

**Planning Board Meeting
December 13, 2017**

Present:

Peter Sheridan, Chairman
Matt Coldrick
Lance Spallholz

Absent:

Fred Sievers
William Ryan, Alternate
Thomas Peterson, Planning Board Attorney

Agenda: December Monthly Meeting

- 14 Prospect Avenue Variance
- 38 Village Circle South Tree Removal
- Firehouse Update
- Open Discussion

Guests:

Jon Cullinan

At 7:05 PM, Mr. Sheridan called the meeting to order noting that Mr. Sievers and Mr. Ryan would be absent this evening.

14 Prospect Avenue Variance

Mr. Spallholz said that the Village should have a photographic record to document before and after changes to homes. The packet submitted by Mr. Thomas Frost does include photographs, attached, but not a complete photographic record.

Mr. Sheridan explained that a garage will be put up on the north side of the house, and the variance will put the garage at 5' from the property line. The packet shows before and after site plans. Of note, Levings Ave., not Prospect Ave., will provide access to the new garage.

Mr. Sheridan had concerns about lighting that he would address if the applicant were present. Mr. Coldrick asked how much space was between the street and the garage door, and expressed concern for pedestrians and other motorists. Mr. Sheridan will recommend a reduction to the length of the garage to 20'.

Mr. Spallholz had concerns about the snow removal, drainage and water pouring off the roof of the garage on to neighboring Lot 297. Mr. Cullinan suggested dry wells as a drainage alternative. Mr. Spallholz suggested a gutter on the north end of the garage.

Mr. Sheridan remarked that at the Zoning Board of Appeals meeting the neighbors liked the proposal and thought it would be an improvement to the property. The coverage of the house to the lot was high, proposed at 57%, but was also approved by the Zoning Board. Mr. Spallholz wondered if the patio was included in the surface area, particularly if it is an impermeable surface. Although the Planning Board takes no action on this variance, Mr. Spallholz wanted to review the changes so the Planning Board was aware of what the Zoning Board of Appeals had approved.

38 Village Circle South Tree Removal

Belmonte Builders was issued a building permit for 38 Village Circle South. This parcel borders the Zim Smith Trail with a 22-foot buffer of land conservation containing a grouping of Locust trees. The new homeowner has a fear the Locust trees might fall on the new house. The homeowner is requesting removal of the Locust trees and replacement with 6' saplings of another tree variety. Mr. Spallholz feels if the owner owns the trees as part of the property, she can cut them down and replace them with an equivalent number of what was cut down, or preferably two trees for each tree taken. Mr. Spallholz asked if the HOA has a stake in the buffer or maintenance, noting if the Planning Board says yes to the request, it may also require approval from the HOA.

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Not requiring a resolution for the aforementioned reasons, the Planning Board supported the removal and replacement as requested. Mr. Sievers expressed his support via email as well.

Firehouse Update

Though not present for this meeting, the Planning Board will convene in the New Year to discuss the site plan review for proposed new firehouse. He shared the below update via email, which Mr. Sheridan read to the board:

As we have discussed, when presentations are made to the Planning Board about this project, I will recuse myself (I am Chair of RLHC Building Committee).

- **Flood Plain** – *We have a determination from FEMA (Letter of Map Amendment) that our existing building is above the 100-year flood elevation. We will actually be raising our new building 1 foot above the existing [building]*
- **Wetlands** – *We have a letter from Region 5 DEC that they do not see any impact on the adjacent DEC wetlands from our proposed project*
- **Stormwater** – *We will be keeping our disturbed area under 1 acre and thus not subject to Stormwater SPDES Permitting*

Open Discussion

26 Albany Avenue is completing the process of being resurveyed. Mr. Sheridan did find the property markers to reference. Mr. Spallholz would like to revisit the drywell calculations when the Cottrells return to the Planning Board.

The Planning Board reviewed the October 11, 2017 minutes. Mr. Coldrick moved to approve the minutes as submitted, which Mr. Spallholz seconded. Ms. Elford polled the Board: Mr. Coldrick – aye, Mr. Spallholz – aye, and Mr. Sheridan – aye.

Mr. Sheridan made a motion to adjourn at 8:31 PM. All were in favor.

Respectfully submitted,

Heather K. Elford

Heather Elford
Planning Board Secretary

VILLAGE OF ROUND LAKE ZONING BOARD OF APPEALS
AREA VARIANCE FINDINGS AND DECISION

Applicant: Thomas Frost
41 Long Alley
Saratoga Springs NY

Appeal No.: _____
Published Notice on: _____
Hearing Held on: 11/29/17
SEQR: ___ Type I ___ Type II ___ Unlisted
Pos Dec ___ Neg Dec ___

Property Location: 14 Prospect Ave
Requirement for which Variance is Requested: Front, sides, coverage

Requested Variance: See application p. 2 Area variances section 1-5

HAS THE APPLICANT DEMONSTRATED THAT A "PRACTICAL DIFFICULTY" RESULTS FROM THE ZONING ORDINANCE?

1. Would the variance result in an undesirable change in the character of the neighborhood or a detriment to nearby properties? Yes No

Reasons: Agreement by board on all except garage. Feelings were divided on the existence of a garage changing nature of historic village

2. Can the benefit sought by the applicant be achieved by a feasible alternative to the variance? Yes No

Reasons: Again the garage was the only point of contention.

3. Is the requested variance substantial? Yes No

Reasons: Garage was substantial, but some felt it was unwanted

4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood? Yes ___ No

Reasons: Drainage looked good, most trees were kept

5. Is the alleged difficulty self-created? Yes No ___

Reasons: small lot needing architectural improvements required the variance

Note: These five factors shall be relevant to the decision of the ZBA, but shall not necessarily preclude the granting of the variance.

VILLAGE OF ROUND LAKE
ZONING BOARD OF APPEALS APPLICATION (July 21, 2004)

Tax Map No. 350.34-3-26

Application No. _____

Please read and understand the Village of Round Lake Zoning Board of Appeals Application Requirements and Guidelines before filing your appeal.

1. Applicant

Name: THOMAS FROST
Address: FROST HURFF ARCHITECTS
41 LONG ALLEY
SARATOGA SPRINGS, NY 12866
Telephone: 518 584 7514
EMAIL: TOM@FHARCH.COM

2. Property Owner (if different than item 1, above)

Name: LISA SCHROEDER
Address: 104 COUNTY ROAD 68
SARATOGA SPRINGS, NY 12866
Telephone: 518 361 3606

3. Location

Street and No.: 14 PROSPECT AVENUE RY-2 DISTRICT

4. Action Denied

Building Permit Use _____ Other _____

5. Type of Action Requested

Use Variance _____ Area Variance Interpretation _____ Other _____

This appeal is for relief from the provisions of Zoning Ordinance:

Article(s) _____ Section(s) _____ Paragraph(s) _____

TABLE OF BULK REGULATIONS - SET-BACK REQUIREMENTS

6. Narrative Description of Request

Attach a narrative that explains what is being proposed, why the approval should be considered, hardships or practical difficulties involved and why this change would not be detrimental to the neighborhood and Village. For a use variance, the narrative must demonstrate all four (4) criteria outlined in the Application Guidelines. For an area variance, the narrative must discuss the five (5) factors outlined in the Application Guidelines. The narrative must provide discussion of each of these criteria or factors, not simply a statement that the criteria or factor is met. For example, for the self-created hardship criterion, simply stating that the hardship or difficulty was not self-created is not acceptable. The narrative must explain why the applicant believes this is so.

7. Lot Information

Acres .07 Sq. Ft. 3000 Frontage 50' OH PROSPECT AVE., 60' OH WHITFIELD AVE., 50' OH LEYINGS AVE.
EAST SIDE OF LOT SOUTH SIDE WEST SIDE

8. Provided with Application

Survey _____ Site Map Plot Plan Proof of Ownership _____
Owner Permission _____ SEQR Documentation _____

9. Signature of Owner

Lisa Schroeder

Date 10/24/17

10. Fee Paid \$250.

FROST HURFF ARCHITECTS

MEMO

Date: 10/26/2017
To: Village of Round Lake Zoning Board of Appeals
From: Thomas Frost, Frost Hurff Architects
Re: 14 Prospect Avenue

The residence at 14 Prospect Avenue is an architecturally unique structure. Apparently built in 1895, it appears to have been a partially open gazebo-type building that was subsequently enclosed. There are unique wood roof trusses exposed on the interior that will be retained. The roof structure and exterior walls, however, do not meet current structural codes, and will be reinforced and properly insulated during the renovation of the building.

The proposed renovation will include some additions to the building that will enhance its livability while maintaining its exterior character. These additions are the subject of the Area Variances that constitute this Zoning Board of Appeals Application.

The four proposed additions to the structure are as follows;

1. The existing screened porch on the Prospect Avenue (east) end of the house will be replaced by a larger screened porch.
2. The existing deck on the north side of the house will be replaced by a 12' x 24' attached single-car garage structure.
3. The northwest corner of the house will be filled in with a 55 square foot addition that will provide additional space for the master bedroom suite.
4. The existing small entry porch on the center south wall (Whitfield Avenue elevation) will be removed. New entry and stairs will be relocated under the large roof extension just to the east of the existing entry.

These four additions, less the required removals, will create a net increase in the principal building lot coverage of 407 square feet.

Like many of the properties in the Village, as it exists, this building does not meet many of the Bulk Regulations in the Residential RV-2 District;

Minimum Lot Size: required = 7000 sf, existing = 3000 sf

Minimum Frontage Width: required = 70 ft, existing = 50 ft on east and west sides
60 ft on south side of lot

Maximum Percent Coverage: required = 20%, existing = 44%
proposed = 57%

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Minimum Building Area: required = 900 sf, existing = 1317 sf

proposed = 1724 sf

Minimum Yard Dimensions, Front: required = 20 ft

existing = East 2'-6", South 0'-7", West 1'-1 3/8"

proposed = East 2'-6", South 0'-0", West 1'-1 3/8"

Side: required = 10'

existing = North 10'-2"

proposed = North 4'-7"

The Area Variances that are requested are;

1. A continuation of the pre-existing east Front Yard Set-back of 2'-6" from a length of 10'-9 1/2" to a length 17'-6", a linear extension of 6'-8 1/2".
2. A reduction of the north Side Yard Set-back of 10'-7" to the existing deck, to a Side Yard Set-back 4'-8" for the length of the proposed 24' long garage addition.
3. A continuation of the pre-existing west Front Yard Set-back of 1'-1 3/8" from a length of 16'-7 1/2" to a length of 21'-10 1/2", a linear extension of 5'-3".
4. A reduction of the pre-existing south Front Yard Set-back of the roof extension of 7' to a setback of 0'-0" for the new entry steps that will be built to the property line.
5. Increase in Lot Coverage from pre-existing 44% to proposed 57%.

The following is a response to the Balance Test Criteria;

1. Granting the Variances will not cause an undesirable change in the character of the neighborhood. The building will retain its current architectural character. Of the four Variances requested, obviously #2, the garage addition, is the most significant. It will have a minor effect on the Levings Avenue (west) elevation, the least significant of the three frontages. It will have minimum visibility from the other two frontages. In terms of its effect on the neighbor to the north, 12 Prospect Avenue, it is in a location that is well removed from the residence and any other structures on that lot. Although not a permanent feature, the large hedge on that north lot line significantly reduces its visibility from the neighbor's property.
2. Because of the pre-existing coverage and frontages of the 14 Prospect Avenue parcel, the addition of a garage could only be achieved with the need for an Area Variance. Obviously, in our climate, a garage is an important feature for a full-time residence. There are no reasonable alternative locations for it on the lot.
3. Variances #1, #3, and #4, by their scope and nature, are not substantial and do not constitute a major change to the perception of the building or lot. The garage Variance is relatively substantial as it decreases a pre-existing conforming Side Yard Set-back of 10'-7" to one of 4'-8".

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4. The proposed Variances will not have an adverse effect on the physical or environmental condition of the neighborhood or district. The proposed additions will fit with the historical nature of the house and its neighbors.
5. The need for the garage and the other proposed additions is essentially self-created. On a lot of this existing size and density, it is very difficult to achieve such necessary improvements without requiring a Variance to do so. The variances requested are the minimum required to achieve these improvements.



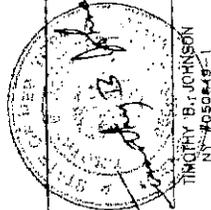
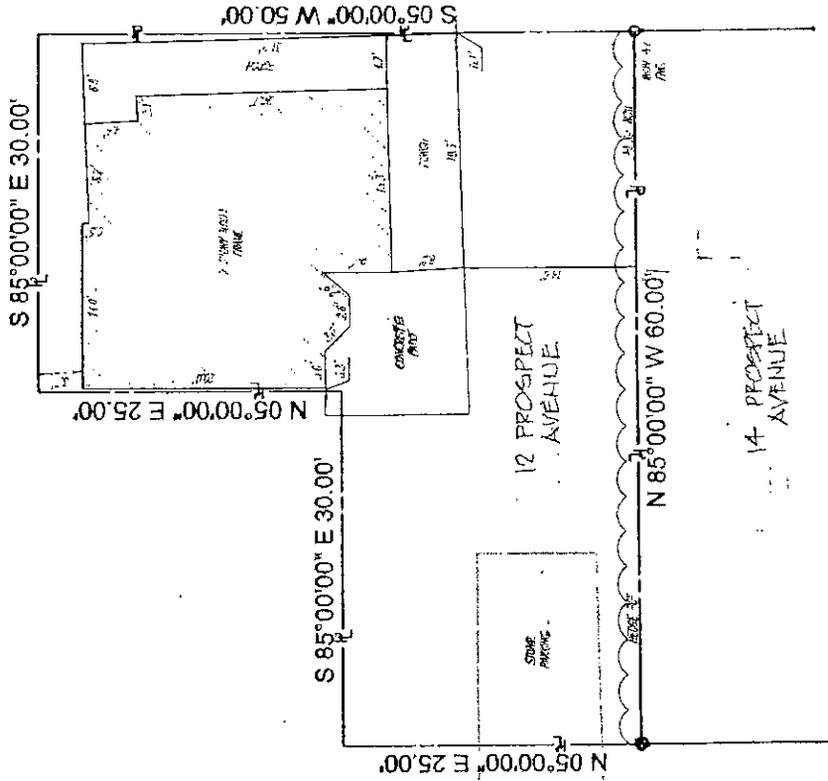
LOCATION MAP

14 PROSPECT AVENUE

12 PROSPECT AVENUE

PROSPECT AVENUE
30' WIDE

LEVINGS AVENUE
20' WIDE



PEDIGREE	5-5-16
PLAN DATE	5-21-16
PROJECTING	WJW/MLC
CHECKED	
DATE	



SCALE: 1" = 10'

PREPARED BY:
JOHNSON SURVEYING &
CONSTRUCTION SERVICES, INC.
445 CORFETOWN ROAD
EASTON, PA. 18042
610-390-0888

ISSUED BY: W.T. WUEBER

PREPARED FOR:
INGRID A. WUEBER
12 PROSPECT AVENUE
ROSELAKE, NY 12151
THE TOWN OF WALKA
SARATOGA COUNTY
STATE OF NEW YORK

PLAN TITLE:
LOCATION PLAN

DESIGNED BY: W.T. WUEBER

DATE: 5-21-16

PROJECT: 16-00000000

SCALE: 1" = 10'

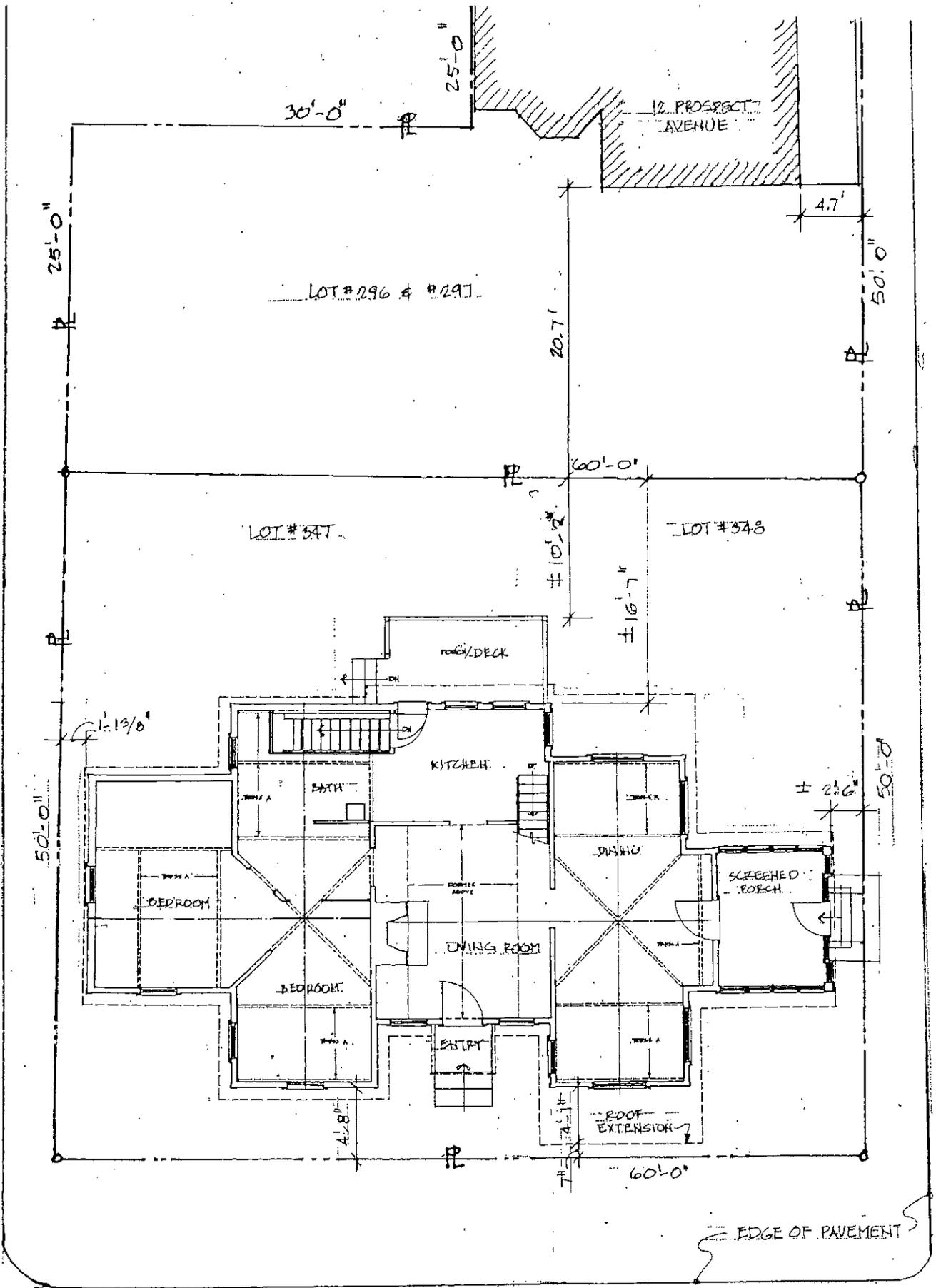
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PROJECT: 16-00000000

SCALE: 1" = 10'

LEVINGS AVE.

PROSPECT AVE.

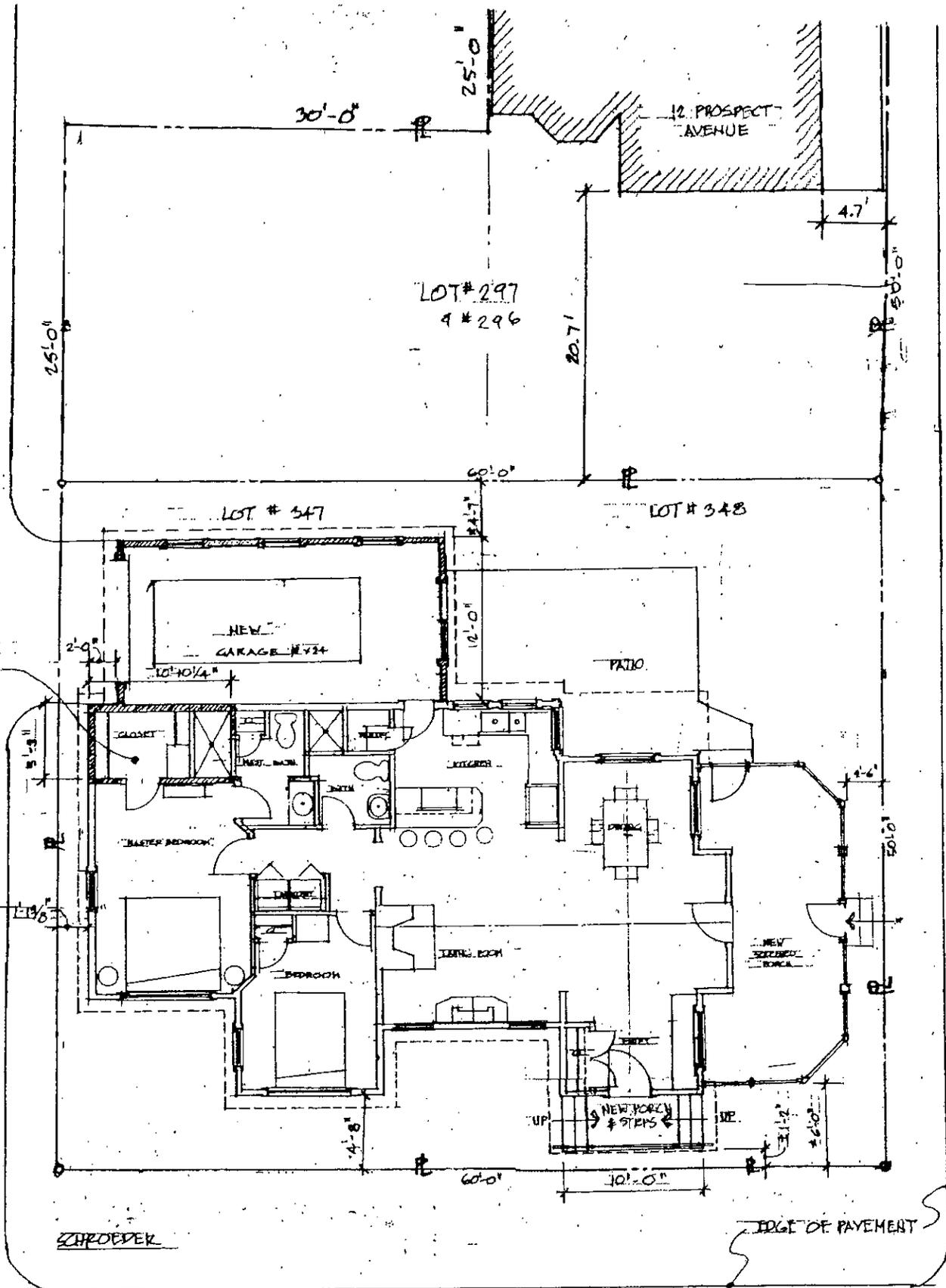


WHITFIELD AVE.

14 PROSPECT AVE. - EXISTING SITE PLAN

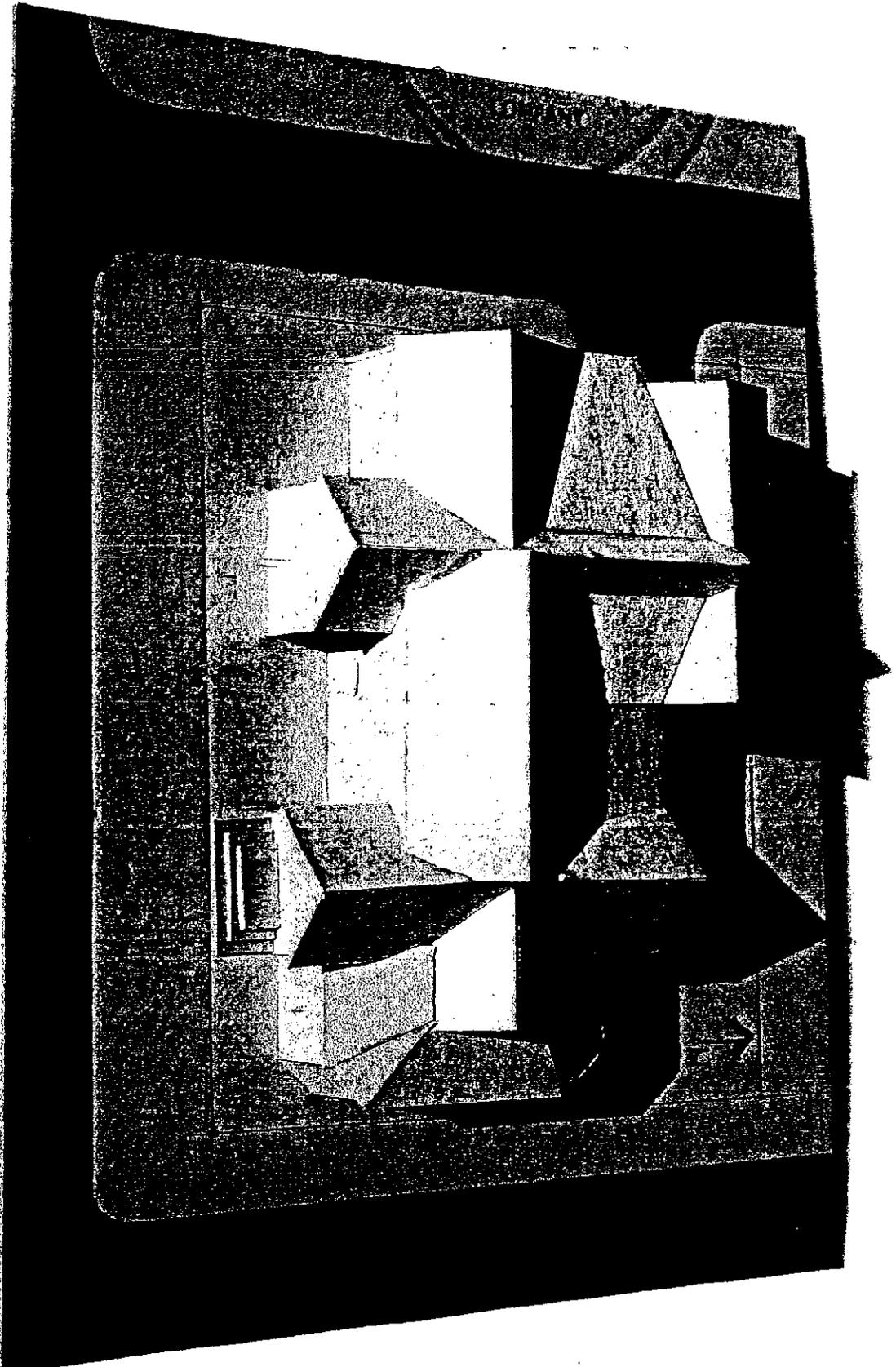
±10'-0" 9/20/17 LOT #347 & #348



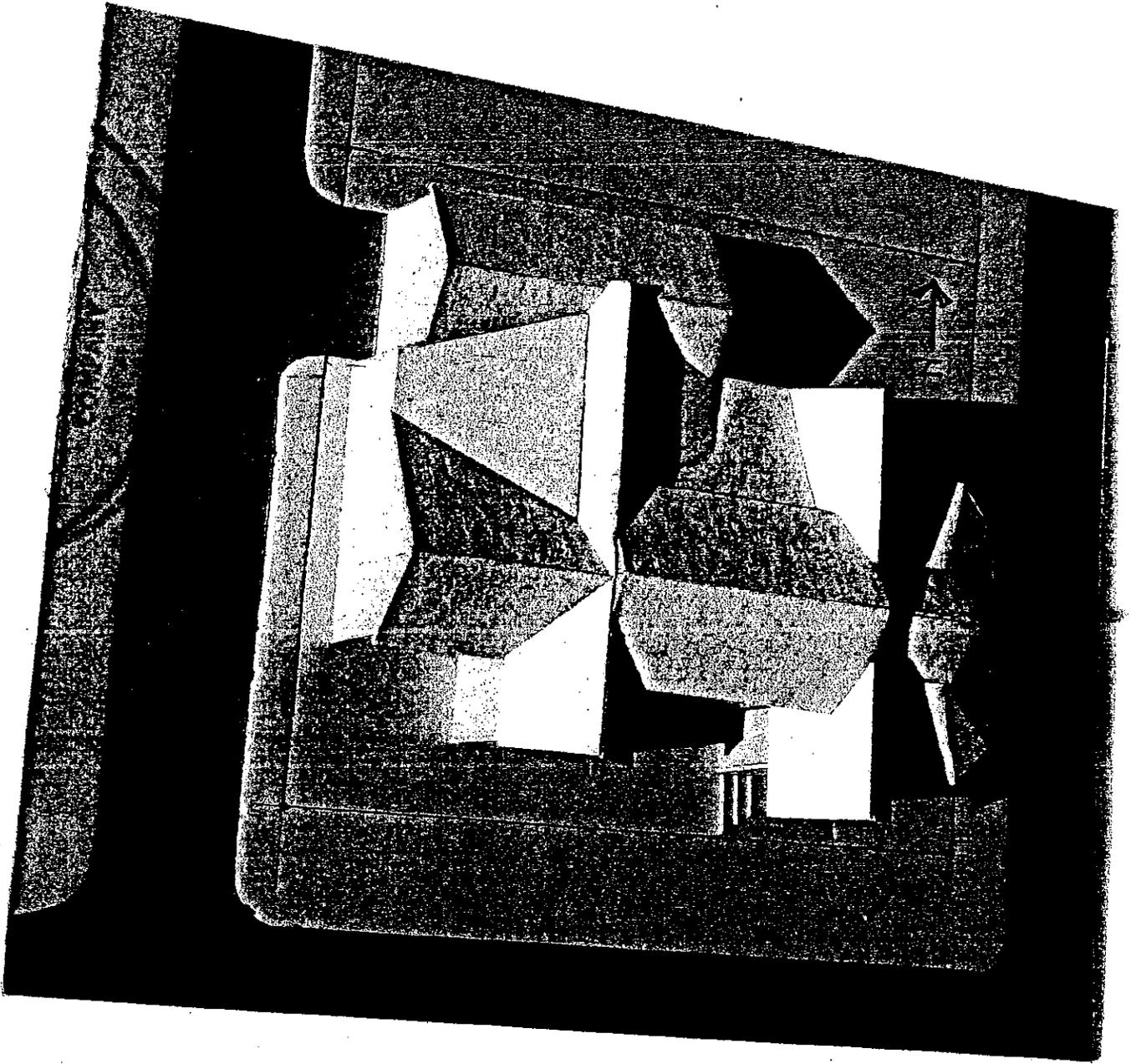


14 PROSPECT AVE. - PROPOSED SITE PLAN
 12-10'-0" 11/7/17 FH/A LOT #348 & #347



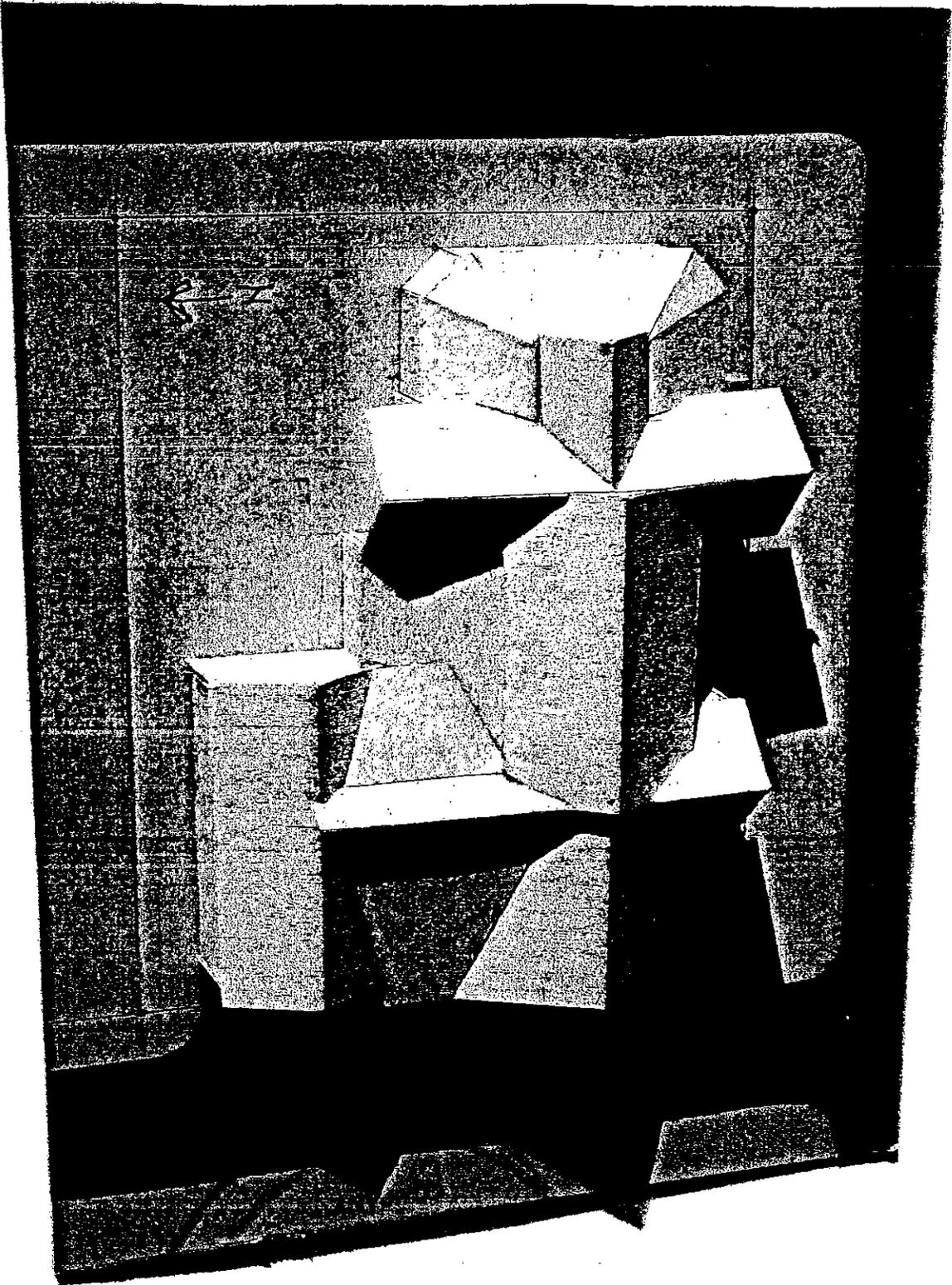


14 PROSPECT AVENUE



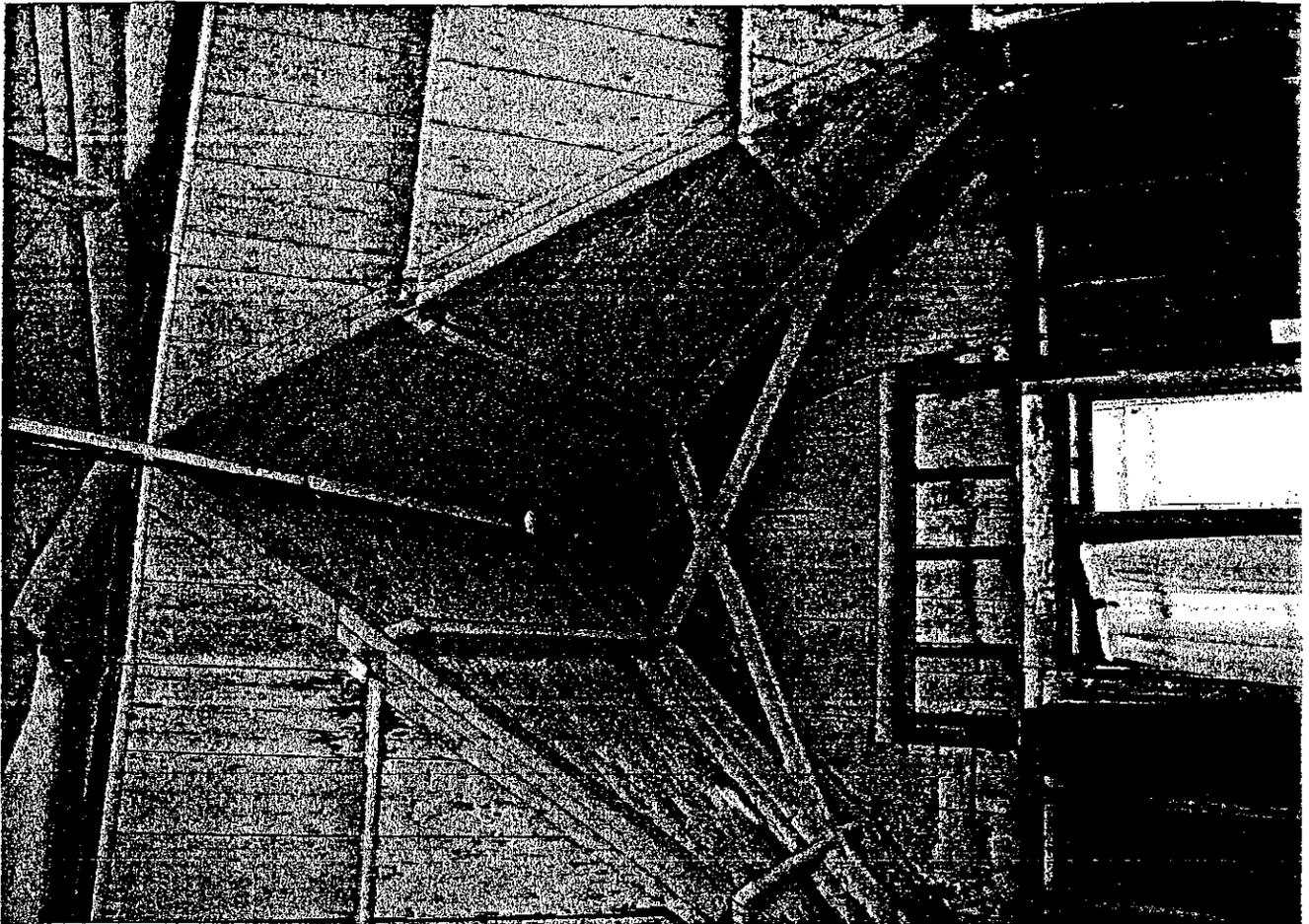
14 PROSPECT AVENUE

14 PROSPECT AVENUE





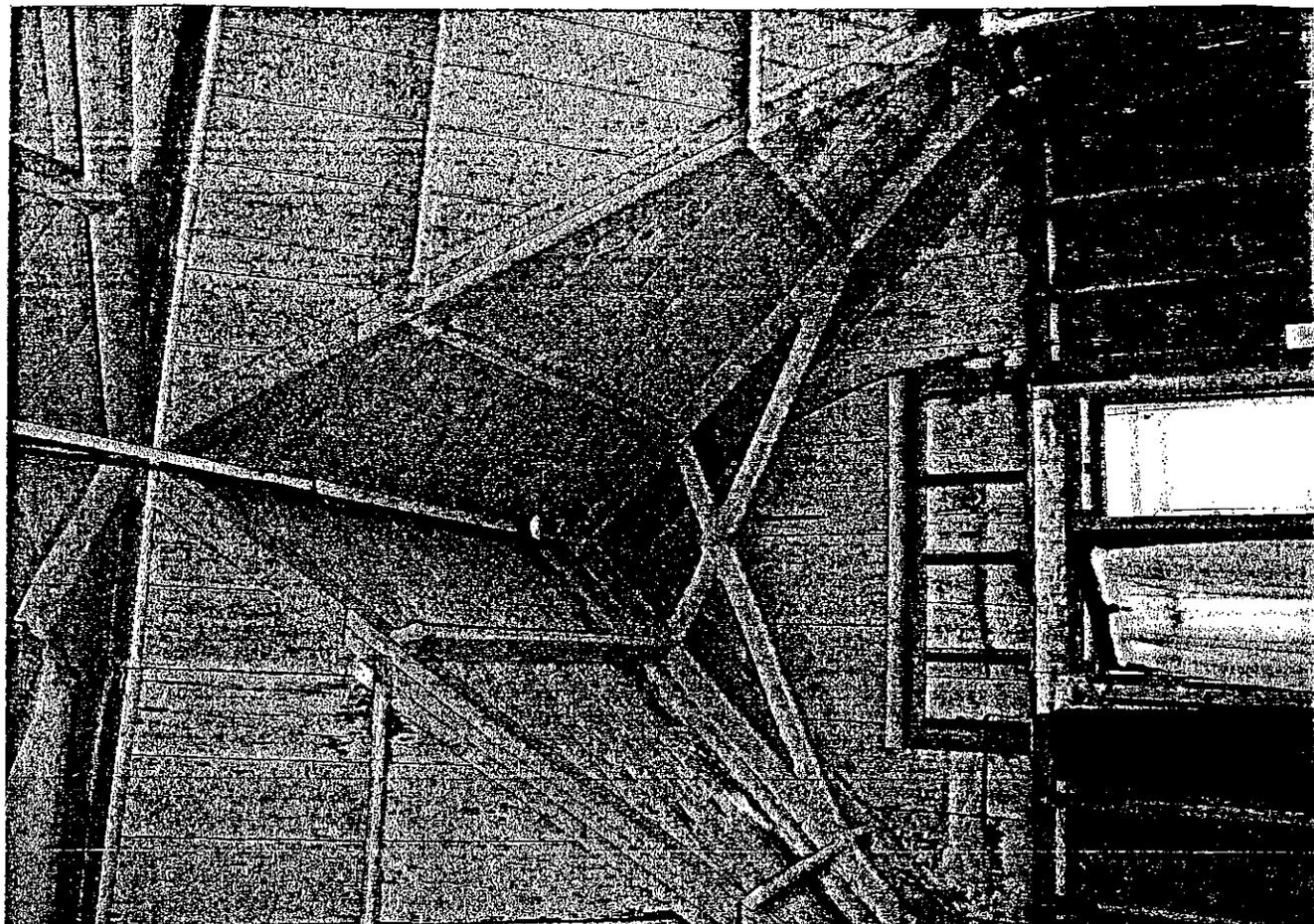
14 PROSPECT AVENUE South Side



14 PROSPECT AVENUE Interior Roof Framing



14 PROSPECT AVENUE South Side



14 PROSPECT AVENUE Interior Roof Framing