

# VILLAGE OF HOMER ZONING BOARD OF APPEALS

Public Hearing & Meeting Minutes - Thursday, 29 November 2018 - 6:30 PM  
Town Hall Senior Center - 31 North Main Street - Homer, Cortland County, NY

## Board Members

Tim Maxson, Chairmanman  
\*Amber Eckard  
\*Tammy Goddard  
Adam Maxson  
Noelle Rayman-Metcalf  
\*Kim Hubbard

(\*absent)

## Others Present

Joan E. Fitch, Board Secretary  
Dante Armideo, Village Attorney

## Applicants/Public Present

Caitlin Cimino, Applicant; Joanne Cincotta.

The Public Hearing was opened at 6:30 p.m. with the reading aloud by the Board Secretary of the Public Hearing Notice as published in the *Cortland Standard*. Proof of Publication has been placed on file for the record.

## APPEAL #478

### Caitlin Cimino, Applicant/Reputed Owner - 60 James Street - TM #66.81-02-06.000 - Special Extension - Second Driveway

Chairman Tim Maxson recognized the applicant who explained that she had received a violation letter from Village Code Enforcement Officer Kevin McMahon stating she had installed a second driveway on her property, and only one driveway is permitted. Ms. Cimino explained that the subject property contains a two-family dwelling and she purchased it as such, and the second driveway/curb cut existed; she was merely improving the one driveway. Upon purchase, the realtor assured her it had two useable driveways.

Ms. Cimino's application was accompanied by a 2013 photo which showed a second driveway, along with a 5 November 2018 letter containing a detailed explanation of her situation.

Chairman Maxson asked if there was anyone present from the public who wished to speak on this matter; there was, as follows:

Joanne Cincotta - 62 James Street - Lives next door to appellant and has done so for over 50 years. Previous tenants at subject house have always parked there and has always been used as a parking area. Does not object to use of a second driveway.

**With everyone having been heard who wished to be heard,  
Chairman Maxson closed the Public Hearing at 6:35 p.m.**

### BOARD DISCUSSION/DECISION

Village Attorney Dante Amideo advised that he had viewed the Site Plan.

A motion was then made by Chairman Maxson that the Village of Homer Zoning Bord of Appeals GRANTS a Special Extension for a second driveway which is grandfathered in. The motion was seconded by Member Adam Clifford, with the vote recorded as follows:

**Ayes: Chairman Maxson  
Member Clifford**

**Nays: None**

**Member Rayman-Metcalf**

**Absent: Member Eckard  
Member Goddard  
Member Hubbard**

**Motion carried.**

**This becomes Action #478/17 of 2018.**

**APPROVAL OF MINUTES**

It is noted for the record that although the Agenda reflected approval of this Board's 28 June 2018 meeting Minutes, not enough members in attendance at that meeting were present at this time. Therefore, approval of these Minutes could not be accomplished; they will be put on the next Agenda of this Board.

**ADJOURNMENT**

At 6:42 PM, on a motion by Member Rayman-Metcalf, seconded by Member Clifford, and with all Board members present voting in favor, the meeting was adjourned.

  
Joan E. Fitch, Board Secretary

E-mailed 12/2/18 to Mayor, KC, Vill. Atty.,  
Co. Planning, CEO & ZBA Members.