

VILLAGE OF HOMER ZONING BOARD OF APPEALS
Zoom Meeting Minutes - Thursday, 8 June 2021 – 6:30 PM
Offices: 31 North Main Street – Homer, Cortland County, NY

Board Members

Tim Maxson, Chairman
*Adam Clifford
Noelle Rayman-Metcalf
*Kim Hubbard
*Daniel Zech
Patricia Pollak, Alternate

(*absent)

Others Present

Joan E. Fitch, Board Secretary
Dan Egnor, Village Clerk/Zoom Host

Applicants/Public Present

Ron Musson, Applicant.

APPEAL #490 – CONT'D

Ronald Musson, Applicant/Reputed Owner – 25 Clinton Street - TM #66.66-02-07.000 – Area Variance Request – Garage Closer to Property Line Than Allowed

(Reference is made to the Minutes of the 29 April 2021 Public Hearing regarding this Appeal. At that time, the Public Hearing was opened, there was one person who commented on this Appeal, and with no one else being heard who wished to be heard, the Public Hearing was closed. The Board postponed any decision on this Appeal until this meeting as they had questions regarding what was being proposed and there was no applicant/representative present to answer their questions.)

DISCUSSION/DECISION

Chairman Maxson advised those present that he had visited the site where the owner was proposing to construct a two-car garage in place of (and in the same footprint of) an older garage/carriage house. He stated he was completely satisfied with what Mr. Musson wanted to do. A variance was needed as the new garage, although in the same footprint of the old one, would be two feet from the property line; Code now requires a setback of 10 feet. Chairman Maxson commented that if he the applicant was to place the garage as required, it would then be in the “middle of his lawn.”

It is noted for the record that a 1 June 2021 letter was received from Shane Elizabeth Witt of 25 Clinton Street, a next door neighbor. Her letter was in full support of granting the variance. This letter has been placed on file for the record.

Chairman Maxson stated, in talking with the applicant, the proposed garage should be “squared up” on the lot. Mr. Musson agreed and advised he had talked with his contractor and everything had been corrected to reflect this.

The Board then proceeded with the required questions (balancing test) for an area variance, with the responses being given by the ZBA members, as follows:

1. Will the proposed action produce an undesirable change in the character of the neighborhood, or a detriment to nearby properties be created?

Finding: No. All agreed.

2. Can the applicant achieve his goals via a reasonable alternative which does not involve the necessity of an area variance?

Finding: No. All agreed

3. Is the variance substantial?

Finding: Yes. All agreed.

- 4. Will the variance have an adverse impact on physical or environmental conditions in the neighborhood or district?

Finding: No. All agreed.

- 5. Has there been any self-created difficulty?

Finding: No. All agreed.

With no further discussion, a **motion was made by Chairman Maxson to grant the Area Variance for the proposed garage too close to the property line than allowed, as requested. The motion was seconded by Member Paula Harrington, with the vote recorded as follows:**

Ayes: Chairman Maxson	Nays: None
Member Rayman-Metcalf	
Alternate Member Pollak	Absent: Member Zech
	Member Clifford
	Member Hubbard

Motion carried.

This becomes Action #490/8 of 2021.

APPROVAL OF MINUTES – 29 MARCH 2021

A motion was made by Chairman Maxson to approve the Minutes of the 29 March 2021 meeting of the Zoning Board of Appeals, as submitted. The motion was seconded by Member Rayman-Metcalf, with the vote recorded as follows:

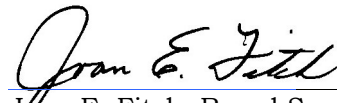
Ayes: Chairman Maxson	Nays: None
Member Rayman-Metcalf	
Alternate Member Pollak	Absent: Member Zech
	Member Clifford
	Member Hubbard

Motion carried.

This becomes Action #9 of 2021.

ADJOURNMENT

At 6:50 PM, on a motion by Member Rayman-Metcalf, seconded by Member Pollak, and with all Board members present voting in favor, the meeting was adjourned.



 Joan E. Fitch, Board Secretary

E-mailed 6/16/21 to Mayor, DE, TD, DK, Vill. Atty.,
Co. Planning, CEO & ZBA Members.