

**VILLAGE OF HOMER ZONING BOARD OF APPEALS**  
**Zoom/In-Person Meeting Minutes - Thursday, 29 August 2022 - 6:30 PM**  
**Offices: 31 North Main Street – Homer, Cortland County, NY**

**Board Members**

Adam Clifford, Chairman  
\*Patricia Pollak  
\*Daniel Zech  
Ruth Lewis  
Mike Harter, Alternate

(\*absent)

**Others Present**

Joan E. Fitch, Board Secretary  
Dan Egnor, Village Clerk/Zoom Host  
Tanya DiGennaro, Village Treasurer  
Dante Armideo, Village Attorney

**Applicants/Public Present**

Caitlin Cimino, Applicant.

**The Public Hearing was opened at 6:30 p.m. by Chairman Adam Clifford. The Board Secretary read aloud the Public Hearing Notice as published in the *Cortland Standard*; proof of publication has been placed on file for the record.**

**APPEAL #497**

**Caitlin Cimino, Applicant/Reputed Owner - 27 Clinton Street - TM #66.66-03-06.000 - Area Variance for Driveway Closer to Dwelling than Allowed**

Chairman Clifford recognized the applicant who was seeking an Area Variance to place two sheds on her property within two feet of her property lines. Reference is made to the map accompanying the application. A narrative also accompanied the variance application, which explained exactly what she was requesting and why. A copy of this narrative has been placed on file for the record.

Chairman Clifford asked if there was anyone from the public who wished to speak regarding this appeal; there was no one.

**With everyone heard who wished to be heard, Acting Chairman Clifford closed the Public Hearing at 6:37 p.m.**

DISCUSSION/DECISION

As requested by Chairman Clifford, the Board Secretary proceeded with the required questions (balancing test) for an area variance; the responses given by the ZBA members, were as follows:

- (1). Would there be an undesirable change in neighborhood character or a detriment to nearby properties?

Finding: No. All members present agreed.

- (2). Can the benefit be achieved by other means feasible to the applicant?

Finding: Yes. All members present agreed.

- (3). Is the requested variance substantial?

Finding: Yes – Clifford. No - Lewis, Harter.

- (4). Would the variance have an adverse impact on the physical or environmental conditions in the neighborhood?

Finding: No. All members present agreed.

- (5). Has the alleged difficulty been self-created?

Finding: Yes – Clifford, Harter. No – Lewis.

Village Attorney Dante Armideo affirmed that under 6 NYCRR Part 617.5(c)(10), (12) or (13) of the State Environmental Quality Review Law, the proposed action is a Type II action and is determined not to have a significant impact on the environment, or is otherwise precluded from environmental review under the Environmental Conservation Law, Article 8.

With no further discussion, **a motion was made by Member Lewis to approve the Area Variance for two sheds closer to the property lines than allowed, as requested. The motion was seconded by Alternate Member Harter, with the vote recorded as follows:**

<b>Ayes:</b>	<b>Chairman Clifford</b>	<b>Nays:</b>	<b>None</b>
	<b>Member Lewis</b>		
	<b>Alternate Member Harter</b>	<b>Absent:</b>	<b>Member Zech</b>
			<b>Member Pollak</b>

**Motion passed.**

**This becomes Action 497/11 of 2022.**

**OTHER MATTER**

Chairman Clifford advised those present that there may be an Interpretation request at the next meeting of this Board.

**ADJOURNMENT**

At 7 PM, on a motion by Alternate Member Harter, seconded by Member Lewis, and with all Board members present voting in favor, the meeting was adjourned.

  
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 Joan E. Fitch, Board Secretary

E-mailed 10/26/22 to Mayor, DE, TD, TJ, Vill.  
Atty., CEO & ZBA Members.