

## ZONING BOARD OF APPEALS

A hearing before the Hudson Falls Zoning Board of Appeals was held on September 16, 2024, at 6:00 p.m. in the Village Hall Board Room.

Present: Robert Durkee, Chairperson  
Louis Cantiello, Board Member  
Edward Mahan, Board Member  
Michael Willig, Board Member  
Mary Alice Murphy, Alt. Board Member  
William Nikas, Village Attorney

Absent: Tammy Mullen, Board Member  
Chris Connelly, Alt. Board Member

Public Present: Applicant, 1 Member of Post star and  
1 member of Public

Chairperson Durkee called the meeting to order at 5.58pm and introduced the board.

Upon motion by Board Member Murphy, seconded by Board Member Willig and carried the minutes of the May 20, 2024, Zoning Board Meeting were approved as submitted.

The next item on the agenda was an area variance application submitted by Kim Bender of 1 Lady Slipper Drive, Queensbury, NY 12804 seeking relief in the setback zone to install a deck located at 171 Main Street, Hudson Falls, NY 12839.

Chairperson Durkee asked the applicant to address the board with her request. Kim Bender introduced herself and explained her project to the board. She stated this project is for the Falcon's Brewhouse located at 171 Main Street in Hudson Falls, NY 12839. They are looking to put in an 18x 20-foot deck off the back of their building. The deck would be the same level as the door so there would be no stairs. Ms. Bender explained the layout of the deck in detail to the board. The reason for her needing a variance for the setback is due to the fact that the property where the deck is to be located is currently zoned as industrial which requires larger setbacks. She does know there was a deck back in that area at one time according to county records.

Chairperson Durkee opened the meeting to Public Comment.

There was no comment from the public.

There being no comments, the public hearing was closed.

Chairperson Durkee asked the board if they had any further questions. Board Member Willig asked if the property was really sloped to Depot St. in the back. Chairperson Durkee stated the property actually goes to the railroad track. Ms. Bender noted that the lot does not go down that far. That property is owned by someone else. A brief discussion ensued.

Board Member Mahan asked if access to the deck would only be through the restaurant. Ms. Bender said that is correct. Board Member Willig asked if there is any proposed egress to behind the Smoke Shop. There will be no egress there.

There being no further questions from the board, Village Attorney Nikas reviewed the area variance findings as well as questions from the Short Environmental Assessment form. The Board was satisfied that the application met the variance requirements.

Upon motion made by Board Member Willig, seconded by Board Member Mahan and carried unanimously it was,

**RESOLVED**, after reviewing the short form EAF, the board has determined that the action does not present any adverse environmental impacts. The Board further determined that, based upon the foregoing, a negative declaration be issued.

Upon motion made by Board Member Cantiello, seconded by Board Member Murphy and carried unanimously it was,

**RESOLVED**, that the Area Variance application for 171 Main Street is approved as submitted.

Duly adopted this 16<sup>th</sup> day of September 2024, by the following vote:

AYES : Chairperson Durkee, Board Members, Murphy, Willig, Mahan and Cantiello  
NOES : N/A  
ABSENT: Board members Mullen and Connelly

There being no further business to come before the Board the meeting was adjourned at 6:09 pm.

  
Deputy Clerk

JOHN E. BARTON  
MAYOR

CASSANDRA ALLEN  
CLERK TREASURER

## VILLAGE OF HUDSON FALLS

220 Main Street  
Hudson Falls, NY 12839  
Phone (518)747-5426

TRUSTEES:  
JEFFREY GAULIN  
JAMES J. GALLAGHER, JR.  
DANIEL HOGAN  
MICHAEL HORRIGAN

WILLIAM L. NIKAS  
VILLAGE ATTORNEY

### NOTICE OF FINAL DECISION

The Village of Hudson Falls Zoning Board met on September 16, 2024, and approved the Area Variance application submitted by Kim Bender for the property located at 171 Main St., Hudson Falls, NY 12839

Upon motion made by Board Member Cantiello, seconded by Board Member Murphy and carried unanimously it was,

**RESOLVED**, that the Area Variance application for 171 Main Street is approved as submitted.

Duly adopted this 16<sup>th</sup> day of September 2024, by the following vote:

AYES : Chairperson Durkee, Board Members, Murphy, Willig, Mahan and Cantiello  
NOES : N/A  
ABSENT: Board members Mullen and Connelly



\_\_\_\_\_  
Signature of Local Official

9/16/2024  
Meeting Date  
9/18/2024  
Date Signed

