

Cazenovia Zoning Board of Appeals

Meeting Minutes

February 24, 2014

Members present: Chris Fischer, Chairman; Louis Orbach; David Silverman; Gene Smith

Members absent: Richard Sheridan

Others present: Wendy Reese; Mark Zagger; Anne Redfern; Graham Egerton

C. Fischer called the meeting to order at 7:30 p.m.

Motion by C. Fischer, seconded by G. Smith, to approve the January meeting minutes as circulated was carried unanimously.

Basic, Jennifer/New Venture Assets – #13-909 – Special Use Permit – 2363 Route 20 East

J. Basic was not present to represent the application.

C. Fischer explained that J.Basic's plans may be on hold and that it was not known if she would be present for the meeting, so he suggested the Board move to the next item on the agenda to give her more time to arrive.

Zagger, Mark – #14-912 – Area Variance – 5746 East Lake Road

M. Zagger was present to represent the file.

C. Fischer summarized the application for the Board, informing them of the location of the property, and explaining the applicant's desire to demolish an existing lean-to in order to construct a barn which would be attached to an existing garage, and his need for an area variance for this addition because it is less than 25 feet from the neighboring property line.

M. Zagger then went on to discuss the project in more detail, showing photographs of the garage and lean-to as it is now, and showing the Board the site plan map, explaining the dimensions of his unusual lot. He showed drawings of what he is proposing to build, explained the materials he plans to use, and described the improvements he intends to make to the existing garage as well.

C. Fischer said this proposal does not increase the non-conformance. He said the matter has been noticed in the local newspaper for a public hearing, and Mr. Zagger has provided a copy of the letter and the list of the neighboring property owners he notified by that letter.

C. Fischer asked if there was any one present desiring to speak for or against the application. There was not.

C. Fischer read the letter from John Steiner dated January 20, 2014 in support of the Zagger project and new addition with its 15 foot setback (which is actually 18 feet) from his and their joint property line. He also stated that at the February 6, 2014 meeting, the Planning Board gave the application a positive recommendation to this Board for the area variance. He also stated the matter was referred to the Madison County Planning Department which determined there would be no county-wide impact from the demolition of an existing garage to be replaced by a new garage so as to encroach 10 feet or 7 feet into the established 25 foot side yard setback in the RA zone, noting that the application states a 15 foot setback while the site plan shows an 18 foot setback. Therefore, there is less of a relief than originally stated.

Hearing no public comments, motion by C. Fischer, seconded by G. Smith to close the public hearing was carried unanimously.

No concerns were expressed by the Board. W. Reese stated this is a Type 2 action. C. Fischer explained that as such, they do not need to go through the SEQRA review; it is automatically deemed of no environmental significance.

Motion by G. Smith, seconded by L. Orbach, to approve the addition of the barn with a seven foot relief from the side yard setback pursuant to the plans as submitted, was carried unanimously.

C. Fischer explained to the applicant that he would be receiving a letter from the Zoning Board later this week and he then would submit his building permit application to the Code Enforcement Officer.

Because Ms. Basic was still not present, motion by C. Fischer, seconded by D. Silverman to adjourn her file until the March meeting was carried unanimously.

C. Fischer reminded the board that R. Sheridan had asked that the March meeting be postponed until the fifth Monday so Mr. Sheridan could attend. It was decided that this request could be accommodated by the other members. A special notice will be issued to the public. Motion by C. Fischer, seconded by G. Smith to reschedule the regular March meeting until March 31, 2014 was carried unanimously.

Motion by C. Fischer, seconded by G. Smith, to adjourn the meeting was carried unanimously at 7:48pm.

Zoning Board of Appeals Secretary - Sue Wightman - February 24, 2014