

Regular Meeting
Town/Village of Lowville
Zoning Board of Appeals
Wednesday, July 24, 2019
6:30 P.M.

RECEIVED
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BY:

The meeting was called to order by Linda Lawton at 6:32 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; Kathy Manning, Zoning Officer

2. Reading and Approval of Minutes:
June 26, 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 June 26, 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. The public hearing is for **Application ZV2019-3**, submitted by **Brian & Jacqueline Bush**, requesting an area variance to construct an addition to an existing storage building no more than 5 feet from the edge of Rice Road which does not comply with Village of Lowville Zoning Law §201, Schedule B, Dimensional Requirements in a R Zone. The property is owned by Brian & Jacqueline Bush, located at 5208 Hillcrest Circle, Village of Lowville, New York and is tax parcel number 212.06-01-34.000.

The public hearing was opened at 6:34 p.m.

The board asked if anyone had any questions or comments. Neither Mr. Bamann nor Mayor Beagle had any questions.

There was discussion regarding the application. Page 2 of the resolution was completed. The public hearing was closed at 6:37 p.m.

A MOTION was made by Carla to approved Resolution ZV2019-3 submitted by Brian and Jacqueline Bush. 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:
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 application and its contents were reviewed by the board. There was discussion regarding the remaining parcel and if it will comply.

A MOTION was made by Rachel to deem Application ZV2019-4 complete and schedule the public hearing for August 28, 2019. The motion was seconded by Carla. All members present in favor. Motion carried.

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 6:45 p.m.

Submitted by,



Katharine B. Manning
July 25, 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
ZV2019-3
212.06-01-34.000

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 24 day of July, 2019. The meeting was called to order by Linda Lawton and upon roll being called, the following were:

PRESENT:

~~Brian Bush~~
Carla Hellinger, ~~At~~

Rachel Hilligas

Linda Lawton

~~Joseph Zehr~~

ABSENT:

Brian
be

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 Brian and Jacqueline Bush for approval of an area variance to permit construction of an addition to an accessory building (storage) no more than 5' (five feet) to the rear property line

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: extension of existing structure

B. The benefits sought by the applicant (~~can~~/cannot) be achieved by any other feasible method because: this ~~was~~ addition is an extension of an existing building

C. The requested variance (~~is~~/is not) substantial in that: it is an extension to a previously granted variance (12x11'6")

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 is a small addition (12x11'6")

and

E. The alleged difficulty (~~was~~/was not) self-created because a variance was granted previously

NOW, THEREFORE, BE IT RESOLVED that application ZB2019-3 submitted by Brian and Jacqueline Bush 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:

	<u>Yes</u>	<u>No</u>	<u>Recused</u>		<u>Yes</u>	<u>No</u>	<u>Recused</u>
<u>Brian Bush</u>	<u>Absent</u>	<u>N</u>	<u>R</u>	<u>Rachel Hilligas</u>	<u>Y</u>	<u>N</u>	<u>R</u>
<u>Linda Lawton</u>	<u>Y</u>	<u>N</u>	<u>R</u>	<u>Joe Zehr</u>	<u>Absent</u>	<u>N</u>	<u>R</u>
				<u>Carla Hellinger</u>	<u>Y</u>	<u>N</u>	<u>R</u>

Date: July 24, 2019
 Lowville, New York

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

Linda M. Lawton
 Signature

Conditions:
