

ZONING BOARD OF APPEALS  
BOARD MEETING  
DECEMBER 18, 2018  
7:00 P.M.

**PRESENT:** Lee James Chairperson, Patti Metler, John Ricci, Deb Donahue and Mike Miller

**ALSO, PRESENT:** Mayor Miller, Douglas Rettig Sr., John Hupp, Clerk Treasurer – Corine Bump

**EXCUSED:** Code Enforcement Officer – Kevin Margerum

Chairperson Lee James, called the Public Hearing to order at 7:00p.m. and the Pledge of Allegiance was recited.

**OLD BUSINESS:**

The Public Hearing was in reference to the Planning Board Meeting held on October 29, 2018 regarding John and Mary Hupp to be given an area variance to allow for construction of a porch to encroach on the property line. An area variance application was submitted by John and Mary Hupp was submitted for review before the meeting in December. Clerk Treasurer Bump sent the application for review. Kevin Margerum sent an email this afternoon regarding the application as follows:

“I believe the Hupp's have submitted everything relative to the question at hand; which is the construction setback requirement between their parcels at 30 & 32 Maple. In the original conversation, the 2nd floor egress would have crossed the property line, or at a minimum, would have been extremely close to it.

My concerns over property lines, safe egress and fire-spread have been greatly reduced by the relocation of the new 2nd floor egress to the north side of 32 Maple; however, the first-floor egress begs the question of how close the Village of Cuba wishes to allow construction to take place to an adjacent property line.

If the ZBA finds the proximity to an adjacent property acceptable, I will address any Code questions concerning Distance Separation. I believe the two questions can be addressed separately, as the Residential Code and Fire Code simply require increased resistance to fire as the distance to property lines decrease. “

DEB DONAHUE MADE A MOTION TO ACCEPT THE SHORT ENVIRONMENTAL ASSESSMENT WITH A NEGATIVE IMPACT TO THE COMMUNITY AND MICHAEL MILLER GIVING A SECOND. ALL WERE IN FAVOR AND THE APPLICATION WAS ACCEPTED.

MICHAEL MILLER MADE A MOTION TO ACCEPT THE AREA VARIANCE WITH PATTI METLER GIVING A SECOND. ALL IN FAVOR AND THE MOTION CARRIED.

**NEW BUSINESS:**

With no new business, the meeting was adjourned at 7:10 p.m. WITH A MOTION MADE BY PATTI METLER, SECONDED BY MIKE MILLER AND UNANIMOUSLY CARRIED.

Respectfully submitted,

Corine Bump/ Clerk Treasurer