

**Organization River Area Council of Governments**

**Board Cooperative ZBA**

**Date and Time Wednesday, December 7 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

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

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

Motion by D. Austin, seconded by B. Shampine to dispense with the reading of the November 2, 2011 minutes and to approve the minutes as presented. Ayes-5, Nays-0. Motion carried.

T. Kight summarized the application of Scott Cannan, 42740 Avery Road, Natural Bridge for parcel no. 78.00-0-6.6 located on the 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".

Board members discussed aspects of the activity including the construction of a motocross track; the change in use from farmland to a motocross track; the intensive use of the track; enlargement of the use by the construction of a motocross track, and; the T/Wilna Zoning Laws intent to mitigate impact on neighboring properties through the zoning permit and site plan review process.

The following resolution was offered by L. Haverstock, who moved its adoption, and seconded by R. Blank, to wit:

WHEREAS, the RACOG Cooperative Zoning Board of Appeals at a meeting duly convened on December 7, 2011, reviewed the facts in an application for an interpretation of the Town of Wilna Zoning Law - Log No. 2011-2 for Scott Canaan, and ;

WHEREAS, said application requests an interpretation of Article 4: Section 410—Zoning Permits; and

WHEREAS, the Board held a public hearing, duly published and posted, on November 2, 2011; and

WHEREAS, at said hearing all who desired to be heard were heard and their testimony recorded; and

WHEREAS, all testimony has been carefully considered and the following pertinent facts noted: Town of Wilna Zoning Law; Article IV; Section 410 Zoning Permits; Subsection C requires a zoning permit for "change in use of land, building or structures through the establishment of a new use, or through the expansion or enlargement of an existing use".

NOW, THEREFORE BE IT RESOLVED, that Log No. 2011-2, an application from Scott Canaan for an interpretation of the zoning law, is hereby interpreted to be defined as:

- The RACOG Cooperative ZBA upholds the decision by the T/Wilna Zoning Enforcement Officer that a zoning permit is required for the proposed activity.

The foregoing resolution was duly put to a vote as follows:

- L. Haverstock.....aye
- R. Blank.....aye
- D. Austin.....aye
- B. Shampine.....aye
- T. Kight.....aye

Resolution adopted.

T. Kight allowed persons to comment on the Board's decision and advised them that recommendations for amending the T/Wilna Zoning Law should be directed to the T/Wilna Town Board.

Motion by R. Blank, seconded by D. Austin to adjourn. The meeting adjourned at 7:54pm.

Christina Vargulick

