

The regular meeting of the Town of Cape Vincent Zoning Board of Appeals was held on Monday, March 6, 2023, 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 Steve Docteur
 Darrel Aubertine

Board Members Absent: Bill DeSouza, Alternate

Other: Cody Higgins, ZEO - present

There was 1 visitor.

Privilege of the Floor: None

Approval of Minutes:

Board members approved the minutes of the February 6, 2023 meeting.

Old Business: Ed Albro Variance Application Public Hearing at 28709 County Route 6, Cape Vincent, NY 13618 (Tax Map#: 59.08-1-19.12)

The Chair opened the Public Hearing at 6:01 pm. With no comments from the public, the Chair closed the Public Hearing at 6:02 pm. The Chair and the Board reviewed Mr. Albro's variance for the allowance of .75-acres instead of the 1-acre requirement in the Town Zoning Laws. Mr. Albro is looking to subdivide the marina from the restaurant at Snug Harbor. Due to the location of the boat launch, Mr. Albro is asking for the lot with the marina and boat launch be reduced to .75-acres. The Board then 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. Aubertine 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 the motion and it carried, unanimously.

New Business: David Lofgren Area Use Variance Application at 6161 Riverview Drive, Cape Vincent, NY 13618 (Tax Map#: 40.25-1-42)

Board members reviewed the application submitted by Mr. Lofgren. Mr. Lofgren is requesting a 32 foot front variance for the placement of a shed. Mr. Lofgren is replacing an existing shed and would like to place the new shed closer to the house. The new shed would be the same dimensions as the existing shed. The Board discussed the application request. Mr. Stevenson made a motion to accept the application. Mr. Aubertine seconded the motion and it carried, unanimously. A Public Hearing has been set for Monday, April 3, 2023 at 6 pm.

Gregory Wegman & Johanna Potter Area Use Variance Application at 8711 Number 3 Road, Cape Vincent, NY 13618 (Tax Map#: 30.09-1-60)

Board members reviewed the application submitted by Mr. Wegman and Ms. Potter. Mr. Wegman & Ms. Potter are requesting a 7- foot side variance for the placement of a new deck. They would like the new deck to be in alignment with the existing cottage. The Board discussed the application request. Mr. Nebbia made a motion to accept the application. Mr. Docteur seconded the motion and it carried, unanimously. A Public Hearing has been set for Monday, April 3, 2023 at 6 pm.

Next Meeting: The ZBA will meet on Monday, April 3, 2023 at 6 p.m. at Recreation Park.

Meeting Adjourned: With no further business, Mr. Aubertine made a motion to adjourn the meeting. Mr. Stevenson seconded the motion and the Chair adjourned the meeting at 6:13 pm.

Respectfully submitted,

Sharon A. Nebbia
ZBA Secretary