

**ZONING BOARD OF APPEALS  
TOWN OF CANADICE**

Canadice Town Hall

April 13, 2022

Present: Linda Moorhouse, Chairperson  
Diane Horning  
Ed Bott

Guest: Gabriel Costanzo

Jesse Hallett Absent

**PRELIMINARY HEARING – Gabriel & Alycia Costanzo**

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

L. Moorhouse introduced the Board Members.

L. Moorhouse - This is the two parcels now, yes?

G. Costanzo - Yes. He went on to explain the map and property lines and where they want to divide the property and annex the adjoining property that they own.

There is only 225ft. of road frontage and the Town Code says it has to be 250ft., so it's not even 250ft. as it is. And we would agree to split it at the minimum of 3 acres.

L. Moorhouse - Ok, this is where you live here? (Pointing at the map)

G. Costanzo - Yes.

L. Moorhouse - There is a house here?

G. Costanzo - There is that tiny cabin, yes.

L. Moorhouse - By the tiny cabin, you mean...

S. Smith - It's like a 10x10, it's not that big.

G. Costanzo - There is a picture of it.

L. Moorhouse - That's it?

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G. Costanzo - Yes, there is a picture of the back and this is from the road.

S. Smith - It might be a little bigger.

G. Costanzo - Not much, 10x16 maybe. It's pretty small.

L. Moorhouse - It has a septic and a well?

G. Costanzo - Yes. It has electricity and a hook up for gas. Somebody lived in it.

S. Smith - He's right around the corner from me on Coykendall. I could walk over to his property in 5 mins. at the most.

L. Moorhouse - You had written on here that there were no plans for further construction.

G. Costanzo - We are not splitting it so we can build or anything like that.

D. Horning - So, you are keeping the house you have, right?

G. Costanzo - Correct, we aren't doing anything to our other property.

D. Horning - So, you are going to keep the little cabin on there, I take it?

G. Costanzo - That there, the front part, the reason we want to split it is because our neighbor eventually wants to buy that from us.

D. Horning - So, he wants to buy the front part?

G. Costanzo - Yes, the front part. I talked to Ted and our next steps would be if we are allowed to split it and get a variance would be to join the back part to our current part so it has the road access.

There was discussion about the 3 acre lot and the board went over the property map with Mr. Costanzo.

E. Bott - This piece is 11 acres?

G. Costanzo - Yes, that is 11 acres and ours is about 9.

E. Bott - So, that is going to be a separate lot and somebody else owns this property here?

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G. Costanzo - Yes, it has nothing to do with this property.

S. Smith - They share the same back line of the property.

There was more discussion of the property lines on the map.

G. Costanzo - I have to talk to Ted about joining the two properties so that we don't have to put a road in for access.

S. Smith - So, what he has is 11 acres, subdivide 3, it will be about  $\frac{1}{4}$  of what you see there.

E. Bott - It will be pretty close to that other line.

L. Moorhouse - So, this is you and have about 9 acres?

G. Costanzo - Yes. And, we are going to keep that as is.

E. Bott - So, you would have to get it surveyed, just so you know where the 3 acres is. What we will have to do is decide where that is going to be, versus that corner if you are going to go straight up or at an angle, to make the 3.

D. Horning - So, if you look at the notes here, that's a 3 acre parcel.

E. Bott - This right here?

D. Horning - Yes.

G. Costanzo - The one next door? Yes.

E. Bott - So, it's going to be pretty close to that lot.

G. Costanzo - Yes.

E. Bott - It will probably go straight across.

D. Horning - The back side of it is 3.84 acres.

S. Smith - Will it really matter how he divides the 3 acres? Whether it is at an angle or straight out.

E. Bott - Well, as long as it is not going to be at an extreme angle, because that is the only thing

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they worry about, if it is a goofy shaped lot.

D. Horning - Actually, I think the straight line is better.

G. Costanzo - Yes.

E. Bott - You can't get the 250, but you will have more than the 250 in the back.

G. Costanzo - Oh yes, the back has plenty.

E. Bott - The only thing in question, is whether to split that at 225, which I don't think there is any problem with that at all. So, you bought the whole thing with the cabin and all? Now, you just want to split that off and sell the front part?

G. Costanzo - Yes, exactly.

S. Smith - He did a nice job setting this package up.

D. Horning - I think his application is complete.

E. Bott explained the two step process of the Public Hearing and the vote to accept the application as it stands and the vote to approve or deny the variance.

S. Smith - Gabriel, the week before the Public Hearing, I will put up a sign on the front of the property that it is under review.

L. Moorhouse - It's a Public Hearing, we have to put an ad in the paper that says we are reviewing your property and if any of your neighbors want to come, they can. Most people don't. It's just to let people know what is going on.

L. Moorhouse - So, we will see you on May 11th at 7:30 p.m.

G. Costanzo - So, you want us to be present again?

E. Bott - You can, you don't have to, but if anyone has any questions, you want to be there to answer them.

G. Costanzo - Ok.

S. Smith - It's better to be here.

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G. Costanzo - Ok, thank you. See you in a month.

Preliminary Hearing concluded at 7:50 p.m.

L. Moorhouse - I have a couple of things that we need to discuss. This is from Kris Singer, regarding the Canadice Zoning Board of Appeals position. She read the letter of interest from Kris Singer. We need to send a letter to the Supervisor so he can appoint her and swear her in at their next meeting, which is May 9th.

S. Seeley - So, I have to send a letter to Chris Vastola regarding her appointment to the Zoning Board of Appeals?

E. Bott - I know there is a grace period.

D. Horning - A month, because the board meeting was just Monday.

S. Smith - Eileen can swear her in at any time.

E. Bott - Yes. I know there is a grace period of some sort. I'm not sure what it is.

L. Moorhouse - I would just as soon get her on here. Just let them know that's what we want to do.

The board made the unanimous decision to appoint Kris Singer to the Zoning Board of Appeals.

The board discussed the letter from the Cheney Law Firm who is representing Anthony Castronova.

#### **OLD BUSINESS**

L. Moorhouse made a motion to accept the minutes from the March 9, 2022 Public Hearing, seconded by D. Horning, all in favor.

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

The meeting adjourned at 8:15 p.m.

Respectfully,

Stephanie Seeley, Secretary