

TOWN OF CORTLANDVILLE ZONING BOARD OF APPEALS
Public Hearing/Meeting Minutes - Tuesday, 27 March 2018 – 7 PM
Town Hall Court Room – 3577 Terrace Road – Cortland, NY

Board Members (*absent)

John Finn, Chairman
*David Plew
Thomas Bilodeau
*Joanne Aloï
Bernice Potter-Masler

Others Present

Bruce Weber, Planning/Zoning Officer
Joan E. Fitch, Board Secretary

Applicants & Public Present

Dickie Scutt, Applicant; Holly Scutt; Sharon Stevans w/Community Access TV.

The Public Hearing was opened at 7 p.m. by Chairman John Finn, who read aloud the Legal Notice as published in the *Cortland Standard* on 14 March 2018, as follows:

NOTICE IS HEREBY GIVEN that a public hearing before the Zoning Board of Appeals of the Town of Cortlandville will be held Tuesday, March 27, 2018 at 7 p.m. at the Raymond G. Thorpe Municipal Building, 3577 Terrace Road, in the Town of Cortlandville, New York, to consider the following application pursuant to the 1986 Zoning Law:

1. *In the matter of the application of Dickie Scutt for property located at 415 NYS McLean Road, Tax Map No. 95.00-01-41.000, for a variance in the terms and conditions of Section 178-13 A, Bulk Regulations, to allow for a garage with a front yard less than allowed.*

The above application is open to inspection at the office of Bruce A. Weber, Planning & Zoning Officer, Raymond G. Thorpe Municipal Building, 3577 Terrace Road, Cortland, New York, call (607) 756-7052 or (607) 423-7490. Persons wishing to appear at such hearing may do so in person, by Attorney, or other representative. Communications in writing in relation thereto may be filed with the Board or at such hearing.

John Finn, Chairperson
Zoning Board of Appeals

(Note: Proof of Publication has been placed on file for the record.)

PUBLIC HEARING

Dickie Scutt, Applicant/Reputed Owner – 415 McLean Road – TM #95.00-01-41.000 – Area Variance – Garage Setback Less Than Allowed

Chairman John Finn recognized the applicant who was seeking an Area Variance to construct a 24 ft. by 30 ft. replacement garage at the location of a 12 ft. by 20 ft. garage which had been removed. The proposed garage would be no closer to the road than the previous one, but PZO Bruce Weber explained that, since the old garage had been removed previously, then whatever garage was put in its place must be conforming. With the proposed garage being larger, it was closer to the property line than allowed.

Chair Finn asked if there was anyone from the public who wished to speak on this matter; there was no one.

**With everyone being heard who wished to be heard,
Chair Finn closed the Public Hearing at 7:04 p.m.**

DISCUSSION/DECISION

Chair Finn proceeded with the required questions (balancing test) for an area variance; the responses given by the ZBA members, were as follows:

1. Would there be an undesirable change in neighborhood character or to nearby property?
Finding: No. All Board members present agreed.
2. Can the benefit be achieved by other means feasible to the applicant?
Finding: No. All Board members present agreed.
3. Is the requested variance substantial?
Finding: No. All Board Members present agreed.
4. Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?
Finding: No. All Board members present agreed.
5. Has the alleged difficulty been self-created?
Finding: No. All Board members present agreed.

At the conclusion of the test, **a motion was made by Member Tom Bilodeau to grant the area variance, as requested. The motion was seconded by Member Bernice Potter-Masler, with the vote recorded as follows:**

Ayes:	Chairman Finn	Nays:	None
	Member Bilodeau		
	Member Potter-Masler	Absent:	Member Plew
			Member Aloï

Motion passed.

This becomes Action #9 of 2018.

APPROVAL OF MINUTES – 27 FEBRUARY 2018

A motion was made by Member Potter-Masler to approve the ZBA Minutes of 27 February 2018, as submitted. The motion was seconded by Member Bilodeau, with the vote recorded as follows:

Ayes:	Chairman Finn	Nays:	None
	Member Bilodeau		
	Member Potter-Masler	Absent:	Member Plew
			Member Aloï

Motion passed.

This becomes Action #10 of 2018.

ADJOURNMENT

At 7:07 p.m., on a motion by Member Bilodeau, seconded by Member Potter-Masler, with everyone present voting in the affirmative, the meeting was adjourned.


Joan E. Fitch, Board Secretary

Emailed to KRP, Bd. Members, JBF,
BW, DD, DC, KM on 4/4/18.