** Jeff Anthony & John Whitney

The meeting was called to order at 6:00 pm.

Jason Saris asked if there were any corrections or changes to the January 16, 2018 minutes.

**RESOLUTION:**

**Motion by** Lorraine Lefevé to approve the January 16, 2018 minutes as presented. **Seconded by,** Joy Barcome. **All in Favor. Motion Carried.**

1. **V18-01 KARLSON, SUSAN.** Represented by Robert Ostrander and Paul Miller. To alter single family dwelling, specifically to raise portions of the roof approximately 5', seeks area variance for 1) A deficient shoreline setback. 100' is required, 70' is proposed; and 2) to alter a non-conforming structure in accordance with Section 200-57B(1)b. Section 140.00, Block 1, Lot 43, Zone LC45. Property Location: 138 Padanarum Road. Subject to APA review.

Robert Ostrander presented the following:

- He was called to look at a leaky building that needed structural changes.
- This is an authentic log building that was hand built around the 1900's
- This building is unique because it does not have rafters, it has purlins.
- Over the purlins is a square inch sheeting and the roofing on top of that.
- This building has been added to over the years without a great deal of planning.
- It has a metal roof, which in some instances has a pitch as shallow as 2 on 12.
- Over the years it has been continuously leaking.
- There are multiple layers of roof that have been tarred over and over again.
- They are proposing to re-roof it and raise the pitch.
- The original height is 16'.6".
- They are proposing 21' x 6" with the pitch being 5 on 12
- They are not expanding the perimeter of the building.
- The only solution to stop the leaking is to raise the roof.

Jason Saris asked if the footprint of the building would stay the same. Mr. Ostrander replied that it would. Jason Saris asked if the pond was the reason for the shoreline setback. Mr. Ostrander replied this was correct. Jason Saris stated the pond was a private pond within the property perimeter. Mr. Ostrander agreed.

Jason Saris asked if there was any type of stormwater proposed for the project. Mr. Ostrander stated that gutters would increase maintenance to the building and they are trying to get away from that. Jason Saris asked if the increased pitch of the roof would create erosion issues on the ground. Mr. Ostrander stated that there was a slate patio around 75% of the home.

Lorraine Lefevre asked if there would be multiple rooflines. Mr. Ostrander stated that there would be 3 different ridge heights which is less than what exists. He stated it was impossible to have just one due to all the additions.

Joy Barcome asked if they would be lifting all portions of the roof. Mr. Ostrander replied not all of it, the front portion is fine.

Carla Cumming asked if they would be replacing the entire roof. Mr. Ostrander said yes, they would be putting all new metal on the roof.

Carla Cumming asked what color it would be. Mr. Ostrander replied Colonial Red.

APA letter stating no permit or variance would be required from them.

## **RESOLUTION**

The Zoning Board of Appeals received an application from Susan Karlson, (V18-01) for an area variance as described above.

And, due to notice of the Public Hearing of the ZBA

And, after reviewing the application and supporting documents of the same, and public comment being heard regarding the application; this Board makes the following findings of fact:

The application of the applicant is as described in Item #1 of the agenda.

- 1) The benefit could not be achieved by other means feasible to the applicant besides an area variance: There is no other way to correct the roof pitch.
- 2) There will be no undesirable change in the neighborhood character or to nearby properties. This will be a more contiguous roof.
- 3) The request is not substantial. They are staying within the existing footprint.
- 4) The request will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- 5) The alleged difficulty is self-created; This is a non-conforming pre-existing structure. The benefit to the applicant is not outweighed by the potential detriment to health, safety and welfare of the community.

Now, upon motion duly made by Holly Dansbury and **Seconded by**, Carla Cumming it is resolved that the ZBA does hereby approve the variance request as presented. **All in favor. Motion Carried.**

2. **V18-02 PIERCE, WILLIAM & LORRAINE.** Represented by Curtis Dybas. To alter single family dwelling, specifically to raise the cottage 1'2" by adding to the top of the foundation, add a 136 square foot addition with fireplace and alter stairs, seek area variance for 1) Deficient setbacks. Front: 50' is required, 20' is proposed. Side: 20' is required, 8' 10" is proposed. Rear: 20' is required, 12' is proposed; and 2) to alter a non-conforming structure in accordance with Section 200-57B(1)b. Section 186.18, Block 1, Lot 29, Zone RM1.3. Property Location: 12 The Back Road. Subject to WCPS

Curtis Dybas presented the following:

- They would like to make this a more extensive summer use cottage.
- The owner is 6'4" and would like a little more head room in the basement that he uses for a woodshop.
- They are renovating the inside and would also like a 136 sq. ft. addition on the front.
- The outside will basically stay the same in appearance.
- The plan is to do the work this coming fall.

Jason Saris asked how long they owned the home. Mr. Dybas replied 2 years.

Jason Saris asked if the Association had reviewed the plans. Mr. Dybas stated they had and there was an approval letter in the packet.

Jason Saris asked if they had played around with putting the addition in other areas to make it compliant. Mr. Dybas stated that this was the only place to accommodate the living room addition as the bedrooms and the bathroom were in the rear and he does not know any other place to put this addition to accommodate their needs. He believes this is a minimal request as far as the setbacks are concerned. Holly Dansbury stated that that they were only increasing the variance request by an additional 3'.

Carla Cumming stated it would look a lot like the house across the street when it was finished. Mr. Dybas agreed.

No County Impact

## **RESOLUTION**

The Zoning Board of Appeals received an application from William & Lorraine Pierce, (V18-02) for an area variance as described above.

And, due to notice of the Public Hearing of the ZBA at which time the application was to be considered having been given and the application having been referred to the Warren County Planning Staff;

And, whereas the Warren County Planning Staff determined that there was no County impact;

And, after reviewing the application and supporting documents of the same, and public comment being heard regarding the application; this Board makes the following findings of fact:

The application of the applicant is as described in Item #2 of the agenda.

1) The benefit could not be achieved by other means feasible to the applicant besides an area variance. In order to create the headroom necessary this is the best way to do it without extending it more.

2) There will be no undesirable change in the neighborhood character or to nearby properties. This is within character of the neighborhood

3) The request is not substantial. It's a 136 ft. addition that is only 3' further into the setback.

4) The request will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. They are including eave trenches.

5) The alleged difficulty is self-created; This is a non-conforming structure, and this is a reasonable request.

The benefit to the applicant is not outweighed by the potential detriment to health, safety and welfare of the community.

Now, upon motion duly made by Holly Dansbury and **Seconded by**, Joy Barcome it is resolved that the ZBA does hereby approve the variance request as presented. **All in favor. Motion Carried.**

The meeting was adjourned at 6:22pm

Minutes respectfully submitted by Kate Persons