

RESOLUTION 2020-3, MEETING #493, JANUARY 28, 2020
APPROVE VARIANCE FOR WHARF MODIFICATION

Application # 5220-44-19 New Dock Construction
Location Town of Bolton
Applicant Keith Ferguson

WHEREAS the applicant has applied for a permit to place a 12.5' wide x 11.9' long jet ski ramp; 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)

(7) The maximum number of docks, wharfs or moorings permitted per lakefront lot or parcel shall be limited as follows: (i) Forty-five to sixty-five feet of lakefront - one dock or wharf constructed as a straight pier (a minimum of forty-five feet is required for the construction of a wharf);

(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 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 2020-3 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 condition:

A survey of the subject lakefrontage with the existing wharf shall be submitted prior to the issuance of a permit.

AYES: _____

NAYS: _____

ABSTENTIONS: _____