

The regular meeting of the Town of Cape Vincent Zoning Board of Appeals was held on Monday, June 26, 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
Michael Nebbia
Steve Docteur
Craig Stevenson, Vice Chair
Bill DeSouza, Alternate
Darrel Aubertine

Other: Cody Higgins, ZEO - present

There were 4 visitors.

Privilege of the Floor: None

Approval of Minutes:

Board members approved the minutes of the June 5, 2023 meeting.

Old Business: Jerry Golden- Area Use Variance Public Hearing at 6380 Millens Bay Road, Cape Vincent, NY 13618 (Tax Map#: 40.25-2-12)

The Chair opened the Public Hearing at 6:01 pm. With no other comments from the public, the Chair closed the Public Hearing at 6:02 pm. The Chair and the Board reviewed Mr. Golden's variance to replace the existing deck with a new wooden deck that would attach to the front porch and project 16" past the building on the west side and to replace a shed. The only concern from the Board was the possibility of the building being on a county road, which it is not. 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: 1-yes, 4-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.

Cindy Finnegan- Area Use Variance Public Hearing at 28018 Dablon Point Road, Cape Vincent, NY 13618 (Tax Map#: 49.18-1-20)

The Chair opened the Public Hearing at 6:01 pm. Mr. Pat Furlong, who was representing Ms. Finnegan, was present. With no other comments from the public, the Chair closed the Public Hearing at 6:02 pm. The Chair and the Board reviewed Ms. Finnegan's variance for an addition on the bathroom. 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. Stevenson 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. Aubertine seconded the motion and it carried, unanimously.

Training requirements: The Chair reminded the Board of the need to complete their required training hours. As of now, the Chair is the only one who has hours according to the Town Clerk. Tug Hill provides training at tughill.org.

Next Meeting: The ZBA will meet on Monday, August 7, 2023 at 6 p.m. at Recreation Park.

Meeting Adjourned: With no further business, Mr. Stevenson made a motion to adjourn the meeting. Mr. Nebbia seconded the motion and the Chair adjourned the meeting at 6:11 pm.

Respectfully submitted,

Sharon A. Nebbia
ZBA Secretary