

**VILLAGE OF VICTORY
ZONING BOARD OF APPEALS MINUTES**

June 25, 2024

PUBLIC HEARING

CASE # 2024-02 – CAROLE MACOMBER – LOT WIDTH / SIDE SETBACK

ZBA member Michelle Marshall made a motion to OPEN the Public Hearing with ZBA member Heather Freebern seconded the motion. Vote: 3-0, all ayes. Motion Passed.

Public Comment relative to the Case

Leila Harrison, 155 Cemetery Road: Concerned about wetlands that are there, and asked what is going there? The applicant responded to the inquiry that she was planning a gravel driveway. Harrison stated that she was concerned the improvement would make the wetlands issue worse. Macomber stated one of the reasons she is getting the side setback is for that reason, placing the tiny home closer to the boundary so as not to disturb the wetter area of the property. The contractor has discussed this with her and moving it further to the southern boundary will not require more fill. The specifications of the tiny home were reviewed; 14x44 summer residence with porch. The structure will be privately owned and not rented. It will also be winterized by a plumber as it will be drained, like an RV. Harrison noted that she will also be able to see the structure during winter and stated the property between them has swamp cabbage. Harrison also stated that she is concerned with the impact, it is not that she is trying to prevent it from going there.

ZBA member Freebern asked the owner if any drains were found there, since years ago a residence was there. Macomber stated that they found two small pipes but that was about it. Macomber offered they were concerned with the water pressure and will be addressing that; the water already approved her application to connect.

ZBA member Marshall asked if there were any other questions. There were none.

ZBA member Michelle Marshall made a motion to CLOSE the Public Hearing with ZBA member Terrie Wolcott seconded the motion. Vote: 3-0, all ayes. Motion Passed. Public Hearing Closed.

CALL REGULAR MEETING TO ORDER

ROLL CALL

ZBA members Michelle Marshall, Heather Freebern and Terrie Wolcott.

Vacancy: Alternate member.

ANNOUNCEMENTS: NONE

APPROVAL OF MINUTES

Zba member Marshall made a motion to approve the September 14, 2023 ~ Monthly Meeting as presented with Zba member Freebern seconded the motion. Vote: 2-1 (abstention: Wolcott) Motion Passed.

May 21, 2024 ~ Monthly Meeting (Wolcott/Marshall/Freebern can approve) Pending additional review.

RETURNING APPLICANT

- ❖ **Case # 2024-01** District: MUVC
Applicant/Owner: Anthony White
Property Location: 54 Gates Avenue
Variance Requests: Lot Area, Lot Width, Garage Height and Garage Sq Ft

The applicant was not present and therefore no action or further discussion was taken. The board will wait to hear from the applicant to proceed.

- ❖ **Case # 2024-02** District: SF-1
Applicant/Owner: Carole Macomber
Property Location: Vacant Land/153 Cemetery Road
Variance Request: 50' Lot Width & 10' side setback for Improvement of Tiny Home

Zba member Marshall stated the public hearing was just held and asked if the board had any further questions on the application request. Having none, the board proceeded to take action.

Zba member Marshall made a motion to approve the variance request for a 50' lot width on the pre-existing non-conforming lot for the improvement of a driveway, 14x44 tiny home and porch with Zba member Wolcott seconded the motion. Vote: 3-0, all ayes. Motion Passed.

Zba member Marshall made a motion to approve the variance request for a 10' side setback the placement of the 14x44 tiny home and porch with Zba member Wolcott seconded the motion. Vote: 3-0, all ayes. Motion Passed.

NEW APPLICATION: NONE

OLD BUSINESS: NONE

NEW BUSINESS:

- ❖ **Appoint Chairperson:** Since the resignation of the Chairperson, the remaining zba member has rotated chairing the meetings. A general discussion was held on having an appointment of a chairperson and deputy chairperson. All board members agreed to share in the responsibilities of the chairperson, so it did not fall on one person. This will also be amended in the bylaws.
- ❖ **Discuss Meeting Schedule Date/Time:** The meeting time of 6:00 or 6:30 was discussed. No official confirmation was made but will be determined as part of the bylaw review.
- ❖ **Review Bylaws next month:** The bylaws outline the action of the board and meeting schedule, so a review of the meeting date and time is likely to be adjusted.

NEXT MEETING

- ❖ July 16, 2024 at 6:30pm, if needed

ADJOURNMENT

Zba member Marshall made a motion to adjourn the meeting with Zba member Freebern seconded the motion. Vote: 3-0, all ayes. Meeting adjourned.

Respectfully submitted,

Maureen Lewsey
ZBA Secretary