

**DRAFT**

**ZONING BOARD OF APPEALS  
TOWN OF CANADICE**

Canadice Town Hall

December 9, 2015

Present: Linda Moorhouse, Chairperson  
Diane Horning  
Marty Gascon  
Ed Bott  
Bob Best, CEO  
Board Member Karen Scheele absent

Guest: Roy Simmons  
Elaine Vanatte  
Steve Engard  
Stephen Smith

**PUBLIC HEARING - SIMMONS**

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, can you tell us about the variance request.

B. Best - Mr. Simmons has the accessory structure, we have decided on the correct set backs now. The south east corner is 8ft. and the south west corner is 8 1/2ft. He needs 10ft.

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L. Moorhouse - That's what we had decided upon at the last meeting?

B. Best - Yes.

E. Bott - Is everyone in agreement on that? The board members were all in agreement.

L. Moorhouse - Mr. Simmons do you have any other information that you wanted to share with us.

E. Vanatte - We just wanted you to know that this is not near anyone's house.

R. Simmons - Yes, it is at least 50ft. from any other structure.

L. Moorhouse - Was this other shed going to come down.

R. Simmons - It probably should.

L. Moorhouse - It doesn't matter, I was just wondering if you were planning on taking it down.

L. Moorhouse made a motion to accept the application as complete, seconded by D. Horning, all in favor.

L. Moorhouse - Are there any other questions from the Board Members? I would like to close the public portion of the meeting.

Roll Call Vote to accept or deny:

Chairperson, L. Moorhouse, **YES**, E. Bott, **YES**, D. Horning, **YES**, M. Gascon, **YES**

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

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

Diane Horning - 1. Yes, 2. No, 3. No, 4. No, 5. Yes – **YES**

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

The variance was approved with a quorum of 4 ayes. Notification will be sent by letter to the applicant and the Code Enforcement Officer, Bob Best.

### Old Business

E. Bott made a motion to approve the minutes from the October 14, 2015 meeting, seconded by D. Horning, all in favor.