

The regular meeting of the Town of Cape Vincent Zoning Board of Appeals was held on Monday, June 6, 2022, at Recreation Park. The Chair opened the meeting at 6:00 p.m. with the Pledge of Allegiance.

Board Members Present: Ed Hludzinski, Chair Craig Stevenson, Vice Chair
 Michael Nebbia Darrel Aubertine
 Steve Docteur Charles DeRose

Other: Cody Higgins, ZEO - present

There were 4 visitors.

Privilege of the Floor: Deborah Kitto spoke in regards to a variance application, William Vierzen. She spoke to her concern that the building (barn) was not built where it was approved for. The ZEO went to the property before the barn was built and flags were in place as to where the barn was to be built. The Chair asked her to hold on to her concerns as her concerns may be more properly addressed at the public hearing.

Approval of Minutes:

Board members approved the minutes as written of the May 2, 2022 meeting.

Old Business: Jeremy Parrett Public Hearing for Area Variance Application at 33775 Carleton Dr., Cape Vincent, NY 13618 (Tax Map #: 40.09-1-92)

This application continues to be tabled.

New Business: William Vierzen Area Variance Application at 2681 Humphrey Rd., Cape Vincent, NY 13618 (Tax Map# 59.08-1-69)

Board members reviewed the application submitted by Mr. Vierzen. Mr. Vierzen is requesting an approximate 13 foot side setback variance in order to maintain a barn that was not built in the location that it was approved for. Mr. Vierzen admits that the building was erected in the wrong location. It will cost him approximately \$26,000 to move the building and is requesting a variance due to the cost. The Chair reiterated that when the board looks at a variance request, it is looked at as if the building is able to be built on the property without a variance. Mr. Vierzen acknowledged this information and informed the board that he is in the process of having the property surveyed. Mr. DeRose inquired if the contractor has insurance that would cover the cost of his mistake that violated Zoning Laws. Mr. DeRose informed the board and applicant that he, himself, had to have a contractor move a building due to the contractor erecting the building in the wrong location that violated the Zoning Laws. After reviewing the application, the Board accepted the application with the amendment of adding “depending on the results of

the survey” to the approximate 13 foot side variance. A Public Hearing has been set for Tuesday, July 5, 2022 at 6 pm at Recreation Park in Cape Vincent.

Richard DiBiase Are Variance Application at 2656 Ponds Shore Dr., Cape Vincent, NY 13618 (Tax Map# 59.12-1-20)

Board members reviewed the application submitted by Mr. DiBiase. Mr. DiBiase is requesting a 2.79 foot side setback variance for the addition of a porch and to maintain the current cottage setback. After reviewing the application, the Board accepted the application with the amendment of changing the request from 2.79 feet to 3 feet. A Public Hearing has been set for Tuesday, July 5, 2022 at 6 pm at Recreation Park in Cape Vincent.

Jeffrey Sheldon Area Variance Application at 36853 Rock Beach Road, Cape Vincent, NY 13618 (Tax Map# 39.09-1-28)

Board members reviewed the two applications submitted by Mr. Sheldon. Mr. Sheldon is requesting an 8 foot side setback variance for the erection of a shed as well as a 1 and 2 foot side setback variance for the addition of a deck. After reviewing the application, the Board accepted the application. A Public Hearing has been set for Tuesday, July 5, 2022 at 6 pm at Recreation Park in Cape Vincent.

Next Meeting: The ZBA will meet on Tuesday, July 5, 2022 at 6 p.m. at Recreation Park due to Monday, July 4, 2022 being a Federal Holiday.

Meeting Adjourned: With no further business, Mr. Nebbia made a motion to adjourn the meeting. Mr. Aubertine seconded the motion and the Chair adjourned the meeting at 6:30 pm.

Respectfully submitted,

Sharon A. Nebbia
ZBA Secretary