

# DRAFT

## Zoning Board of Appeals

### Town of Chazy

Hearing Minutes

10 March 2015

Chazy Town Hall, 7:00 PM

**CALL TO ORDER:** 7:04 PM by J. Green

**MEMBERS PRESENT:** Jeff Green, Bruce LaDue, Ricky Laurin, Code Officer Michael Tetreault

**OTHERS PRESENT:** Attorney for the Town Benjamin Barry, Caryn Mlodzianowski and Chris Boyea for Bohler Engineering (representing Primax Properties, LLC), NCPR reporter Zach Hirsch, Tom Dashnaw, Jennifer Christiansen, Matthew Smith, Robert Lamoy, Stacy Sweet, Tim Howley, Norma, Richard Carpenter, Tim Castine, Chris Demeyers, Tiffany Trombly, Nina Coolidge, Bob Thibault, Sarah Gonyo, Darren Pilon, Amanda Thew, Brenda Lamoy, Kim Howley

**APPROVAL OF MINUTES:** 15 DECEMBER 2014

B. LaDue motioned that the minutes of 15 December 2014 be approved, seconded by R. Laurin.

Vote: J. Green, yes. B. LaDue, yes, R. Laurin, yes

**OLD BUSINESS:**

**NEW BUSINESS:**

J. Green asked the townspeople present to state their names clearly before speaking and address only the board.

**Appeal No. 2015-002:** Area Variance request by Jay Danis for setback deficiencies due to boundary line changes of a corner parcel on the east bounds of Route 9 and Duprey Road, Chazy NY, tax map parcel 94-1-1.5.

**Appeal No. 2015-006:** Area Variance request by Richard and Marie Ashline for alteration of boundary lines and setback deficiencies on a parcel on the east bounds of Route 9, Chazy NY, tax map parcel 94.1-2-40

**Discussion:** J. Green noted that the appeals would be discussed simultaneously as they involve neighboring lots. It was not found that an undesirable change in the character of the neighborhood if the neighbors' boundary lines were adjusted. The board found that there is not a feasible alternative to the variance. The requested variance is not substantial, nor would it have an adverse impact on the physical or environmental conditions in the neighborhood. The difficulty was not self-created.

There was no public comment.

**Motion:** A motion was made by R. Laurin to grant the area variances as requested, with no conditions, seconded by B. LaDue.

**Vote:** J. Green, yes. B. LaDue, yes, R. Laurin, yes

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**Appeal No. 2015-001:** Area Variance request by Primax Properties, LLC for dimensional, setback, and other deficiencies with respect to Sections 330, 460, and 430 of Chazy Zoning Law. The parcels are located on the corner of Route 9 and River Street in the Village of Chazy NY, tax map parcels 93.2-1-13 & 8.11.

**Discussion:** Caryn Mlodzianowski and Chris Boyea with Bohler Engineering presented their site plan for the proposed Dollar General Store.

J. Green opened the public comment portion of the meeting.

Jennifer Christiansen discussed corporate investment versus local investment, William Miner's vision of the town, and asked about a feasibility study.

Matthew Smith had concerns about the house that would be demolished, and concerns about how the store would affect the town's water and sewer.

Robert Lamoy, owner of aforementioned house, discussed the high heating and remodel costs of the aforementioned home, as well as traffic and noise issues with cattle trailers on Bank Street.

Stacey Sweet discussed her concerns with the size of the building.

Tim Howley asked about rainwater runoff from the parking lot and assessment value of the property.

Norma discussed her concerns with river erosion on River Street and delivery trucks driving on small roads.

Richard Carpenter reiterated Norma's discussion of a River Street truck route.

Tim Castine was concerned that architectural plans were not presented.

Chris Demeyers discussed the questions the board must answer to make a determination on the appeal, asked about a possible smaller sized store.

Tiffany Trombley discussed change over time of aesthetics.

Nina Coolidge asked about a traffic study.

Bob Thibault, previous owner of house that would be demolished, discussed his reservations about the location of the store.

Sarah Gonya discussed her experiences as the groundskeeper for the Altona, NY Family Dollar

Darren Pilon discussed updating the plan with additional information.

Amanda Thew discussed her concerns regarding what would happen if the store closed in the future.

Brenda Lamoy discussed demolishing historic buildings.

Kim Howly discussed her concerns with the size of the building, and mentioned the petition for the denial of the variance proposal, which she then turned over to the board.

There was no further public comment.

Chris Boyea then addressed the board, responding to concerns of the town regarding house demolition, water and sewer, truck traffic, other potential sites that did not work, sustainability of the store, variety

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of products, architecture, assessment value, town tax revenue, and the five factors the board must consider to make a determination.

The board discussed the requirements to review an area variance. The board found that there was not enough information presented to determine whether or not an undesirable change would be produced in the character of the neighborhood. It was found that there are feasible alternatives to the variance requests. The board found that there was not enough information to determine whether or not the variance would have an adverse impact on the physical or environmental conditions in the neighborhood. It was found that the requested variance is substantial, and that the difficulty was self-created.

Bohler Engineering requested that the motion be tabled until additional information is provided to the board.

After deliberation, the board recessed for ten minutes to speak with the attorney. Upon their return, R. Laurin motioned to deny all three variances requested, seconded by B. LaDue.

Vote: J. Green, yes. B. LaDue, yes, R. Laurin, yes

ADJOURNMENT OF MEETING: Motion by B. Ladue to adjourn the hearing, seconded by R. Laurin. TIME: 9:10 PM.