

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

November 3, 2014

The regular meeting of the Town of Cape Vincent Zoning Board of Appeals was held on November 3, 2014, 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
David Docteur
Edward Hludzenski
Joseph Martin

Michael Saliby, Alternate
Geoffrey Culkin, Alternate

There were six visitors.

Privilege of the Floor: None

Approval of Minutes:

Board members reviewed the minutes of the October 6, 2014, meeting and approved the minutes, as corrected.

Old Business:

Joseph Piche – Area Variance – the Public Hearing scheduled for this meeting was postponed as the ZEO and ZBA is waiting for a response from National Grid concerning an overhead wire on the property at 35093 Ash Lane, Cape Vincent, (River District) Tax Map #29.19-1-23.

New Business:

Patricia and Robert Martin - Area Variance - The Chair opened the public hearing at 6:06 p.m. on the Martins' application. The Martins resubmitted their application with new dimensions to build a 22'6"x36' two-stall garage in the Lake Recreation District at 2917 Martin Drive, Cape Vincent, NY, Tax Map #59.08-1-27. Board members reviewed and discussed the revised application and took into consideration the five state area variance criteria:

- a. an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties;
- b. the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a variance;
- c. the requested variance is substantial;
- d. the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood, and
- e. the alleged difficulty was self-created.

There were no adverse comments from the public. The Public Hearing closed at 6:13 p.m. The Chair asked for a motion on the variance. Mr. Hludzenski made a motion to approve the area variance requested. Mr. Martin seconded and carried; all voting aye (5-0).

Stephanie White, Mud Bay R.V. Park and Motel, LLC -- Area Variance - Ms. White is resubmitting her application for area variances for front and side setbacks to install a 14'x24' storage shed in the Lake Recreation District at 28453 CO RT 6, Cape Vincent, NY, Tax Map #59.08-1-63.53. Ms. White, in her application, has made an adjustment in the placement of the

storage shed by increasing the distance from the setback lines and, therefore, decreasing the amount of the original variance distance requested. A public hearing on the revised application will be at 6 p.m. on December 1, 2014.

Items for Discussion:

- The Chair discussed the role of an alternate at a meeting. He shared that an alternate's role is to fill in if necessary when a board member is not in attendance, attend all meetings, and ask questions for clarification when an application is presented to the ZBA. At the public hearing on an application, an alternate may ask a question *before* the hearing begins. Once the hearing *begins*, it is the appointed ZBA members' responsibility to make the final decision on a project
- The Chair shared that comments at a public hearing on an application would be taken only from parties directly affected by the application. Board member Chase disagreed stating that anyone can speak at a public hearing. Mr. Faulknham shared that comments from individuals not affected by the application could be shared during Privilege of the Floor.

Next Meeting: The ZBA will meet on December 1, 2014, at 6 p.m. at Recreation Park.

Adjournment: At 6:27 p.m., with no further business, the Chair asked for a motion to adjourn. Mr. Hludzinski made the motion; seconded by Mr. Martin and carried; all voting aye.

Respectfully submitted,

Kathleen M. Pierce
ZBA Secretary