

**Town of Bolton**  
**ZONING BOARD OF APPEALS**  
**MINUTES**  
**Tuesday, April 20, 2021**  
**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:** Jason Saris, Brendan Murnane Joy Barcome, Holly Dansbury, Jim Senese, Planning & Zoning Director; Richard Miller, PE and Counsel; Michael Muller

**Absent:** Jeff Anthony, Dan Sheridan, Alternate; Lorraine Lefevre

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

**RESOLUTION:**

**Motion by Joy Barcome to approve the March 23, 2021 minutes **Seconded by Jim Senese. All in Favor. Motion Carried.****

- 1. V21-11 Michael Urvalek:** Represented by Michael Urvalek. Seeks variance to remove the existing second floor and roof to meet code requirements on the second floor, replace windows and siding and renovate the original cottage. Finished height will be below 35 feet. Seeking area variance to alter a non-conforming structure in accordance with Section 200-57B(1)b. Section 186.06, Block 1, Lot 11.2, Zone RM1.3. Property Location: 4 Belle Lodi Court. Subject to WCPS and LWRP review.

Michael Urvalek presented the following:

- They purchased the property last September.
- They would like to change the roof line within the same footprint that exists.

Jason Saris asked if the renovations would increase the existing setbacks. Mr. Urvalek replied no, the footprint would stay the same. Currently it is an A frame and they are looking to change the pitch of the roof

Jason Saris asked if they would be using gutters for stormwater. Mr. Urvalek stated that he has made adjustments for the stormwater and he will also be adding gutters to the new roof line and tie them into the existing stormwater controls.

Holly Dansbury inquired about the siding. Mr. Urvalek replied it would be like a cedar style siding and will be almost identical to the house next to it.

## RESOLUTION

The Zoning Board of Appeals received an application from Michael Urvalek (V21-11) 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. *They are working with the existing footprint and making the second story a more usable space.*

2) There will be no undesirable change in the neighborhood character or to nearby properties. *They are improving the look of the home.*

3) The request is not substantial. *They are staying within the same 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 not self-created. *This is a pre-existing, non-conforming 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 Brendan Murnane, 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.**

2. **V21-12 Anthony Palazzo:** Represented by Anthony Palazzo. Seeking area variances for 1) removing existing concrete walkway and replace in kind, 2) add railing to raised concrete walkway, 3) add an awning over the existing door and 4) to alter a non-conforming structure in accordance with Section 200-57B(1)b. Section 171.15, Block 2, Lot 36.2, Zone GB5000. Property Location: 4 Horicon Avenue. Subject to WCPS and LWRP review.

Anthony Palazzo presented the following:

- He is opening a retail store in this location.
- He would like to redo the old and cracked front sidewalk and add a railing for safety and an awning for rain.

Brendan Murnane asked about the awning. Mr. Palazzo replied that it would not be going over the sidewalk.

Holly Dansbury asked if they would be relocating anything. Mr. Palazzo replied no and stated that they were just replacing what exists.

Jason Saris inquired as to the type of business Mr. Palazzo was opening. Mr. Palazzo stated it was a retail store. He said he did graphic design so it would have boat decals, stickers, signs, business cards, custom t-shirts etc.

David Becker of 6 Horicon Avenue asked about the size of the awning and the railing, what sections of the sidewalk would be replaced and who owns the sidewalk. Holly Dansbury showed him the plans so he could see what was proposed. He discussed his questions with Mr. Palazzo. Jason Saris said he believed the sidewalk was maintained by the property owners.

Mr. Palazzo said it would be a small standard door sized awning and only about 2.5' out from the building.

## **RESOLUTION**

The Zoning Board of Appeals received an application from Anthony Palazzo (V21-12) 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. *They are replacing a deteriorating sidewalk and adding a modest awning.*
- 2) There will be no undesirable change in the neighborhood character or to nearby properties. *It is an improvement to the neighborhood with the replacement of the deteriorating concrete.*
- 3) The request is not substantial. *The awning is modest in size.*
- 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 not self-created. *The concrete is in disrepair and needs to be replaced.*

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 Brendan Murnane 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