



TOWN OF WILLSBORO

5 FARRELL ROAD WILLSBORO, NY 12996

518-963-8668

Minutes Zoning Board Meeting/Public Hearing Date: May 16, 2023 Location: Willsboro Town Hall

Present: Chairman- Pete Sowizdrzal **Board Members-** Anne Lincoln, Carol deMello

Absent: Susan Mueller

Members of the public: Lindsay Hamel/Marcotte, Mike Raimo, Win Belanger, Mark Bonfey -Meeting was called to order at 6:02pm

April 18, 2023 meeting minutes were presented, one small change- the last page says next meeting is May 15th and it should say May 16th.

-April 18, 2023 meeting minutes were approved as presented. Anne Lincoln made a motion to approve April 18, 2023 meeting minutes. Pete Sowizdrzal second it. All in favor.

-Public Hearing for 904 Mountain View Drive, Tax Map # 31.13-2-14.000, LC-R, application # 126Z, demolish existing front porch to create a larger living room, add another 8' front porch with roof (the same style that was there). This house was built in 1890 and because of the deed they need permission from Essex Community Heritage Organization.

-Pete Sowizdrzal opened the public hearing at 6:10 pm

What we are working on tonight is the variance for this house. The home owners (Lindsay Hamel/Marcotte and Mike Raimo) are having major issues with the historical society, ECHO, on what they want and what Mike Raimo wants to provide. The discussion of the variance should really pertain to what relief they are requesting for the variance. At the end, if we do want to move to make a motion for approval- part of the stipulation will be that this variance will not be granted unless ECHO gives the proper okay.

Lindsey and Mike have gone back and forth quite a bit with ECHO and believe that they are meeting on the 24th of May (next week), she provided ECHO with an additional drawing because they were told they should add a stoop but that makes the house even more out of compliance.

Carol told the homeowners that they need to be careful with wording- they have "deck" written down but a deck means a bunch of boards with a 4-foot railing and that is not at all what they are going to have. If you had written porch, it might be clearer that it would match what is already there.

-Kyli received no public correspondence and no one is here from the public to discuss anything further.

- Pete Sowizdrzal closed the Public Hearing at 6:15 pm.

- The board members presented and went over each of the five questions which are on the Area Variance Application.

-Pete lets the home owners know that they could postpone and wait for the board to make a decision next month. The board is supposed to have five members but they only have four, and one is absent tonight. You need at least three to make a quorum (which is here tonight) but for this project to go through all present members would have to vote yes.

ZBA Area Variance Questions
Submitted by Peter Sowizdrzal

Name: Lindsay Marcotte Hamel Tax Map # 31.13-2-14.000

Area Variance Application Number: 2023-126Z Date of Vote: 5-16-
2023

Findings:

1. As to whether the benefit sought by the applicant can be achieved by some method feasible for the applicant other than an area variance, I find that: **Pete: It cannot. The house was built in 1876 and the lot is very small. Extending the house 8' toward the street is the only feasible way to make the living room bigger. The porch needs major repair and needs to be done.**
2. As to whether an undesirable change will be produced in the character of the neighborhood, or a detriment to nearby properties will be created, I find that: **It will not. They are not changing the historical significance of the house. It will still blend in with the nearby properties and the neighborhood.**
3. As to whether the requested area variance is substantial, I find that: **Looking at the variance requests for front and side yard setbacks in the zoning district it seems substantial, but if they were in the zoning district to their east, they would conform to many of the setbacks for that district.**
4. As to whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district, I find that: **It will not. The physical size of the addition is small and will not affect the environmental conditions of the neighborhood. The porch needs major repairs and will need to be repaired anyways.**
5. As to whether an alleged difficulty is self-created, I find that: **(This consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the area variance.) The house was built in 1876 and needs to have repairs done to keep the house in good condition based on historical significance.**

-At this time- the home owners have the decision to go ahead with this proposal or wait until the next meeting. They choose to go ahead and get the decision tonight.

Carol de Mello made a Motion:

Motion is made based on the application submitted and testimony heard that this application for relief of Section 4.10, p. 28, Schedules of Use and Area Regulations, and

Section 4.43, p. 37, Front Yard and Side Yards be granted because the benefit to the applicant outweighs any detriment to the health, safety, and welfare of the district, neighborhood, or community by approval of the variance, to reach this conclusion I have considered the five factors discussed and considered by the Board. Specifically, grant a variance for relief of 97' for front yard setback, 139' relief of east and 133' relief of west side-yard setbacks. The relief granted for the front yard makes the new location of the structure at 51', the west and east side boundaries remain the same as 17' and 11'.

There is a condition to this motion: this variance is conditioned on the granting of permission to remodel from the Essex Community Heritage Organization as per the "Deed of Preservation of Conservation Easement.

Lincoln seconded. All in favor.

ADJOURNMENT:

Sowizdrzal moved to adjourn. de Mello seconded. All in favor.

Next Meeting: June 20, 2023

Meeting adjourned at 6:25pm.

Submitted by Kyli Miller
