

VILLAGE OF VICTORY
ZONING BOARD OF APPEALS MINUTES
May 17, 2023

PUBLIC HEARING

CASE # 2023 -01 James M. Sullivan Area Variance Request

Motion to Open the Public Hearing

ZBA Alternate Michele Marshall made a motion to open the public hearing with ZBA member Heather Freebern seconded the motion. Vote: 2-0, all ayes. Motion Approved.

ZBA Alternate Michele Marshall explained that the area variance request was for James M. Sullivan and per the application and asked for any comment from the public body in attendance.

Public Comments

There was only one individual who attended the public hearing other than the applicant and there was no comment offered.

Motion to Close the Public Hearing

Having no comments from the public, **ZBA Alternate Michele Marshall made the motion to close the public hearing with ZBA member Heather Freebern seconded that motion. Vote: 2-0, all ayes. Public Hearing closed.**

CALL REGULAR MEETING TO ORDER

ZBA Alternate Michele Marshall made a motion to open the monthly meeting with ZBA member Heather Freebern seconded the motion. Vote: 2-0, all ayes. Motion Passed.

ROLL CALL

Present - ZBA Alternate Michele Marshall and ZBA member Heather Freebern. Also attending ZBA Secretary Maureen Lewsey. Absent – Chairman Jaime O’Neill and ZBA member Terrie Wolcott.

ANNOUNCEMENTS: None

APPROVAL OF MINUTES

October 18, 2022 ~ Public Hearing and Regular Monthly Meeting

April 20, 2023 ~ Monthly Meeting

No motion was able to be made to approve the meetings due to abstentions.

The approval of the minutes was tabled.

RETURNING APPLICANT

❖ Case # 2023-01

Applicant: James M. Sullivan

11 Pearl Street

Variance Request: Side Yard Setback Variance

District: SF-2

S/B/L: 157.71-4-24

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ZBA Alt. member Marshall asked if there were any questions with the proposed variance for the garage. Sullivan commented that the roof will pitch east to west and the dormers will be facing north/south. He further noted that the stormwater will be drained to the street, underground using a 4" pipe to the storm sewer. ZBA member Freebern commented that last month that Chairman O'Neill was concerned about some items and asked about fireproofing the wall on the south side (close to neighbor's property). Sullivan replied that he hasn't hired a contractor yet but was going to use fireproof material. He stated that when it was within 5' of the boundary it must be done. A brief discussion was held on the side setback variance request and the overhang of the eave. Sullivan was going to place the eave right on the boundary, but Secretary Lewsey commented that the variance of 9' means the eave needs to be 1' off the boundary. Since the application and public hearing support that setback is 1' that would also be for any overhang or steps. He replied that he will adjust his construction by the 1' then. **ZBA Alt member Marshall made a motion to approve the area variance of 1' for the south setback as requested with ZBA member Freebern seconded the motion. Vote: 2-0, all ayes. Motion Passed.**

A notice of Action will be completed by Secretary Lewsey and emailed to the village CEO, Larry Wolcott and to the applicant once it has been signed by both approving members since the Chairperson was absent.

NEW APPLICATION: None

OLD BUSINESS: None

NEW BUSINESS: None

NEXT MEETING

The next meeting will take place on June 21, 2023 at 6:30pm, if necessary.

ADJOURNMENT

ZBA Alternate Michele Marshall made a motion to adjourn the meeting with ZBA member Heather Freebern seconded the motion. Vote: 2-0, all ayes. Meeting adjourned.

Respectfully submitted,

Maureen Lewsey

ZBA Secretary