

Village of New Hartford

ZONING BOARD OF APPEALS

BUTLER MEMORIAL HALL • NEW HARTFORD, N. Y. 13413

Phone: (315) 732-1147

THE ZONING BOARD OF APPEALS

MET ON MARCH 22, 2016 AT 6:30PM

AT BUTLER MEMORIAL HALL, 48 GENESEE ST., NEW HARTFORD

REGARDING PARKING AN RV AT 26 OXFORD ROAD,

PROPERTY OWNED BY SHARON AND STEPHEN WORMWOOD

1. Chairman Saunders opened the meeting at 6:30pm.

ZONING MEMBERS PRESENT:

Chairman Jef Saunders
Member Richard Jordan
Member Jan Swartwout

Recording Secretary Janet M. Durr
Codes Officer Jonathan Purdy

APPLICANTS:

Stephen and Sharon Wormwood, 26 Oxford Road, New Hartford

VISITORS:

Mylissa and Jeff Deetz, 19 Pearl St., The Reverend Joell Szachara, St. Stephen's Episcopal Church, 25 Oxford Road, Shea Szachara, 25 Oxford Road.

2. Chairman Saunders administered the Oath of Office to the applicants and the visitors.
3. Mr. and Mr. Wormwood presented an application requesting a **USE VARIANCE** to store their Recreational Vehicle (RV) on their property at 26 Oxford Road. Chapter 120 of the Village Code prohibits storing recreational vehicles in a Residential-Transitional (R-T) zoning area.
4. Chairman Saunders said he did not believe it was in the jurisdiction of the Zoning Board of Appeals to rule on the code. He will consult with Attorney DeTraglia and would notify the Wormwoods of the decision. Judge James VanSlyke ruled that the Wormwoods are violating the Village Code and the vehicle must be removed by April 6. Despite the decision, The Wormwoods requested to appeal to the ZBA for a **USE VARIANCE**.

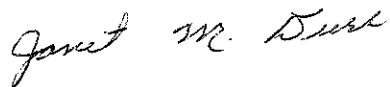
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5. The meeting was temporarily adjourned at 7:25 pm. Chairman Saunders would notify the Wormwoods of Attorney' DeTraglia's decision and we will proceed from there.

Respectfully submitted,



Janet M. Durr, Village Clerk

March 31, 2016

11:22 am.

Zoning Board of Appeals decision regarding Recreational Vehicles parked on personal property in the Residential Transitional (R-T) Zone in the Village of New Hartford.

Chairman Saunders notified Village Clerk Janet Durr on Thursday, March 31, 2016 via telephone that he had consulted with Village Attorney Gustave DeTraglia regarding the ZBA's authority to hear a case against the Village code. Attorney DeTraglia said it is not within the jurisdiction of the ZBA to act on a code issue. Mr. Saunders will notify Stephen and Sharon Wormwood at 36 Oxford Road. Members Richard Jordan and Jan Swartwout were in agreement with the decision.

Chairman Saunders notified the Wormwoods that the only other alternative they had was to change the code. He advised them that since it affected the entire Village it would be a lengthy procedure and questionable whether the residents would want it changed. A petition would have to be submitted and a hearing would have to be held.

The case was closed.

Respectfully submitted,



Janet M. Durr, Village Clerk