

RESOLUTION 2022-25, MEETING #516, MAY 24, 2022
APPROVE VARIANCE FOR DOCK MODIFICATION

Application # **DWM22-000036 Dock Modification**
Location **16 Windsong Lane, Bolton**
Applicant **Ciccarelli Family Trust**

- WHEREAS** the applicant has applied for a permit to lengthen an existing dock an additional five feet and widen the dock by eight inches; 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)(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.
- 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: _____