

*Draft*

## ZONING BOARD OF APPEALS TOWN OF CANADICE

Canadice Town Hall

November 12, 2014

Present: Linda Moorhouse, Chairperson

Guest: Eve Bradley

Diane Horning  
Marty Gascon  
Karen Scheele  
Ed Bott  
Bob Best, CEO

### PUBLIC HEARING - BRADLEY

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 - Ms. Bradley, we will be going over your application. Bob, can you tell us about the variance request.

B. Best - This is an accessory structure that does not meet the front and one side set back requirements.

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L. Moorhouse - Is there a reason that you decided to put the shed in this spot?

E. Bradley - Accessibility, there is really no other spot that would be convenient. I have tried to purchase the corner lot, so I would have more room and this wouldn't be an issue.

E. Bott - Where is Dunnigan Lane? I can see at least four other places to put this shed. You could put it where the original shed is.

E. Bradley - The property line goes right through the existing shed.

L. Moorhouse - Is it going to stay on the beams?

E. Bradley - Yes.

L. Moorhouse - It could be moved then?

E. Bradley - Yes, it could be moved.

E. Bott - How did you get this without a permit?

E. Bradley - Since it was not a permanent structure, I didn't think I needed one.

M. Gascon - I went up there today and looked at the lot. It's a very nice looking building and your lot is very flat.

L. Moorhouse - Is there any other questions from the Board Members?

E. Bott made a motion to accept the application as it stands, K. Scheele seconded, all in favor.

K. Scheele - Bob, looking at the map, is that the well? Is there any reason the shed couldn't be put there.

B. Best - No, it would be fine over the well.

E. Bradley - It would have to go over my leach lines to get it to that spot. I don't think a large truck could get back in there with it.

E. Bott - Why couldn't you just bring it in around the back? You wouldn't have to go over the leach lines. Or you could turn it. I see other options here.

E. Bradley - Then I would be on my neighbors property. I wanted it there because it would be accessible for me. I wanted the door facing the house, so I could keep an

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eye on it.

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, **NO**, E. Bott, **NO**, D. Horning, **NO**, M. Gascon, **NO**, K. Scheele, **NO**

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

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

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

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

Karen Scheele – 1. Yes, 2. No, 3. Yes, 4. No, 5. Yes – **NO**

The variance was denied with a quorum of 5 naves. Notification will be sent by letter to the applicant and the Code Enforcement Officer, Bob Best.

### Old Business

K. Scheele made a motion to approve the minutes from the October 8, 2014 meeting, seconded by M. Gascon, all in favor.

E. Bott accepted his reappointment to the Zoning Board for another term.

K. Scheele 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