

Town of Bolton
ZONING BOARD OF APPEALS
MINUTES
Tuesday, October 16, 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, Jason Saris, Lorraine Lefevé

Absent: Carla Cumming, John Whitney, Jeff Anthony, Counsel Michael Muller and Zoning Administrator Pamela Kenyon

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

Jason Saris asked if there were any corrections or changes to the September 18, 2018 minutes.

RESOLUTION:

Motion by Joy Barcome to approve the September 18, 2018 minutes as presented. Seconded by, Lorraine Lefevé. All in Favor. Motion Carried.

- 1. V18-25 PECORARO, JAMES.** Represented by Matthew Smith. To alter single family dwelling, specifically to convert a 240 square foot rear deck into a 342 square foot screened in porch, seeks area variance for 1) a deficient rear yard setback. 20' is required, 16.5' is proposed; and 2) to alter a nonconforming structure in accordance with Section 200-57B(1)b. Section 185.00, Block 2, Lot 7, Zone RL3. Property Location: 715 Trout Lake Road. Subject to WCPS review.

Matthew Smith presented the following:

- Mr. Smith detailed the plans stating that the applicant would like to bring the smaller existing side sections of the deck out to meet the larger 12' sections.
- They would like to add a roof and screen it in.

Jason Saris asked if the encroachment was going to increase. Mr. Smith said they were not exceeding the 12'. Jason Saris asked if they would be making the encroachment any more than the 16.5' from the property lines. Mr. Smith said they need the variance due to the existing building being non-conforming.

Jason Saris asked if there would be any stairs that would encroach further into the setbacks. Mr. Smith detailed them on the plans saying from the edge of the stairs, which was the farthest point to the line, it was 16.5'.

Joy Barcome asked if they were screening in the structure once the roof was added. Mr. Smith said yes.

Holly Dansbury asked if they planned on doing anything with the front porch. Mr. Smith said they were not.

Jason Saris asked why they were proposing the stairs in the area depicted on the drawings. Mr. Smith explained that this was the best location for access from the door.

Lorraine Lefevre asked if the existing fire pit would be interfering with the new construction. Mr. Smith replied that it would not.

Lorraine Lefevre inquired about the timber posts in the plans. Mr. Smith explained the drawings and stated that the plans were not exact. He said they would be when he went for the building permits.

No County Impact

RESOLUTION

The Zoning Board of Appeals received an application from James Pecoraro, (V18-25) 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 #1 of the agenda.

- 1) The benefit could not be achieved by other means feasible to the applicant besides an area variance:
 - 2) There will be no undesirable change in the neighborhood character or to nearby properties. Most people in the neighborhood will not be able to see it.
 - 3) The request is not substantial. It will add to their comfort.
 - 4) The request will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. They are basically just adding walls and a roof to an existing structure.
 - 5) The alleged difficulty is self-created; it was a pre-existing, non-conforming structure.
- In weighing the factors, 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 Lorraine Lefevre and Seconded by, Joy Barcome it is resolved that the ZBA does hereby approve the variance request as presented. It is hereby determined that the action to be taken is consistent with the Town of Bolton Local Waterfront Revitalization Program policies and standards. **All in favor. Motion Carried.**

The meeting was adjourned at 6:15PM

Minutes respectfully submitted by Kate Persons