

DRAFT

**ZONING BOARD OF APPEALS
TOWN OF CANADICE**

Canadice Town Hall

May 14, 2014

Present: Linda Moorhouse, Chairperson
Diane Horning
Marty Gascon
Karen Scheele
Bob Best, CEO

Guest: Kathryn Crowley
Robert Dunphrey

Board Member E. Bott - Absent

PUBLIC HEARING – CROWLEY-DUNPHREY

Chairperson, Linda Moorhouse called the meeting to order at 7:30 p.m. Chairperson, Linda Moorhouse introduced the Zoning Board of Appeals members and stated that a quorum was present to hear the application. The criteria, which the Zoning Board of Appeals uses to make decisions regarding an area variance, were reviewed.

- Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.
- Whether the benefit sought by the applicant can be achieved by some other method feasible for the applicant to pursue other than an area variance.
- Whether the requested area variance is substantial.
- Whether the proposed area variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
- Whether the alleged difficulty was self-created, in which consideration shall be relevant to the decision to the Board of Appeals but shall not necessarily preclude the granting of the area variance.

Chairperson, Linda Moorhouse then read permitted action for the Zoning Board of Appeals.

L. Moorhouse - Bob, would you please give us your input on this variance?

B. Best -The side set-back is 10 ft. and they only have 8.7 ft.

L. Moorhouse - Do either of you have anything to add?

Page 2

K. Crowley - Yes, we do. The current location of the building, as you can see in the photo, we are requesting and Mr. Best, correct me if I am wrong, a side set back variance. We would also like you to entertain keeping the front edge of the building where it is today, it is far enough away from the road, so it does not impact anything. It will make it easier for me to shovel the snow and get out during the winter. We want to place the new building right where the existing one is now.

L. Moorhouse - So, we are only dealing with the side set-back? We don't have to make a decision on the front set-back, do we?

B. Best - Only if it doesn't meet the 20 ft. set-back from the road.

L. Moorhouse - But, if they are putting it in the footprint...

B. Best - They are making it bigger.

K. Crowley - It's bigger in the other direction, it is not coming near the road. It is going back into the lot.

R. Dunphrey - I think the current set-back is 15 ft. It would match other sheds and garages that are adjacent to our property.

L. Moorhouse - OK, now it is 15?

R. Dunphrey - Yes.

L. Moorhouse - I think we have to wait. You are going to need another application for the change.

R. Dunphrey - OK

L. Moorhouse - As it is, it would have to stay at the 20 ft., which is what the request was for.

R. Dunphrey - OK, so we would have to start all over?

L. Moorhouse - Yes

R. Dunphrey - Like I said, it just makes it easier for me.

K. Scheele - Are you on a time line as far as getting the project done?

R. Dunphrey - No

Page 3

L. Moorhouse - If you are going to change it, then we need to re-do the application and schedule another Public Hearing.

R. Dunphrey - I understand.

K. Scheele - Could this count as the initial request and then schedule the Public Hearing?

D. Horning - We can update it and schedule a Public Hearing. We can do a continuance for the revision for next month. We can do a continuance.

L. Moorhouse - Yes, but we also need to schedule another Public Hearing.

D. Horning - Yes, next month. We can add the revision on and make the two meetings into one.

B. Best - So, you are using tonight's meeting as a preliminary?

D. Horning - Yes, a preliminary.

K. Scheele - We need to finalize this one and then have the Public Hearing next month.

L. Moorhouse - OK, you want to leave the front where it is and go back closer to your house.

D. Horning - You definitely have enough room. We can do a continuation with the revision.

L. Moorhouse - Is the board in agreement that we will change the 20 ft to 15 ft.?

D. Horning - And, we will do both the side set-back and the front set-back.

D. Horning made a motion to continue the Public Hearing in June with the revision to the application and add the 15 ft. set-back along with the side set-back. Seconded by K. Scheele, all in favor.

L. Moorhouse - We will continue the Public Hearing on Wednesday, June 11, 2014 at 7:30 pm.

Old Business

K. Scheele made a motion to approve the minutes from the April 9, 2014 meeting with the noted corrections, seconded by L. Moorhouse, all in favor.

L. Moorhouse made a motion to adjourn the meeting, seconded by D. Horning. All in favor and adjourned at 7:55 p.m.

Respectfully,

Stephanie Seeley, Secretary