

SPECIAL MEETING

LeRay Zoning Board of Appeals

March 15, 2021

Call to Order and the Pledge of Allegiance

On March 15, 2021, the LeRay Zoning Board of Appeals held their monthly meeting in person and via teleconference. The meeting was called to order at 6:30 p.m. by Chairperson Oatman.

Open Regular Meeting

Board members in attendance: Chairperson – Jan Oatman, Jacalyn Tunstall, Christian Favret, Jim Blankman via teleconference, Zoning Enforcement Officer – Lee Shimel, and Clerk – Morgan Melancon. Also in attendance was Mr. Glick.

Approval of Minutes

The minutes from the regular meeting on March 3, 2019 were reviewed by the Board members. A motion to approve the minutes was made by Member Tunstall and seconded by Member Favret. The vote went as follows: Member Favret – Yes, Member Tunstall – Yes, Member Blankman – Yes, and Chairperson Oatman – Yes. The motion passed.

Correspondence and Communication

Chairperson Oatman asked if there was anyone who was not on the agenda that wished to address the Board. There was no response. Chairperson Oatman asked Ms. Morgan if there had been any correspondence to which Ms. Morgan said there was none.

Public Hearing for an Area Variance Application for Simon Glick – proposal is for a 20-foot area variance in the front yard. The Application consists of the Application for an Area Variance, the Denial from ZEO, the SEQR, and the Plat Map, located on NYS Route 342, tax parcel #75.05-1-9.1.

Chairperson Oatman asked the Board if they had any comments or questions on the Area Variance Application to which the Board said they had none. Mr. Simon was in attendance as the representative and provided a brief description. Mr. Simon stated that he was seeking a 20-foot Area Variance in order to match the neighborhood and make it easier to accommodate a septic system due to the grade of the lot.

Chairperson Oatman asked the Board if they had any further comments or questions for Mr. Simon. Hearing none, a motion was made by Member Blankman and seconded by Member Favret to open the Public Hearing at 6:32 PM. The vote went as follows: Member Favret – Yes, Member Tunstall – Yes, Member Blankman – Yes, and Chairperson Oatman – Yes. The motion passed.

Ms. Melancon read the Public Hearing Notice as published in the Watertown Daily Times on March 9, 2021. Chairperson Oatman asked if there were any comments from the floor. Hearing none, a motion was made by Member Blankman and seconded by Member Tunstall to close the Public Hearing. The vote went as follows: Member Favret – Yes, Member Tunstall – Yes, Member Blankman – Yes, and Chairperson Oatman – Yes. The motion passed.

Chairperson Oatman asked the Board to vote on the five tests:

1. The requested variance [**will/will not**] create an undesirable change in the character of the neighborhood or detriment to nearby properties in that:

- Jan Oatman Will Will Not
- James Blankman Will Will Not
- Christian Favret Will Will Not
- Jacalyn Tunstall Will Will Not

Will:

Will Not: the house would be in line with the other homes already there.

2. The benefits sought by the applicant [**can/cannot**] be achieved by some other feasible method because:

- Jan Oatman Can Cannot
- James Blankman Can Cannot
- Christian Favret Can Cannot
- Jacalyn Tunstall Can Cannot

Can:

Cannot: of the contour of the land behind the house.

3. The requested variance [**is/is not**] substantial in that:

- Jan Oatman Is Is Not
- James Blankman Is Is Not
- Christian Favret Is Is Not
- Jacalyn Tunstall Is Is Not

Is: the area variance would create a 33% reduction.

Is Not: the 33% reduction would still leave the house 80-feet from the road.

4. The proposed variance [**will/will not**] have an adverse effect or impact on the physical and environmental conditions of the neighborhood or district because:

- Jan Oatman Will Will Not
- James Blankman Will Will Not
- Christian Favret Will Will Not
- Jacalyn Tunstall Will Will Not

Will:

Will Not: it is a front yard.

5. The alleged difficulty [**was/was not**] self-created because:

- Jan Oatman Was Was Not
- James Blankman Was Was Not
- Christian Favret Was Was Not
- Jacalyn Tunstall Was Was Not

Was: the onus always comes back to the buyer.

Was Not:

A motion was made by Member Tunstall and seconded by Member Favret to grant the Area Variance, for the reasons stated above, of Section 158-13 A of the Zoning Law of the Town of LeRay to allow a 20-foot setback variance for the front yard, located on NYS Route 342, tax parcel #75.05-1-9.1. The vote went as follows: Member Favret – Yes, Member Tunstall – Yes, Member Blankman – Yes, and Chairperson Oatman – Yes. The motion passed.

Chairperson Oatman informed Mr. Simon that Clerk Melancon would be sending them an approval letter in the mail with the Resolution.

Adjournment

A motion to adjourn at 6:38 pm was made by Member Blankman and seconded by Member Tunstall. The vote went as follows: Member Favret – Yes, Member Tunstall – Yes, Member Blankman – Yes, and Chairperson Oatman – Yes. The motion passed.