

**Village of Cazenovia
Zoning Board of Appeals
Meeting Minutes
November 29, 2016**

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Present: Phil Byrnes, Chair; Jane Nicholson-Dourdas; Lynn Hart; and Cindy Bell.

Absent: Sally Ryan.

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Others Present: James Stokes, Village Attorney; Brenda Switzer; and Michael Curley.

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P. Byrnes called the meeting to order at 7:01 p.m. and introduced the Board.

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P. Byrnes asked for any changes to the minutes of November 17, 2016. There were none noted. P. Byrnes made the motion to approve the minutes as drafted. J. Nicholson-Dourdas seconded. The motion carried with 4 in favor, 0 opposed.

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Brenda Mae Switzer, LLC, 6 Albany Street, Area Variance Rear Yard Setback, Construction of Entryway

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Brenda Switzer came forward and explained. The cottage at 6 Albany Street is a 1,400 square foot house that was built in 1932 by Donald Mansfield. The piece of land it was built on was given to him and his new bride. He grew up in the 12 Forman Street house, which she also owns. The setback has always been bizarre. It is a peculiar division of property. One lot impedes on the other lot, but it does not seem to cause any problems. Presently, there is a deck at the back entryway of 6 Albany. The house was built with a cement and stone step. Over the years, that disintegrated and the deck was put on. There was an aluminum awning at one point, but heavy snow loads disintegrated that. She wants to put a covering over the deck measuring roughly 11 feet by 15 feet. It will provide protection when walking into the house and will alleviate some drainage issues.

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Water and snow just sit on the deck and then leach down into the basement.

P. Byrnes stated that he went to the property and actually measured. He made the assumption that the fence post was close to the property marker.

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Ms. Switzer stated that the fence post could be approximately a foot off, but she owns the whole corner with both houses (12 Forman Street and 6 Albany Street), so it doesn't matter to her.

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P. Byrnes noted that the measurements on the application did not match his measurements. He believes it is about 9 feet and 4 or 5 inches. The fence runs away. He questioned if the posts for the new deck roof would be beyond where the deck is now.

Mr. Curley replied yes, 2 feet.

50 P. Byrnes said the variance would be based on the location of the new posts. Therefore, instead of it
being 9 feet, it would become 7 feet. The Board would only grant a variance for the minimum
amount. He asked if any railings or steps are proposed.

55 Mr. Curley answered it would be a single step, so no railing is needed. The roof will overhang
16 inches.

C. Bell brought up about it being visible from Forman Street and whether the Historic Preservation
Committee (HPC) would need to be involved.

60 P. Byrnes said he verified that it is visible from Forman Street and it will need to go to the HPC. If
the HPC approves it, it will not need to go to the Planning Board.

P. Byrnes questioned if the Board could amend the application for that other 2 feet.

65 Mr. Stokes answered that the Board must adhere to the public notice that was published.

P. Byrnes explained that this public notice said 9 feet, 7 inches. The application needs to be
amended to say 7 feet, 7 inches to allow for the extra 2 feet for the deck posts. Then another public
notice needs to be published.

70 There was much discussion about holding or amending the application and timing of the different
boards and committees involved.

75 Mr. Stokes suggested that the Board adjourn this, that the applicant amend the application, and
publish a new public notice. The earliest this Board can meet again after the new public notice is
December 12. Mr. Stokes said he would check with Ted Bartlett, Chair of HPC, to see if they will
have a special meeting.

80 P. Byrnes said there is no problem with granting a variance for 23 feet, but the Board needs to make
sure things are technically correct.

85 P. Byrnes made the motion to recognize an amendment of the application to request a variance of
23 feet on the rear yard setback and to continue the public hearing to December 12, 2016, at
6:30 p.m. with a new public notice to be published. J. Nicholson-Dourdas seconded the motion.
The motion carried with 4 in favor, 0 opposed.

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90 P. Byrnes made the motion to adjourn the meeting. J. Nicholson-Dourdas seconded the motion. The
motion carried with 4 in favor, 0 opposed. The meeting was adjourned at 7:35 p.m.

Respectfully submitted,

95 Marlene A. Westcott
Recording Secretary