

RESOLUTION 2019-46, MEETING #488, AUGUST 27, 2019
APPROVE VARIANCE FOR WHARF MODIFICATION

Application # 5324-2-18 & 5324-3-18
Location 23.20-2-6, Town of Dresden
Applicant Mark & Courtney Kenyon

WHEREAS the applicant has applied for a permit to replace an existing wharf with a 102' long, 8' wide, crib-supported pier, install two personal watercraft lifts and delete a mooring; 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)

(11) Every dock or wharf constructed shall have a minimum setback of twenty feet from the adjacent property line extended into the lake on the same axis as the property line runs onshore where it meets the lake, or at a right angle to the mean high-water mark, whichever results in the greater setback; and

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

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.

RESOLUTION 2019-46 (continued)

NOW THEREFORE BE IT RESOLVED

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

- as proposed
- with the following modifications:

AYES: _____ NAYS: _____ ABSTENTIONS: _____