

The RACOG Cooperative Zoning Board of Appeals met in regular session on Wednesday, October 2, 2024 at the Town of Champion Municipal Building, 10 North Broad Street, West Carthage. Present were T. Heagle, M. Roberts and M. Vaerewyck. M. Shettleton and M. Stephens were absent.

Chairman Heagle called the meeting to order at 7:00pm. Motion by M. Roberts, seconded by M. Vaerewyck to approve the minutes of September 4, 2024 as presented. Ayes-3, Nays-0. Motion carried.

Proof of notice having been furnished, the public hearing a proposed subdivision of parcel n. 76.00-2-5 owned by the Gyurko estate and located at 32322/35376 Putman Hill Road, Carthage was called to order at 7:01pm. No one from the public spoke in favor or in opposition to the proposal. All persons desiring to be heard, having been heard, the hearing was closed at 7:02pm.

The following resolution was offered by T. Heagle, who moved its approval, and seconded by M. Roberts, to wit:

WHEREAS, the RACOG Cooperative ZBA has received an application from Valerie Gyurko for parcel number 76.00-2-5 for a variance of the T/Champion Zoning Law; Article 4; Section 410; sideyard setback, and

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application and environmental assessment form, held a public hearing and received comments thereat; and

WHEREAS, after review, the Zoning Board has weighed the effects of the requested variance on the health, safety, and welfare of the neighborhood and community, and made the following findings:

- A. The Board concludes the proposed construction would not produce an undesirable change in the character of the neighborhood or detriment to nearby properties.
- B. The Board concludes that the benefit sought by the applicant could not be achieved by some method, feasible for the applicant to pursue, other than a variance.
- C. The Board concludes that the variance is substantial.
- D. The Board concludes that the variance would not have an adverse visual impact on the physical conditions of the neighborhood.
- E. The Board concludes that the alleged difficulty is self-created.

NOW, THEREFORE BE IT RESOLVED that the application from Cory Cooper, parcel number 76.00-2-5, for a variance of Article 4; Section 410 of the T/Champion Zoning Law is hereby granted with the following conditions:

1. The sideyards for the lots known as Lot 1 & Lot 2 shall maintain a minimum distance of 5'6" off the shared boundary.
2. The existing noncompliant structures shall not be added to or replaced unless the construction complies with the applicable T/Champion Zoning Law.

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

T. Heagle.....aye  
M. Roberts.....aye  
M. Shettleton.....absent  
M. Stephens.....absent  
M. Vaerwyck.....aye

Resolution adopted.

Hyde Clarke of Young/ Sommer LLC, representing Verizon Wireless, summarized the requested public utility use variance for a proposed 170' (plus 4' lightening rod) telecommunications tower on property owned by Paul Hutton (parcel no. 85.00-2-44.1) located at 33049 Whitaker Road, T/Champion as follows:

- Town zoning law requires annual tower inspections. The national standard is five (5) year inspections. Variance requested.
- Town zoning permits require construction start within six months of issuing. Due to supply chain issues, the applicant requests that the permit term be extended to twelve (12) months. Variance requested.
- Town zoning law requires a vegetative buffer for telecommunication towers. The proposed site is well buffered by existing trees and vegetation. Variance requested.

Members confirmed that clearance from the FFA in regards to Fort Drum and its airfield is being sought.

Motion by M. Roberts, seconded by T. Heagle to schedule a public hearing on the matter for November 6, 2024 at 7:00pm. Ayes-3, Nays-0. Motion carried.

Motion by T. Heagle, seconded by M. Roberts to adjourn. The meeting adjourned at 7:15pm.

*Christina Vargulick*  
Christina Vargulick  
RACOG Cooperative ZBA, Secretary