

**TOWN OF CAPE VINCENT
ZONING BOARD OF APPEALS**

November 5, 2012

The regular meeting of the Town of Cape Vincent Zoning Board of Appeals was held on November 5, 2012, at Recreation Park. The meeting conducted by the Board Chair, Dennis Faulknham, opened at 6 p.m. with the Pledge of Allegiance.

Board Members Present: Dennis Faulknham, Chair

Hester Chase

Edward Hludzenski

Joseph Martin - **Excused**

Keith Walker

David Docteur, Alternate

Michael Saliby, Alternate

Others: James Millington, Zoning Enforcement Officer

Kathleen Pierce, Board Secretary

There were eight visitors.

The Chair asked Mr. Saliby, alternate member, to participate in the meeting in Mr. Martin's place.

Privilege of the Floor:

No comments.

Approval of Minutes:

Board members reviewed the minutes of the meeting of October 1, 2012, and approved them as written.

Old Business:

Island Shadow Mobile Home Park

The Board reviewed the request presented at the October meeting by Mr. Gary Beaton, owner of Island Shadows Mobile Home Park in the Town, to permit the installation of a new manufactured home on a base other than a concrete pad as the current Zoning Law requires. The Board researched the newest codes concerning the installation of manufactured (mobile) home pads and found the Board does not have the authority to require a concrete pad. The board concluded that Mr. Beaton does not need a variance from the ZBA for the installation of a new manufactured home in his park.

Future installation of manufactured homes will be in accordance with all applicable county, state, and federal codes, and/or the manufacturer's installation recommendations. A recommendation to amend the language concerning the installation of a concrete pad in the current Zoning Law, Section 7.6 Manufactured (Mobile) Homes, Number 3, Installation, will be sent to the Town Board for their consideration at a future date.

Mr. Docteur removed himself from the board table for the above-referenced discussion as he felt he had a conflict of interest.

Public Hearing:

The public hearing concerning the application for an area variance for John Armosino opened at 6:12 p.m. The applicant requested to reposition a new and larger manufactured home on his property at 2264 Rock Bed Road, Cape Vincent, Tax Map #59.07-2-15, and was seeking a four-foot area variance. There were no adverse comments from the public. Board members discussed at length the variance with regard to side setback requirements in the Zoning Law, impact on neighbors, and locating the home as close as possible to the existing location. After discussion and review of a drawing of the current location of the home and the requested new location,

the Board approved repositioning the new manufactured home with a 15' side setback on the right and a 12' side setback on the left with the result being a three-foot variance. The Chair asked for a motion. Mr. Hludzinski made a motion to grant a three-foot area variance (12' and 15' side setbacks); seconded by Ms. Chase and carried all voting aye.* The public hearing was closed at 6:36 p.m.

*The entire Resolution is in the applicant's file in the Town Offices.

New Business:

- James Millington, ZEO, reviewed with board members a request for an interpretation from David Ivey, 34363 County Route 4, Clayton, (Town of Cape Vincent). Mr. Ivey is considering purchasing a piece of property that is less than one acre in size (a non-conforming lot). The property in question has a mobile home on the parcel, and Mr. Ivey would replace it with a single-family home. The board requested a map with the location of the property and the lot size to examine.
- The board reviewed an application from Doug Martin of 4990 Pine Lane, Cape Vincent, for a variance because of a non-conforming lot size in the River District. Mr. Martin requested approval to have the manufactured home presently on the site removed. His intent is to put a larger, two-story manufactured home on the site. The ZEO will provide a map of the parcel for the board's review. Approval was verbally given to have the home on the site removed, and a public hearing is scheduled for December 3, 2012, on the requested variance.
- An application submitted by Ken and Sharon Barron was reviewed. Mr. and Mrs. Barron of 5010 Pine Lane, Cape Vincent, are requesting a variance because of a non-conforming lot size in the River District. The Barrons plan to replace the existing single-wide mobile home with a new, double-wide manufactured home. The ZEO will provide a map of the parcel for the board to review. A public hearing is scheduled for December 3, 2012, on the requested variance.
- The board reviewed the application of Cheryl Morrison Pastor of 3130 Morrison Loop Drive, Cape Vincent, for a variance because of a non-conforming lot size in the Lake Recreation District. Ms. Pastor's intent is to rebuild and expand on her seasonal cottage. The board informed the ZEO that a map with established borders and a current survey of the property needs to be submitted with the application before the board can go forward with its review.

Communications:

Each board member received an invitation from BP's Director of Development, Richard Chandler, to an Open House on November 10, 2012, at Recreation Park. According to the invitation, the Open House will provide information on BP's proposed Cape Vincent Wind Farm, the Article X process, the funding process, and benefits to the community.

Next Meeting: The next ZBA meeting is scheduled for Monday, December 3, 2012, at 6 p.m. at Recreation Park.

Adjournment: At 7:02 p.m., with no further business, the Chair asked for a motion to adjourn the meeting. Mr. Walker made the motion; seconded by Mr. Hludzinski and carried; all voting aye.

Respectfully submitted,

Kathleen M. Pierce
ZBA Secretary