

**Regular Meeting**  
**Town/Village of Lowville**  
**Zoning Board of Appeals**  
Wednesday, August 29, 2019  
6:30 P.M.



BY: .....

The meeting was called to order by Linda Lawton at 6:30 p.m.

1. The Town/Village of Lowville Zoning Board of Appeals met on this date and a roll call showed the following members present:

Linda Lawton                      Rachel Hillegas                      Carla Hellinger

Absent:            Brian Bush, Joseph Zehr

**Others present:** Kevin Bamann, Applicant Representative; Joseph Beagle, Mayor, Village of Lowville; Henry Avallone; T/V Planning Board Member; Kathy Manning, Zoning Officer

2. Reading and Approval of Minutes:  
July 24, 2019 –A MOTION was made by Carla to approve the minutes as written. The motion was seconded by Rachel. All members present in favor. Motion carried.

3. Communications and reports.  
a. Draft “Rules of Conduct” are attached. Corrected page 2 is supplied per the Planning Board review on July 24, 2019. This item was tabled by the ZBA.

This item was tabled until more members are in attendance at the meeting.

4. Unfinished business:  
a. **Application ZV2019-4**, submitted by **GYMO on behalf of the Village of Lowville**, requesting an area variance to allow minor subdivision of the property which does not comply with Village of Lowville Zoning Law §201, Schedule B, Dimensional Requirements in a R Zone. The property is owned by Village of Lowville, located at 7519 East State Street, Village of Lowville, New York and is tax parcel number 212.12-06-16.000.

The public hearing was opened at 6:34 p.m.  
The board asked if anyone had any questions or comments. There was no public comment.

There was discussion regarding the application. The resolution was completed.  
The public hearing was closed at 6:40 p.m.


A MOTION was made by Carla to approve with conditions Resolution ZV2019-4 as submitted by GYMO on behalf of the Village of Lowville. The motion was seconded by Rachel. All members present in favor. Motion carried. A copy of the Resolution is attached to these minutes and included with the original record.

5. New Business:  
None

6. Adjournment

A MOTION was made by Rachel to adjourn the meeting. The motion was seconded by Carla. All members present in favor. Motion carried. The meeting was adjourned at 6:41 p.m.

Submitted by,

A handwritten signature in blue ink that reads "Katharine B." followed by a stylized flourish.

Katharine B. Manning  
August 29, 2019

***Note: These minutes have been transcribed from a recording. The minutes are not a verbatim, quoted version they are rather a documentation of the meeting with motions and resolutions included.***

**Town and Village of Lowville  
Zoning Board of Appeals**

5533 Bostwick Street  
Lowville, New York 13367  
(315) 376-8070 ext. 6

COPY

**RESOLUTION  
ZV2019-4  
212.12-06-16.000**

At a regular meeting of the Town/Village Zoning Board of Appeals of the Town/Village of Lowville, Lewis County, New York, held at the Town Offices, in said Town, on the 28 day of August, 2019. The meeting was called to order by Linda and upon roll being called, the following were:

PRESENT:

~~Brian Bush~~ Rachel Hilligas Linda Lawton Joseph Zehr  
Carla Hellinger

ABSENT:

Brian, Joe

The following resolution was offered by Board Member Carla, who moved its adoption, seconded by Board Member Rachel, to wit:

WHEREAS, the Zoning Board of Appeals of the Town of Lowville has received an application from Village of Lowville for approval of an area variance to permit minor subdivision approval to allow the northernmost property line of the parcel indicated as Lot 2 of 84.27 +/- feet and the southernmost property line of the same parcel (Lot 2) of 85.35 +/- feet rather than the 125 feet of lot depth required by Village of Lowville Zoning Law Section 201, Schedule B, Dimensional Requirements

and

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application (and Environmental Assessment Form, if required), held a public hearing and received comments thereat, and

WHEREAS, after review the Zoning Board of Appeals has weighed the affects the requested application on health, safety and welfare of the neighborhood and community, and made the following findings:

A. The requested variance (~~will~~/will not) create an undesirable change in the character of the neighborhood or detriment to nearby properties in that: allowed use; just requiring set back variances.

B. The benefits sought by the applicant (~~can~~/cannot) be achieved by any other feasible method because: zoning is stringent for commercial use and the lot is too small for the use

C. The requested variance (~~is~~/is not) substantial in that: the variance is for 40'

D. The proposed variance (~~will~~/will not) have an adverse effect of impact on the physical and environmental conditions of the neighborhood or district because: it's only affecting the properties involved

and

E. The alleged difficulty (~~was~~/was not) self-created because parcel does not need to be subdivided

NOW, THEREFORE, BE IT RESOLVED that application ZB2019-4 submitted by Village of Lowville for approval of an area variance in the Town/Village of Lowville is hereby (~~GRANTED/DENIED~~ GRANTED WITH CONDITIONS) for the reasons stated above. Conditions placed will be provided below.

The question of the foregoing resolution was duly put to a vote as follows:

Brian Bush            Y   N   R   A

Rachel Hillegas    Y   N   R   A

Linda Lawton        Y   N   R   A

Joe Zehr             Y   N   R   A

Carla Hellinger     Y   N   R   A

Y = Yeah

N = Nay

R = Recusal

A = Absent

Date: August 28, 2019  
Lowville New York

BY ORDER OF THE ZONING BOARD  
OF APPEALS OF THE TOWN OF  
LOWVILLE

Rinda M. Lawton  
Signature

Conditions:  
The site plan as <sup>previously</sup> approved by the Planning Board must be achieved for this to be approved

