

# Town of LeRay

## Zoning Board of Appeals - Minutes

November 30, 2021

### Call to Order

On November 30, 2021, the LeRay Zoning Board of Appeals held their monthly meeting in person in the Conference Room and via teleconference. The meeting was called to order at 6:30 P.M. by Chairperson Oatman, who lead the room in the Pledge of Allegiance.

### Open Regular Meeting

Board members in attendance: Chairperson – Jan Oatman, Jacalyn Tunstall, Christian Favret, Zoning Enforcement Officer – Lee Shimel, and Clerk – Morgan Melancon. Also in attendance was Mark Crandall, Jeff Arnold, and Ashley Arnold.

### Approval of Minutes

The minutes from the Special Meeting on November 18, 2021 were reviewed by the Board members. Chairperson Oatman made a correction and a motion to approve the minutes with the correction was made by Member Tunstall and seconded by Member Favret.

The vote went as follows:

Member Favret	Yes	Chairperson Oatman:	Yes
Member Tunstall	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 Clerk Melancon if there had been any correspondence to which Clerk Melancon said there was none.

**Public Hearing for an Area Variance Application for Classy Chassy Car Wash** – the lot does not meet the required acreage of 1.5-acres for automotive uses according to section 158-44 section C2 of the Municipal Code. The applicant is requesting an Area Variance of 0.14, located on US Route 11, tax parcel #64.20-1-35.

Chairperson Oatman asked the Board to review the Area Variance Application for Classy Chassy, saying there was no additional information to be provided since the last Special Meeting on November 18, 2021. Chairperson Oatman asked the Board if they had any other comments or Questions. The Board had none.

Chairperson Oatman opened the Public Hearing at 6:30P.M. and Clerk Melancon read the hearing notice as published in the Watertown Daily Times on November 23, 2021. Chairperson Oatman asked if there were any comments from the audience. Hearing none, a motion was made by Member Favret and seconded by Member Tunstall to close the public hearing.

The vote went as follows:

Member Favret	Yes	Chairperson Oatman:	Yes
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Member Tunstall Yes

The motion passed.

Chairperson Oatman said they Board needed to discuss the 5 questions for an Area Variance and asked the Board to weigh the effects of the requested Area Variance on the health, safety, and welfare of the neighborhood and community.

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

Christian Favret  Will  Will Not

Jacalyn Tunstall  Will  Will Not

**Will:** N/A

**Will Not:** the proposed project would be an enhancement on the character of the neighborhood.

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

Jan Oatman  Can  Cannot

Christian Favret  Can  Cannot

Jacalyn Tunstall  Can  Cannot

**Can:** N/A

**Cannot:** it could not be achieved as the lot size could not change

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

Jan Oatman  Is  Is Not

Christian Favret  Is  Is Not

Jacalyn Tunstall  Is  Is Not

**Is:** N/A

**Is Not:** they were requesting less than 10% and 0.14 acres was a minor amount, and not substantial

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

Christian Favret  Will  Will Not

Jacalyn Tunstall  Will  Will Not

**Will:** N/A

**Will Not:** have an adverse effect or impact.

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

Jan Oatman                     Was    Was Not  
Christian Favret             Was    Was Not  
Jacalyn Tunstall             Was    Was Not

**Was:** they spent money on engineering, etc., in anticipation of purchasing the property, knowing that an Area Variance was required in order to proceed.

**Was Not:** N/A

A motion was made by Member Tunstall and seconded by Member Favret to grant the Area Variance, for the reasons stated above, of Section 158-6 B(1) of the Zoning Law of the Town of LeRay to allow a 0.14-acre area variance, located on US Route 11, tax parcel #64.20-1-35.

The vote went as follows:

Member Favret	Yes	Chairperson Oatman:	Yes
Member Tunstall	Yes		

The motion passed.

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

## Adjournment

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A motion was made by Member Favret and seconded by Member Tunstall to adjourn the meeting.

The vote went as follows:

Member Favret	Yes	Chairperson Oatman:	Yes
Member Tunstall	Yes		

The motion passed. The meeting adjourned at 6:39 PM.