

The regular meeting of the Town of Cape Vincent Zoning Board of Appeals was held on December 3, 2018, at Recreation Park. The Vice-Chair opened the meeting at 6 p.m. with the Pledge of Allegiance.

Board Members Present: Geoffrey Culkin, Vice-Chair
Dennis Faulkham
Michael Saliby
Steve Docteur, Alternate

Board Members Excused: Ed Hludzinski, Chair
Hester Chase

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

There was 1 visitor.

Privilege of the Floor: None

Approval of Minutes:

The board reviewed and approved the minutes as written of the November 4, 2018 meeting.

Old Business: Jonathan Benvenuto Public Hearing- Area Variance Application

The Vice-Chair opened the public hearing at 6:03 pm. With no comments from the floor, as there was no one present for the public hearing, the hearing was closed at 6:03 pm. The Vice-Chair and the Board then reviewed Mr. Benvenuto's request for a 13' side setback variance at 298 Tibbetts Pt. Association Loop, Cape Vincent, NY 13618, Tax Map# 49.09-1-6.31. Mr. Faulkham provided a map to the Board from Jefferson County Real Property. According to the map, it appeared that the proposed shed would be erected on the neighbor's property. The applicant has not established the need for a shed of the requested size nor has he justified the extent of the variance. The Board also discussed the fact that there were no receipts provided to the Board from the required certified letters to be mailed to neighbors. 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; 4- 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; 4- yes; 0- no
3. The requested variance is substantial; 4- yes; 0- no
4. The proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood; 0- yes; 4- no
5. The alleged difficulty was self-created; 4- yes; 0- no

The Vice-Chair asked for a motion to deny the application based on the following reasons: lack of response from the applicant, no submitted receipts from required certified letters, and the uncertainty of the submitted boundaries. Mr. Faulknham made the motion. Mr. Saliby seconded the motion and carried; all voting aye for denial of the application.

New Business: None

Next Meeting: The ZBA will meet on Monday, January 7, 2018 at 6 p.m. at Recreation Park.

Meeting Adjourned: At 6:24 p.m., with no further business, the Vice-Chair asked for a motion to adjourn. Mr. Faulknham made the motion. Mr. Saliby seconded; all voting aye.

Respectfully submitted,

Sharon A. Turner
ZBA Secretary