

**Village of Cazenovia
Zoning Board of Appeals
Meeting Minutes
November 26, 2019**

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Present: Phil Byrnes, Chair; Sally Ryan; Nicholson-Dourdas.

Absent: Cindy Bell; and Lynn Hart.

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Others Present: James Stokes, Village Attorney; Dennis Marconi; Paul Pushlar; John Domanski.

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P. Byrnes called the meeting to order at 7:00 p.m.

P. Byrnes asked for any changes to the minutes of April 17, 2019. There were none noted.

J. Nicholson-Dourdas made the motion to approve the minutes as submitted. S. Ryan seconded. The motion carried.

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Caz Sports Bowl Realty, LLC, Area Variance

Dennis Marconi and Paul Pushlar came forward. P. Byrnes read the public notice into the record.

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NOTICE IS HEREBY GIVEN that a public hearing will be held by the Village of Cazenovia Zoning Board of Appeals on November 26, 2019, at 7:00 p.m. at the Municipal Building, 90 Albany Street, Cazenovia, New York, to consider the application of Caz Sports Bowl Realty, LLC, for an area variance seeking relief from the provisions of section 180-58(D)(4) of the Village of Cazenovia Zoning Code, which provides for a minimum 20 feet side yard building setback. The applicant seeks a variance to build within one foot and ten inches of the property line to construct a “lean to” type of addition of approximately 12.5 feet by 130 feet along most of the easterly side of the existing bowling alley building. All interested persons shall have an opportunity to be heard at this time. A copy of the subject application is available for review at the office of the Village Clerk during the Clerk’s regular business hours.

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Dated: November 14, 2019

Signed: Philip Byrnes, Chairman

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Mr. Marconi explained that he wants to expand the game room off to the side and to put birthday party tables in the addition off to the side. When there are birthday parties, people like to get there early to decorate. They will have a private area for the birthday party. Then they can come out and bowl and then go back to the table and open their presents. If they are off to the side, this will provide relief to the bowling lanes on the weekends and turn over the bowling a little better. The parties will not interrupt the bowlers. It will make it more comfortable for people. It will be enclosed and finished. There will be open holes in the existing wall to look into the addition.

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S. Ryan questioned if the addition would be accessed from the side. Mr. Marconi answered that people would need to enter through the front door. There will be two emergency exits from the addition; one up front and one down back.

50 J. Nicholson-Dourdas wondered why this side of the building was chosen. Mr. Marconi replied that it is next to the front door where the game room is. The games and the game room will be slid that way as well.

55 P. Byrnes noted that the Code calls for 20 feet, but currently there is not a 20-foot setback. It is nonconforming now and a variance will make it more nonconforming. The Board has the ability to do that. He asked if the existing trees on that side would be removed. Mr. Marconi said the trees will stay, but will be trimmed.

60 P. Byrnes asked about runoff from the roof. Mr. Marconi explained that there is a drainage tube for water coming from the roof. That drains into the detention area in the back. There won't be any extra runoff into the parking area.

65 P. Byrnes inquired whether the addition would have any storage in it. Mr. Marconi answered there will be some storage and he might need to install another furnace and air conditioner.

S. Ryan wondered what the new structure will look like. Mr. Marconi said it will match the farther side.

70 P. Byrnes noted that the neighboring properties had been notified and the Board has not received any comments in opposition.

P. Byrnes declared this a Type II action under State Environmental Quality Review (SEQR) and commented that the short Environmental Assessment Form (EAF) is not required.

75 P. Byrnes asked for any other questions from the Board. There were none. He asked for comments from the public. There were none.

80 P. Byrnes made the motion to close the public hearing. J. Nicholson-Dourdas seconded. The motion carried with 3 in favor, 0 opposed.

P. Byrnes explained there are five criteria the Board needs to consider:

85 1. *Will an undesirable change be produced in the character of the neighborhood or will a detriment to nearby properties be created by the granting of the area variance?* All three members answered no.

2. *Could the benefit sought by the applicant be achieved by some method, feasible for the applicant to pursue, other than an area variance?* All three members answered no. The other side of the building has an overflow area.

90 3. *Is the requested area variance substantial?* All three members answered yes because the Code calls for a 20-foot setback. This was pre-existing nonconforming with only 14 feet of setback. The variance will leave about 2 feet. Board members do not see this as a detriment to the project.

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4. *Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district?* All three members answered no.

100 5. *Is the alleged difficulty self-created?* All three members answered no, this lot does not leave room for any other type of expansion.

105 With the Board having reviewed the application, having determined that there are no safety concerns, no health concerns, and no other feasible way for the applicant to achieve what he is trying to do, and there is no detriment to community, P. Byrnes made the motion to grant a variance that would allow a 2-foot setback from the property line. J. Nicholson-Dourdas seconded. All three members voted Aye and the motion carried.

P. Byrnes wondered if this would need to go to the Planning Board.

110 Mr. Stokes answered that this addition is under 25% of the area and would not need to go to the Planning Board. He cited the Code 180-142(b)(3).

115 P. Byrnes made the motion to adjourn the meeting. S. Ryan seconded. The motion carried and the meeting was adjourned at 7:18 p.m.

Respectfully submitted,

120 Marlene A. Westcott
Recording Secretary