

Town of Johnsburg
Zoning Board of Appeals
Tannery Pond
August 1, 2022

Attendance: Jim Jones, Allisa Blanchard, Reisha Thissell, Cathy Allen, and Secretary Joann Morehouse

ABSENT: Kevin Bean

Applicants: Charles Van Wormer for Stephen Ziamadanis

Guests: Derek Snyder, and Frank Thissell

Public hearing: Meeting called to order 7:03pm by Cathy Allen

V-03-2022-Ziamandanis –Peaceful Valley Rd - Tax Map # 117.1-1-31

Mr. Van Wormer was present to speak for the property owner. Mr. Van Wormer explained that he wants to purchase the property and put a garage on it with a loft apartment for his family, so they have a place to stay when they come up to ski but the present property owner will not sell to him unless the variance is approved. Mrs. Allen asked if anyone had any questions and a neighbor Mr. Snyder was concerned about a couple of things; are they planning to cut all the trees between his property and this one, and how close is the septic going to be to his well? Mr. Van Wormer assured him that he plans on leaving a good buffer between them of trees and that he would keep his septic over 100 feet away from Mr. Snyders well. The board asked several questions and had some discussion.

7:26 pm Mrs. Thissell made a motion to close the public hearing seconded by Mr. Jones all in favor

Call Regular meeting to order: Meeting called to order at 7:26pm

Approval of Minutes: Mr. Jones made a motion to approve the July 2022 meeting minutes, seconded by Mrs. Thissell all in favor

V-03-2022-Ziamandanis –Peaceful Valley Rd - Tax Map # 117.1-1-31

Mr. Van Wormer explained that he wants to purchase the property and put a garage on it with a loft apartment for his family, so they have a place to stay when they come up to ski but the present property owner will not sell to him unless the variance is approved.

Rationale:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance. – No it will not.
2. Whether the benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than an area variance. - There is no other way to put a vacation home on this property and still have a place to park.
3. Whether the requested area variance is substantial. – The variance is not substantial.
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. – The proposed project will not adversely affect the character of the neighborhood
5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the board of appeals but shall not necessarily preclude the granting of the area variance. The best way to understand the rules is to examine each in its turn, together with the court decisions that rely on them. – It is the opinion of the applicant that this hardship was not self-created, because in 1997 it was approved for this purpose but was never done and then the zoning laws were changed.

Mr. Jones made a motion to approve variance # V-02-2022 15ft of relief from the front setback and 6 ft of relief from the back setback, seconded by Mrs. Allen.

ZEO Report: none

Mrs. Allen asked if there was anything in the works for next months meeting and the secretary said yes, but the meeting is scheduled for September 5th which is

Labor Day and Mrs. Thissell suggested that the meeting be moved to September 12th which everyone agreed with.

Mrs. Thissell made a motion to close meeting at 7:50 pm, seconded by Mr. Jones all in favor.

Respectfully,

Joann M. Morehouse

**Next Zoning Board meeting scheduled
for September 12, 2022 at the Tannery Pond**