

Time 6:00PM

July 29,2025

PUBLIC HEARING MINUTES
VARIANCE BOARD
TOWN OF SANTA CLARA

MEMBERS PRESENT:

Nancy LaBombard, Chairperson
Todd Hall
John Briaddy
Judy Meagher
David Wisniewski
Lea Bedore, Alternate
Robin Sullivan, Secretary

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OTHERS PRESENT:

Todd David, Code Enforcement Officer, town of Santa Clara
Paul and Stephanie Schaeffer, applicants
Victoria Sturgeon, Adirondack Design
Michael Bird, Adirondack Design
Benen Pominville, Adirondack Design
Guy Middleton, Upper Saranac Foundation

The Variance Board of the Town of Santa Clara, County of Franklin, State of New York held a Public Hearing on Tuesday, July 29, 2025, at 6:00 PM at the Santa Clara Town Hall, Route 30, Saranac Inn, New York, to hear comments on the following application:

The application of Paul and Stephanie Schaeffer would require a variance for the construction of a boathouse that would exceed 15% of the length of the property shoreline, and a sideline setback from 25 ft to 0 ft.

This variance would be on the applicants' property at 478 Bungalow Bay Drive, Tupper Lake, NY 12986, Town of Santa Clara, Franklin County, New York Tax Map 473-1-10.300.

The proposed variance is:

The shoreline width of the property is 157 ft. The length of the proposed boathouse is 28 ft, 4 inches, which is 18% of the shoreline. Section 7.35 of the Santa Clara Land Use Code states that the total width of any structures along the shoreline does not exceed 15% of the width of the shoreline. The adjacent lot is also owned by the applicants and is 126 ft. The applicants are asking that the shorelines of the two lots be considered as one. The proposed boathouse would be 10.2% of the total shoreline of both lots. In addition, relief is sought from a sideline setback of 25 ft to 0 ft.

Nancy LaBombard, Chairperson, began the meeting by making introductions. Nancy read the details of the variance application. Nancy asked if any comments had been received from neighbors. Robin replied none had been received.

Nancy asked if there were any comments from the applicants or their representatives. Michael Bird explained that the APA regulations required that the new structure be placed out in the water a bit. This is because the regulations state the structure cannot touch the shoreline and trees on the

shoreline cannot be cut or be pruned within 16 ft from the base of the tree. Michael referred to diagrams showing the shoreline and trees.

Nancy asked about the placement of two existing docks, one on each lot. The applicants explained that one was pre-existing to their purchase of the property and the other one is meant to be temporary. Nancy explained that since the proposed boathouse structure would be 875 sq ft, which is the maximum allowed in the land use code, approval of the variance would require the removal of the existing docks. Nancy also stated that the setback of 0 ft would be considered a substantial setback.

Nancy asked if the applicants wished to continue with this application considering this discussion. Paul asked if they were to build the boathouse on one lot without considering the other, what size would be allowed. Todd David explained that it would have to be 3% smaller to meet the 15% of the shoreline requirement, and that the 25 ft setback would apply. Nancy explained that if the two existing docks were left, then the new structure would have to be reduced more in size to not exceed the 875 sq ft allowed. Nancy also explained that the variance board must work off the application as presented at this meeting and if the applicants were interested in another design, that would have to go back to Todd for code enforcement review.

Michael Bird asked if the variance application were approved, would there be a condition in the wording requiring the removal of the two existing docks. Nancy replied yes, it would be in the approval wording and would be followed up on by our code enforcement officer.

The applicants agreed to the removal of the two existing docks. Nancy asked if any of the other board members had questions. There were no further questions.

Discussion began on the five factors to consider in granting the variance. Comments made were;

1. Undesirable Change - all voted NO
2. Some Other Method - all voted NO, Nancy stated this had been covered in previous discussions.
3. Substantial - all voted NO, Nancy stated that a setback of 0 ft is usually considered substantial but is reasonable when one lot is considered.
4. Adverse Impact on Environment- all voted NO
5. Self-Created - all voted NO

Nancy stated she had overlooked mentioning the feedback from the town Planning Board. The Planning Board was in favor of approving the application, if the new boathouse/dock structure was the only structure on the combined lots.

The Variance Committee Members having taken into consideration the benefit to the applicant, as weighed against the detriment to the health, safety and welfare of the neighborhood or community and having considered the five factors has decided to GRANT the variance, with the condition that the existing docks, one on each lot, be removed resulting in the new boathouse/dock being the only structure on the combined waterfront. The decision does not preclude on our part any APA or other authoritative approval. It is the responsibility of the applicants or owners to contact other state, county and/or local agencies to secure any necessary permits.

Robin Sullivan
Secretary

