

RESOLUTION 2019-37, MEETING #488, AUGUST 27, 2019
APPROVE VARIANCE FOR WHARF MODIFICATION

Application # 5226-40-18
Location Town of Hague
Applicant Sandra Smith-Cerosky

WHEREAS the applicant has applied for a variance to maintain a 70' long, 18' 9" wide L-shaped crib dock with a canopied boatlift; and

WHEREAS the Lake George Park Commission has reviewed the application, supporting documents, comments received and other information which appears in the record; and

WHEREAS the Commission has made a determination pursuant to 6NYCRR 645-3.6 and the State Environmental Quality Review Act 6NYCRR 617.5 that the project is a Type II action and does not require further review of potential environmental impacts pursuant to this act; and

WHEREAS the action is considered to be a Minor project pursuant to 6NYCRR 645-5.3 and public notice has been published and distributed; and

WHEREAS the applicant has requested variance from 6 NYCRR 646-1.1(c)

(2) No dock or wharf shall be constructed so as to exceed the following offshore distance criteria:...

(i) No dock or wharf may extend offshore for more than forty feet beyond the mean low-water mark where the wharf intersects the mean low-water mark; and

(5) The maximum width of any pier shall be eight feet.

WHEREAS the applicant has demonstrated that strict conformance with the regulations will cause unnecessary hardship due to unique and peculiar circumstances which impose substantial financial, technical and safety burdens; and

WHEREAS the Commission finds that there is no reasonable possibility that the applicant's property will bring a reasonable return following conformance with the regulations; and

WHEREAS the Commission finds that the project represents the minimum necessary variance required to alleviate the hardship; and

WHEREAS the Commission finds that the proposed project is reasonable and necessary and will not cause unreasonable, uncontrolled, or unnecessary damage to the natural resources of the state, including soils, forests, water, fish, shellfish, crustaceans and aquatic and land-related environment; and

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WHEREAS the Commission finds that the project will have no adverse impact on the health, safety or welfare of the public, the environment or the resources of the Park; will not alter the essential character of the area in which it is proposed; will not lead to congestion in the Park and will not have an undue visual, cultural or audible impact on the neighborhood or the Park.

NOW THEREFORE BE IT RESOLVED

The Lake George Park Commission hereby approves the request for variance,

- as proposed
- with the following modifications:

AYES: _____

NAYS: _____

ABSTENTIONS: _____