

The regular meeting of the Town of Cape Vincent Zoning Board of Appeals was held on September 4, 2018, at Recreation Park. The Chair opened the meeting at 6 p.m. with the Pledge of Allegiance.

Board Members Present: Ed Hludzinski, Chair
Geoffrey Culkin
Dennis Faulkham
Michael Saliby
Hester Chase
Steve Docteur, Alternate

Other: Jim Millington-ZEO - **Absent**

There were 3 visitors.

Privilege of the Floor: None

Approval of Minutes:

The board reviewed and approved the minutes as written of the August 6, 2018 meeting.

Old Business: Public Hearing- Peter Schwerzmann- Area Variance

The Chair opened the public hearing at 6:01 pm. With no comments from the floor, the hearing was closed at 6:02 pm. The Board then reviewed Mr. Schwerzmann request for a variance at 36930 Linda Island, Tax Map #30.09-2-23.1. All agreed that this location of the new construction is the only option due to the location of the propane tank, trees, etc.

Board members reviewed and discussed each of the five criteria when considering an area variance and voted as follows:

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

After taking into consideration the five factors, the Chair asked for a motion on the variance.

Mr. Faulkham made the motion that the benefit to the applicant does outweigh the detriment to

the neighborhood or community and the requested setback be approved. Mr. Culkin seconded and carried; all voting aye (5-0).

Public Hearing- John Wiley- Area Variance

The Chair opened the public hearing at 6:10 pm. With no comments from the floor, the hearing was closed at 6:13 pm. The Board then reviewed Mr. Wiley's request for a 1' front and 5' on one side set-back variance at 36911 Rock Beach Road, Tax Map #30.09-1-39.

Board members reviewed and discussed each of the five criteria when considering an area variance and voted as follows:

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

After taking into consideration the five factors, the Chair asked for a motion on the variance. Ms. Chase made the motion that the benefit to the applicant does outweigh the detriment to the neighborhood or community and the requested setback be approved. Mr. Saliby seconded and carried; all voting aye (5-0).

New Business: None

Next Meeting: The ZBA will meet on Monday, October 1, 2018 at 6 p.m. at Recreation Park.

Meeting Adjourned: At 6:21 p.m., with no further business, the Chair asked for a motion to adjourn. Mr. Culkin made the motion. Mr. Saliby seconded; all voting aye.

Respectfully submitted,

Sharon A. Turner
ZBA Secretary

