

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

October 2, 2017

The regular meeting of the Town of Cape Vincent Zoning Board of Appeals was held on October 2, 2017, at Recreation Park. The Chair opened the meeting at 6 p.m. with the Pledge of Allegiance.

Board Members Present: Dennis Faulknham
Edward Hludzenski, Chair
Hester Chase
Geoffrey Culkin
Michael Saliby
Stephen Docteur, Alternate
William DeSouza, Alternate

Other: James Millington, ZEO

There were three visitors.

Privilege of the Floor: None

Approval of Minutes:

The Board reviewed and approved the minutes of the September 5, 2017, meeting.

Old Business:

Public Hearing: Harold VanBortle – Application for an Area Variance:

The public hearing on the application for a side setback of 10' or less to build a 16'x32' custom garage at 3160 Morrison's Loop Drive, Tax Map #59.12-1-42 opened at 6:02 p.m. The Chair asked for any comments from the public. There were none and the hearing was closed at 6:03 p.m. The Chair noted that the applicant, who resides and works out of town, could not be present for the public hearing. All board members had an opportunity to visit the site. The board reviewed and discussed each of the area variance criteria and voted as follows:

1. an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties; 5 - yes; 0 - no
2. the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a variance; 5 – yes; 0 - no
3. the requested variance is substantial; 5 – yes; 0 - no
4. the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood, 5 – yes; 0 - no
5. the alleged difficulty was self-created. 5 – yes; 0 - no

After the discussion and review, the Chair asked for a motion on the area variance. Mr. Faulknham made a motion that the benefit to the applicant *does not* outweigh the detriment to the neighborhood or community and therefore the variance request is denied. Mr. Culkin seconded and carried; all voting yes to deny (5-0).

New Business: None

Items for Information/Discussion:

- The Chair shared a question/concern that was brought to his attention by a board member. The question/concern was if an applicant is not in attendance at a meeting where his/her application is being reviewed, should they be reached by phone to discuss the application. The Chair shared that he would call an applicant only when the applicant had asked to be called because he/she could not be in attendance to address any questions the ZBA may have. The Chair asked if board members had any concern with that practice. No concerns were expressed.
- ZEO Millington shared that Jefferson County Planning Department and the Tug Hill Commission would be sponsoring a land-use training session for ZBA members later in October at JCC.

Next Meeting: The ZBA will meet on Monday, November 6, 2017, at 6 p.m. at Recreation Park.

Adjournment: At 6:11 p.m., with no further business, the Chair asked for a motion to adjourn. Mr. Culkin made the motion. Mr. Faulknham seconded; all voting aye.

Respectfully submitted,

Kathleen M. Pierce
ZBA Secretary