

Town of Johnsburg
Zoning Board of Appeals
Tannery Pond
May 01, 2023

Attendance: Jim Jones, Reisha Thissell, Allisa Blanchard, Kevin Bean, and Secretary Joann Morehouse

ABSENT: Cathy Allen

Applicants: Brian Dean

Guests: Geoff Konis, and Frank Thissell

Public hearing: Meeting called to order 7:03pm by Jim Jones

V-05-2023-Dean-2544 State Rte 28, North Creek-Tax Map # 101.-1-43

Mr. Dean was present to answer any questions about the application. Mr. Dean needs a variance because his property is in the Scenic Corridor.

At 7:10 Mr. Bean made a motion to close the public hearing, seconded by Mrs. Thissell all in favor.

Call Regular meeting to order: Mr. Jones called the regular meeting to order at 7:10pm

Approval of Minutes: Mrs. Thissell made a motion to approve the minutes from September 2022, seconded by Mr. Jones with 3 in favor, 1 absent and 1 recused. Mr. Jones made a motion to approve minutes from February 2023, seconded by Ms. Blanchard with 3 in favor, 1 absent and 1 recused. Mrs. Thissell made a motion to approve minutes from April 2023, seconded by Ms. Blanchard with 3 in favor, 1 absent and 1 recused.

Old Business:

V-01-2023- Scognamiglio –3196 State Route 28 - Tax Map # 83.-2-1

This application was tabled again until the next meeting June 5, 2023.

New Business:

V-05-2023-Dean-2544 State Rte 28, North Creek-Tax Map # 101.-1-43

Mr. Dean stated he was not looking to make any changes, but only to rehab the building and turn it back into a diner.

Mr. Bean made a motion to approve the request for relief from Scenic Corridor variance V-05-2023, seconded by Ms. Blanchard all in favor.

Rationale:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance. – No
2. Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance. - No
3. Whether the requested area variance is substantial. – No
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. – No
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the area variance. The best way to understand the rules is to examine each in its turn, together with the court decisions that rely on them. – No

ZEO Report: In the board packet

Privilege of the Floor:

Mr. Bean made a motion to close meeting at 7:40pm, seconded by Ms. Blanchard all in favor.

Respectfully,

Joann M. Morehouse

**Next Zoning Board meeting scheduled
for June 5, 2023 at the Tannery Pond**

DRAFT