

**TOWN OF CAMPBELL ZONING BOARD OF APPEALS  
PUBLIC HEARING AND MINUTES OF  
SPECIAL MEETING OF JUNE 7, 2017**

**PRESENT:** Board Members: Chairman Glenn A. Vogel; Deborah Baldwin; William E. Galligan; David Swan; and Secretary to the ZBA: Sandra M. Austin.

**ABSENT:** Albert L. Johnson II.

**GUESTS:** Marian E. Ketchum, Ronald Morse and Alexander Gee.

**Call to Order.**

At 6:00 p.m., Chairman Vogel called the meeting to order at the meeting room of the Campbell Town Hall, 8529 Main Street, Campbell, New York.

**Prior Minutes.**

The minutes of the prior meeting of September 19, 2016, were approved and accepted by motion of Galligan, seconded by Swan. The motion passed by unanimous vote.

**Marian E. Ketchum —Appeal #1 of 2017.**

Appeal #1 of 2017 is an application from Marian E. Ketchum. for an area variance to allow the construction of a 28' x 48' home adjacent to 9889 Woodcock Road with a 50 ft. front yard setback from road edge where the requirement is 75 feet per the Density Control Schedule of the Town of Campbell Zoning Law.

Public Hearing Notices had been sent by the Town Clerk to owners of 9 neighboring properties.

Chairman Vogel declared the public hearing open at 6:03 p.m. with the following persons speaking:

Mrs. Ketchum stated that the difficulty is that the land goes down hill; the farther you go back, the further down it goes.

Alexander Gee [owner of neighboring land across the road] was insisting on the 75 foot setback. He said he has no information on what she would be building and it would be right outside his front door.

Ronald Morse noted that then plan is to install a 28' x 48' double wide home on a concrete pad and that there was not a lot of buildable land; and there is another difficulty in installing the septic.

Mrs. Ketchum noted that the lot only has a flat area that is minimal in size to build a home on; at 75 feet there is a major slope to the lot and it would require too much fill to build.

Alexander Gee said that if you can't build to the minimum, then why build? Mr. Gee was then looking for a compromise.

Sandy Austin also noted that she had received a phone call from Mary Alice Little, this day, who advised that she and Brian Little did not have a problem with the plan.

There was no other public comment and the public hearing was declared closed at 6:15 p.m.

Discussion was had among the Board concerning compromise and possible alternate solutions.

It was noted that this is a ministerial action, requiring no further SEQR review.

Also noted, is that the Planning Board referrals have been waived by their November 16, 2016 blanket waiver.

#### **FINDINGS:**

The Board discussed the evidence received. They noted that this is located in a very remote area. The Board then discussed the variance criteria and made the following findings:

1. **Change Character of the Neighborhood.** It does not create a detriment to nearby properties; the appearance should not be a problem.
2. **Other Feasible Methods.** It appears that there are other feasible methods, but no other feasible ways to accomplish applicant's current objectives.
3. **Is the Request Substantial?** The Board was divided on whether it is a substantial request or not. Applicant is requesting a setback reduction from the required 75 feet to 50 feet; a reduction of 25 feet or a 1/3 reduction.

4. **Effect on Physical or Environmental Conditions.** The Board agreed unanimously on the following: There is nothing to indicate an undesirable effect on the physical or environmental conditions in the neighborhood or district. There appears to be no health or safety issues.
5. **Self-created Issue.** This is relevant to the decision but doesn't necessarily preclude the granting of the variance. The Board said it was not self-created.


**DECISION:**

Based on these findings documented in the record, the Zoning Board of Appeals, decides as follows: A motion was made by Galligan, seconded by Swan, that the Board hereby grants the variance as requested by Marian Ketchum by Appeal #1 of 2017 for an area variance to allow the construction of a 28' x 48' home adjacent to 9889 Woodcock Road with a 50 ft. front yard setback from road edge where the requirement is 75 feet. The motion passed with unanimous vote.

**Adjournment.**

There being no further business before the Board, the meeting was adjourned at 6:05 p.m., by motion of Galligan and seconded by Baldwin.

Respectfully submitted,



Sandra M. Austin, Secretary to  
Town of Campbell Zoning Board of Appeals

**Dated:** June 20, 2017.