

**Regular Meeting**  
**Town/Village of Lowville**  
**Zoning Board of Appeals**  
Wednesday, June 23, 2021  
6:30 P.M.

**RECEIVED**  
JUN 24 2021  
BY: *am*.....

The meeting was called to order by the Chair Rachel Hillegas at 6:31 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 either in person or via Zoom:  
Linda Lawton                      Rachel Hillegas                      Carla Hellinger  
Eric Quina  
Absent: Joseph Zehr, Kyle Logan  
  
**Others present:** Henry Avallone, T/V Planning Board; Kathy Manning, Administrative Assistant
2. Reading and Approval of Minutes:  
May 26, 2021 – A MOTION was made by Carla to approve the minutes as written. The motion was seconded by Linda. All members present in favor. Motion carried.
3. Communications and reports.  
None
4. Unfinished business:
  - a. The public hearing is for **Application ZV2021-3**, submitted by **Kevin Kent**, requesting an area variance to construct a 18 foot by 28 foot garage to be no closer than 2 feet to the east side property line which does not comply with Village of Lowville Zoning, Chapter 201, Schedule B, Dimensional Requirements in an R30-B Zone. The property is owned by Kevin Kent, located at 5368 Eugene Street, Village of Lowville, New York and is tax parcel number 195.19-03-04.000.

The public hearing was opened at 6:35 p.m.  
The board reviewed the applicant information. Rachel supplied a draft page 2 of the resolution which was read into the record. The members of the public were asked if they wished to comment on the application. Everyone declined to speak. There was no public comment.  
The public hearing was closed at 6:38 p.m.

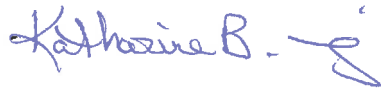
A MOTION was made by Linda to approve Resolution ZV2021-2 with conditions. The conditions are that the variance applies only to the specified structure in the specified location in the variance application. The motion was seconded by Eric. All members present in favor. Motion carried. A copy of the resolution is included with these minutes and the original record.

5. New Business:  
None  
Kathy indicated she believes there will be an application for July.

6. Adjournment

A MOTION was made by Eric to adjourn the meeting. The motion was seconded by Carla. All members in favor. Motion carried. The meeting was adjourned at 6:40 p.m.

Submitted by,

A handwritten signature in blue ink that reads "Katharine B. Manning". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Katharine B. Manning

June 24, 2021

***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  
ZV2021-3  
195.19-03-04.000**

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 23rd day of June, 2021. The meeting was called to order by

Rachel Hillegas and upon roll being called, the following were:

**PRESENT:**

Linda Lawton                      Rachel Hillegas                      ~~Joseph Zehr~~                      Carla Hellinger  
Eric Quina                              ~~Kyle Logan, Alt~~

**ABSENT:**

Joseph Zehr  
Kyle Logan

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

WHEREAS, the Zoning Board of Appeals of the Town of Lowville has received an application from Kevin Kent for approval of an area **variance** to permit **construction of an 18 foot by 28 foot garage to be no closer than 2' to the eastern side property line (garage overhang width)**

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: The new garage will be no closer to the property boundary than the existing garage.

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B. The benefits sought by the applicant (can/cannot) be achieved by any other feasible method because: Due to the layout of the property and the location of the existing driveway and house, it would make the most sense to use the site of the existing garage as the location for the new garage.

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C. The requested variance (is/is not) substantial in that: The new garage will not be any closer to the property line than the existing structure.

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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: The new garage will not be significantly different than the existing garage or out of character with other garages in the neighborhood. By building in the same general location as the existing structure, there will be less impact on the environmental conditions of the neighborhood.

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and

E. The alleged difficulty (was/was not) self-created because The existing garage was built before the current owner acquired the property, so the existing non-conformity is not due to the current owner. The proposed new garage will not encroach any further on the adjoining property.

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NOW, THEREFORE, BE IT RESOLVED that application ZV2021-3 submitted by Kevin Kent 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>Linda Lawton</u> <u>(Y)</u> N R A	<u>Joe Zehr</u> Y    N R <u>(A)</u>
<u>Rachel Hillegas</u> <u>(Y)</u> N R A	<u>Eric Quina</u> <u>(Y)</u> N R A
<u>Carla Hellinger</u> <u>(Y)</u> N R A	<u>Kyle Logan, Alt</u> Y    N R <u>(A)</u>

Y – Yes; N – No; R – Recusal; A - Absent

Date: June 23, 2021  
Lowville, New York

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

Rachel A. Hillegas  
Signature

Conditions:

Variance applies only to the specified structure in the  
specified location in the variance application.

