

Organization River Area Council of Governments

Board Cooperative ZBA

Date and Time Wednesday, October 5 2011 at 7:30 PM

Place Town of Champion Offices Board Room (rear of building) 10 N Broad St, West Carthage NY

Contact [Chris Vargulick](#) Town Clerk Phone (315) 493-3240 Fax(315) 493-2900

Minutes

RACOG
Cooperative Zoning Board of Appeals

TO: Members of the Co-op ZBA, T/Champion Board, T/Wilna Board, V/Carthage Board, Town/Village Clerks, Zoning Enforcement Officers, Timothy Farley, T/Champion Attorney, Mark Gebo, T/Wilna & V/Carthage Attorney and Planning Board Chairmen

FROM: Christina Vargulick, Cooperative ZBA Secretary

DATE: October 6, 2011

RE: Minutes from October 5, 2011

PRESENT: R. Blank, L. Haverstock, T. Kight and B. Shampine

EXCUSED: D. Austin

Chairperson Kight called the meeting to order at 7:30pm. The roll was called.

Motion by B. Shampine, seconded by L. Haverstock to dispense with the reading of the August 3, 2011 minutes and to approve the minutes as presented. Ayes-4, Nays-0. Motion carried.

T. Kight formally presented an application (Log #2011-2) for an interpretation of the T/Wilna Zoning Law in regards to parcel no. 78.00-1-6.6 submitted by Scott Cannan, 42740 Avery Road, Natural Bridge for property located on Selos Road. Mr. Cannan has received a notice of violation from the T/Wilna Zoning Enforcement Officer for "failure to apply for a zoning permit".

Mr. Cannan explained that he has constructed a motocross track on his Selos Road property for use by family and friends. He does not consider it a recreational facility as defined by the T/Wilna Zoning Law since it is not a commercial venue and therefore asserts that he does not need a zoning permit.

In response to a question from T. Kight, Zoning Officer Ball responded that the property in question is in an Agricultural/Rural Residence zoning district. He further stated that the violation was issued due to the property owners failure to apply for a site plan review and a zoning permit..

L. Haverstock questioned how many persons are using the track. Mr. Cannan responded that the track has been used by a maximum of eighteen (18) riders during the same time period. He further stated that the track is in use only on Friday evenings for a maximum of three hours.

B. Shampine inquired about the location of the closest neighbor. Mr. Cannan answered that the closest neighbor is approximately 500-600' from the track. The closest property owner who has complained about the noise from the use of the track is approximately 0.5 miles away.

L. Haverstock questioned the noise level. Mr. Cannan responded that it is loud but that the Town of Wilna does not have a noise ordinance.

Motion by R. Blank, seconded by L. Haverstock to schedule a public hearing on the matter for Wednesday, November 2, 2011 at 7:30pm. Ayes-4, Nays-0. Motion carried. . T. Kight requested permission for members to visit the site. The applicant agreed to the request. The action meets the criteria for "actions of local concern" and therefore does not require a 239-M review by the Jefferson County Planning Board. Chairperson Kight requested that the Town Zoning Officer attend the public hearing.

Board members reviewed the proposed 2012 RACOG Cooperative ZBA budget. Motion by L. Haverstock, seconded by B. Shampine to recommend the budget to the RACOG Executive Board as presented. Ayes-4, Nays-0. Motion carried.

Motion by B. Shampine, seconded by L. Haverstock to adjourn. The meeting adjourned at 7:47pm.

Christina Vargulick
RACOG Cooperative ZBA, Secretary