

ZONING BOARD OF APPEALS TOWN OF CANADICE

Canadice Town Hall

August 9, 2017

Present: Linda Moorhouse, Chairperson
Ed Bott
Marty Gascon
Steve Smith, CEO

Guest: John Scheele
Thomas Strong
Janet Elman
Jerry Elman
Jaclyn Cuthbertson
Daniel Cuthbertson

Board Member D. Horning - Absent

PUBLIC HEARING – STRONG

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 – Invited the applicants to come and sit before the board.

L. Moorhouse – Mr. Strong is asking for an area variance. We are looking at the minimum frontage from the lake and road is 50ft. and he only has 41.28ft. on the lake side.

The group identified themselves to the board.

J. Elman – He is the current owner and we live in the house that he used to own and there is the

property right next to ours. We are in the process of purchasing it, but it is a lot more than we would really want. The Cuthbertsons would like the other half of that property. I know it doesn't meet the requirements on the lake side, but it would make sense for an empty lot that you are not housing anything. It makes sense to and without hurting the neighborhood.

L. Moorhouse – Ok, do any of the board members have any questions?

E. Bott – No, as long as we spell out the conditions for the Planning Board. We need to specify the frontage on the lake. And on the back, we have to make sure the right of way is included in the purchase.

L. Moorhouse – Is there anything else anyone would like to add.

The board discussed the map and right of way with the group.

L. Moorhouse – Do any of the Board Members have any questions?

L. Moorhouse made a motion to accept the application as complete, E. Bott seconded, all in favor.

Roll Call Vote to accept or deny:

L. Moorhouse, **YES**, E. Bott, **YES**, M. Gascon, **YES**.

L. Moorhouse – 1. No, 2. No, 3. No, 4. No, 5. Yes – **YES**

E. Bott – 1. No, 2. No, 3. No, 4. No, 5. Yes - **YES**

M. Gascon – 1. No, 2. No, 3. No, 4. No, 5. Yes – **YES**

E. Bott granted the request under the condition that the property line be approximately 41 ft and back 50ft.

L. Moorhouse granted the request under the condition that the no residential building be built and combine the parcels under one tax map number.

L. Moorhouse – Your request for a variance has been granted. Good Luck!

Public Hearing concluded at 7:40 p.m.

Preliminary Hearing – Scheele

L. Moorhouse invited Mr. Scheele to come and sit before the board.

L. Moorhouse – You are going to put some steps in?

J. Scheele – Yes.

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L. Moorhouse – You only have 14ft. and you need 50ft.?

J. Scheele – Yes.

E. Bott – So, the steps are going down the hill, correct?

J. Scheele – Yes, Sir.

J. Scheele explained where the steps were going to be positioned next to the driveway.

E. Bott – The requirement is 50ft., but you are on a bank and it really doesn't affect anything. You're not changing the topography, you are just going with the bank.

J. Scheele – This is going to be basically a walkway, so we can get to the front of the house.

L. Moorhouse – Are there any other questions from the Board Members?

L. Moorhouse – Made a motion to accept the application for the variance, seconded by M. Gascon, all in favor.

L. Moorhouse – We will have a Public Hearing on Wednesday, September 13, 2017 at 7:30 p.m.. Steve will put signs up the week before.

Preliminary Hearing concluded at 8:05 p.m.

Old Business

L. Moorhouse made a motion to approve the minutes from the July 12, 2017 meeting seconded by M. Gascon, all in favor.

E. Bott made a motion to adjourn the meeting, seconded by M. Gascon, all in favor and adjourned at 8:15 p.m.

Respectfully,
Stephanie Seeley, Secretary