

**ZONING BOARD OF APPEALS
TOWN OF CANADICE**

Canadice Town Hall

February 10, 2021

Present: Linda Moorhouse, Chairperson
Diane Horning
Ed Bott
Marty Gascon
Renee Boone
Rich Joki, Deputy CEO

Guest: Catherine Crane
Bill Grove

Chairperson, Linda Moorhouse called the meeting to order at 7:30 p.m.

L. Moorhouse introduced the Board Members.

L. Moorhouse - We have two site plans. The one we are to use, is the one that has the little porch?

C. Crane - Yes.

L. Moorhouse - We have four letters here from folks that are in favor of the variance. So, you want to build a house across the street from your existing house?

L. Moorhouse asked Catherine Crane to explain the justification she had written on the variance application.

C. Crane - Steep slope disturbance can be minimized by building where we are proposing to build.

D. Horning - Oh, ok. This is where the county has filled in.

C. Crane - Yes, there is a steep slope behind it, which we won't have to disturb.

E. Bott - You are talking about building on the downhill side?

B. Grove - Yes, the swamp side.

There was discussion of the location and the site plan.

B. Grove - There is a utility line that runs through there. We can't push back any further from the road, because of the utility line.

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E. Bott - The county right of way seems larger than normal there.

C. Crane - They've moved West Lake Rd. many, many times throughout the years. And each time they move it, they keep their right of way and gain more. They took our barn, which would sit right in the middle of the road. So, it just gets wider and wider.

E. Bott - Ok. So, how far are you from the actual paved part of the road?

B. Grove - Do you see the 74.6?

E. Bott - Yes, so that's to the middle of the road?

B. Grove - Yes, that's the center line.

E. Bott - So, that's on the downhill side, so that's why they said you don't need a culvert, because it is already draining down the hill. That makes sense.

C. Crane - Right.

E. Bott - The variance is because of?

B. Grove - It's basically the whole structure doesn't meet the set back requirement.

E. Bott - Because the right of way is so big?

B. Grove - Yes, the orange line is the set back line. We would have to be behind that to meet the set back requirement. But, to not have to disturb the steep slope and keep everything on that upper level. That's why we are requesting that we be only .8 feet from the right of way line.

E. Bott - That's an extensive right of way, by thirty plus feet.

B. Grove - I don't know if the next property north, or the next structure north, there is a barn that sits right on the road. We are definitely further off the road than that barn is.

E. Bott - Yes. Letter of the law, you are way too close, but this is an excessive right of way. Your further off the road than most people are with the 20 ft. set back.

L. Moorhouse - Ok, you are supposed to have 50 ft. from the front.

B. Grove - Yes.

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L. Moorhouse - And we've got, not quite one. Do you have a driveway there now?

C. Crane - No, it's just like a baseball field.

L. Moorhouse - Ok.

B. Grove - You can basically drive in and out at any point where the county has filled that.

C. Crane - We did get the driveway approval from the county already.

L. Moorhouse - Yes, we saw that.

L. Moorhouse - Do any of the board members have any questions?

No questions.

E. Bott - I don't have any more questions.

E. Bott made a motion to accept the application, seconded by R. Boone, all in favor.

L. Moorhouse - We will set the Public Hearing for March 10, 2021 at 7:30 p.m.

C. Crane and B. Grove thanked the board members and left the meeting.

Preliminary Hearing concluded at 7:40 p.m.

OLD BUSINESS

E. Bott made a motion to accept the minutes from the December 9, 2020 Public Hearing, seconded by L. Moorhouse, all in favor.

E. Bott made a motion to adjourn, seconded by L. Moorhouse, all in favor.

The meeting adjourned at 7:45 p.m.

Respectfully,

Stephanie Seeley, Secretary