

The regular meeting of the Town of Cape Vincent Zoning Board of Appeals was held on Monday, March 4, 2024 at Recreation Park. The Chair opened the meeting at 6:00 p.m. with the Pledge of Allegiance.

**Board Members Present:** Ed Hludzinski, Chair                      Craig Stevenson, Vice Chair  
Michael Nebbia    Darrel Aubertine  
Bill DeSouza

**Board Members Absent:** Steve Docteur, alternate

**Other:** Cody Higgins, ZEO

There were 13 visitors.

**Privilege of the Floor:** None

**Approval of Minutes:**

Board members approved the minutes of the February 5, 2024 meeting with a motion made by Darrel Aubertine and seconded by Craig Stevenson.

**Old Business: Carleton Villa, LLC (Ron Clapp) Special Use Permit Public Hearing  
(Tax Map#: 39.27-1-16)**

The Public Hearing continues to be tabled. The Chair read a Resolution, which is attached to these minutes, to the Board to make a motion upon. The Chair asked for a discussion at which time Mr. Nebbia asked to read it himself. While Mr. Nebbia was reading the proposed Resolution, Mr. Jim Burrows, The Town of Cape Vincent Attorney, explained to the visitors and the Board members that before any agency can make a final action on either the Special Use Permit or Site Plan Review, the SEQR needs to be completed. Since there are many agencies in a project such as this, one agency is usually designated as the Lead Agency to make sure the process flows easily and is complete. It is Mr. Burrows understanding that since the Planning Board usually deals with the SEQR, this Resolution would recognize the Planning Board as the Lead Agency. The two boards will then work parallel through the process. The Chair asked for a motion and made note that this Resolution will be known as Resolution #1. Mr. Darrel Aubertine made a motion to accept the Resolution. Mr. Mike Nebbia seconded the motion, and it carried, unanimously.

**New Business: John Foster Area Variance Application (Tax Map #: 39.20-1-2.4)**

Board members reviewed the application submitted by Mr. Andrew Garlock on Mr. Foster's behalf. Mr. Garlock is requesting a 10' variance to build an appropriately sized 2-car garage. The existing septic does not allow a garage to be placed in the back of the house. The Chair noted that the lot is a pre-existing non-conforming lot, therefore the setback needs to go from 10'

and not 15' to 9'-5' ' and therefore a side setback of 7' ' is needed from the Zoning Law Section 3.3, Paragraph 2 Table 3. Mr. Garlock nor Mr. Foster was present at the meeting. With no further discussion, Mr. Stevenson made a motion to accept the application. Mr. Aubertine seconded the motion and it carried, unanimously. A Public Hearing has been set for Monday, April 1, at 6:00 pm at Recreation Park in Cape Vincent.

**Next Meeting:** The ZBA will meet on Monday, April 1, 2024 at 6 p.m. at Recreation Park.

**Meeting Adjourned:** With no further business, Mr. Severson made a motion to adjourn the meeting. Mr. Nebbia seconded the motion and the Chair adjourned the meeting at 6:10 pm.

Respectfully submitted,

Sharon A. Nebbia  
ZBA Secretary