

**Organization River Area Council of Governments**

**Board Cooperative ZBA**

**Date and Time Wednesday, August 12 2015 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**

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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: August 13, 2015

RE: Minutes from August 12, 2015

PRESENT: D. Austin, R. Blank, M. Gump, and T. Kight

EXCUSED: L. Haverstock

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

Motion by D. Austin, seconded by R. Blank to dispense with the reading of the July 15, 2015 minutes and to approve the minutes as presented. Ayes-4, Nays-0. Motion carried.

Proof of notice having been furnished, the public hearings were opened on area variances for parcel numbers 93.00-1-24; 93.00-1-38; 93.00-1-32.2; 93.00-1-28.3; 93.00-1-29.1; 93.00-2-47.2; 93.00-2-47.1; 93.00-2-44; 103.00-1-17.22; and 103.00-1-16 was called to order at 7:32pm. James Muscato summarized the project objectives and stated that the variances were necessary because the project did not meet the requirements of Article 5; Section 535H.1 - a 1000' setback from any residential structure. He explained that the proposed transmission line had undergone a redesign to minimize the impact on residents of the Switzer Road. He stated that affected residents with the exception of Kendal O'Leary, have acknowledged in writing their agreement to the siting of the transmission line. D. Austin questioned why the line could not be buried to avoid the variances. P.J. Saliterman, project developer, stated that the cost would be prohibitive. M. Gump questioned why the line did not follow a more direct route. Mr. Muscato responded that the route was necessary due to the refusal of a landowner to allow access to his property. Mr. Muscato distributed maps of each individual parcel that is applying for a variance and also photographs of other power lines in the vicinity. M. Gump, referring to the submitted applications, asked for a clarification of the requested variance noting that while all of the applications requested a variance of the setback from a residential structure, that some of the variance applications were for parcels where the transmission line did not impact residential structures. Mr. Muscato responded that those applications were for a variance to the portion of the zoning law that requires "All electrical and gas transmission lines shall use existing right-of-ways."

Bruce Ferguson, T/Champion Councilman, stated that the transmission line should be buried to avoid a negative impact on the property values in the area.

Thomas Fleming, T/Denmark Supervisor, stated that farmer's should have a right to use their land as they see fit.

Shirley Elmer stated that an easement/waiver was signed for property owned by Carlton Elmer.

Chairperson Kight asked Mrs. Elmer if there were structures on the property. Mrs. Elmer responded that there were not. Board members discussed the fact that a residential structure is located on the Randy Elmer property that was not disclosed by the applicant.

Jerry Wichelns submitted photographs of a property on Washington St., in Watertown showing the proximity of electric lines to doctor's offices and a nursing home stating that there is no danger.

Motion by D. Austin, seconded by R. Blank to suspend the public hearing to give members an opportunity to clarify issues regarding the ROW variances with legal counsel. Ayes-4, Nays-0. Motion carried.

Motion by R. Blank, seconded by D. Austin to adjourn. The meeting adjourned at 8:55pm.

Christina Vargulick  
RACOG Cooperative ZBA, Secretary