RESOLUTION 2022-09, MEETING #514, MARCH 22, 2022
APPROVE VARIANCE FOR MOORING PLACEMENT

Application # **DWM22-000004 Mooring Placement**
Location **300 Cleverdale Road, Queensbury**
Applicant **Al Freihofer**

WHEREAS the applicant has applied for a permit to place a double-tied mooring partially in their neighbor's property setback; 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 a variance from: 6 NYCRR 646-1.1(c)(12)

- Moorings shall be placed so that vessels moored to them, at the full swing of their mooring or anchor line, will be no closer than twenty feet to the projection of the property lines extended into the lake along the axis of the property lines as they intersect the lake, or a line extended at a right angle to the mean high-water mark, whichever results in the greater setback.

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 or safety burdens; and

WHEREAS the Commission finds that there is no reasonable possibility that the applicant's property, or if no property is involved, the continuation of the applicant's business, enterprise, use or activity will bring a reasonable return following conformance with the regulations; 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.

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 modification(s):

_____

Draft Conditions:

_____

_____

YES: _____ NAYS: _____ ABSTENTIONS: _____