

The regular meeting of the Town of Cape Vincent Zoning Board of Appeals was held on, August 5, 2019, 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 Faulknham
Craig Stevenson
Michael Nebbia, Alternate

Board Members Excused: Steve Docteur

Other: Cody Higgins, ZEO

There were 3 visitors.

Privilege of the Floor: none

Approval of Minutes:

The board reviewed and approved the minutes as written of the July 1, 2019 meeting.

Old Business:

James Hagen Public Hearing- Area Variance Application at 32947 Wapen Lane, Cape Vincent, NY 13618 (tax map #39.16-1-13)

The Chair opened the public hearing at 6:01 pm. Mr. Hagen stated that he was able to move the septic system closer to the cottage, therefore currently needing a 7ft. side variance. With no other comments, the hearing was closed at 6:03 pm. The Chair and the Board reviewed Mr. Hagen's request for a 7ft. side setback variance in order to replace existing shed with a new one.

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: 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: 0-yes, 5-no

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

Eric and Stacy Clum Public Hearing- Area Variance Application at 35281 Old County Route 7, Cape Vincent, NY 13618 (tax map #29.19-1-32.2)

The Chair opened the public hearing at 6:08 pm. With no comments, the hearing was closed at 6:09 pm. The Chair and the Board reviewed Mr. & Mrs. Clum's request for a 30-foot front and 13-foot rear setback in order to erect a garage. The Chair stated that the house was built close to the water. He feels that the garage will not change the character of the neighborhood, but in fact will be an enhancement. 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 effect or impact on the physical or environmental conditions in the neighborhood: 0-yes, 5-no
5. The alleged difficulty was self-created: 0-yes, 5-no

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

Tom & Mary Vary Public Hearing- Area Variance Application at 32941 Wapen Lane, Cape Vincent, NY 13618 (tax map #39.16-1-12)

Mr. & Mrs. Vary withdrew their application prior to the meeting.

New Business: Mark Holmes Area Variance Application at 8332 Strauss Blvd, Cape Vincent, NY 13618

The Chair stated that there is no application fee, therefore the application is not complete. Mr. Faulknham made a motion to table the application due to no application fee. Mr. Stevenson seconded, and the motion carried; all voting aye.

Next Meeting: The ZBA will meet on Wednesday, September 4, 2019 at 6 p.m. at Recreation Park due to Monday being Labor Day.

Meeting Adjourned: At 6:18p.m., with no further business, the Chair adjourned the meeting.

Respectfully submitted,
Sharon A. Turner
ZBA Secretary