

Town of Cape Vincent Zoning Board of Appeals

May 4, 2026

The regular meeting of the Town of Cape Vincent Zoning Board of Appeals was held on Monday, May 4, 2026 at Recreation Park. The Chair opened the meeting at 6:00 p.m. with the Pledge of Allegiance.

Board Members Present:	Ed Hludzenski, Chair	Darrel Aubertine, Vice-Chair
	Sarah Dayton	Michael Nebbia
	Bill DeSouza	Maret Salisbury-alternante
	Neale Farrell -alternate	

Other: Cody Higgins, ZEO

There were 6 visitors.

Privilege of the Floor: None

Approval of Minutes:

Board members approved the minutes of the April 6, 2026 meeting with a unanimous vote by a motion made by Darrel Aubertine and seconded by Neale Farrell.

Old Business:

Carleton Island- Continues to be tabled. There may be something happening at the PB, but the Chair is not sure.

Lyle Wood- still tabled. The Chair will contact to determine status.

Old Business: Grindstone Group Area Variance Public Hearing (Tax Map #: 49.00-1-6.2)

The Chair opened the Public Hearing at 6:04 pm. With no comments, the Public Hearing was closed at 6:05 pm. The Board discussed the application. Mr. Aubertine started the conversation stating that there was an error made on the application that identified it as commercial which has no bearing on the building or set-backs. It is his opinion to accept it as commercial. Mr. Nebbia asked what it should be? The Chair answered that according to Table 8 in the Zoning Laws, it should be listed as other. Mr. Weston stated that when he did the other buildings, it was commercial. Mr. Higgins, the ZEO, admits he made the mistake. The setbacks for a commercial site-plan are more substantial than for Other site-plan. He apologized for the miscommunication. Mrs. Dayton asked Mr. Higgins for the definition of commercial and if the buildings are for renting, isn't it by definition commercial? The Chair mentioned that on table 8 there is a listing as of self-storage facility. Mr. Higgins stated that with this being listed on the table, it falls into "other" site-plan review. Mr. Aubertine believes it should remain as commercial. Mr. Farrell agreed. Mrs. Dayton stated it is commercial activity. Mr. Nebbia agreed. Mr. deSouza had no comment. All members agreed that it should be listed as commercial.

The Board completed the Area Variance Findings as follows:

1. An undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties: 0-yes, 5-no
2. The benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a variance: 0-yes, 5-no
3. The requested variance is substantial: 0-yes, 5-no.
4. The proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood: 0-yes, 5-no
5. The alleged difficulty was self-created: 0-yes, 5-no

After taking into consideration the five factors, the Chair asked for a motion on the variance.

Mr. Aubertine made a motion to approve the application. Mr. Farrell seconded the motion and it carried with a unanimous vote.

New Business: Lucianne LaPierre Area Variance Application (Tax Map #: 41.00-1-25.4)

Miss LaPierre went before the Planning Board and was approved for a Lot-Line Adjustment. Her and Mr. Powers presented a new area variance application to the Board. Miss Lapierre is requesting a side setback variance of 39'. The new application was based on self-storage facility from 'other' site-plan setbacks on Table 4. Mr. Powers stated that significant changes were made based on previous conversations there was a discussion as to whether this would be a 'commercial' or 'other' site-plan. Based on the Grindstone application, which is also a storage facility, being a commercial application, this one also should be. Mr. Powers stated that his interpretation is that there are many items in table 8 that are commercial. Mr. Higgins interprets the table as that commercial would be anything other than what is not listed on the table. Mr. Nebbia read the definition of commercial from the Town Zoning Law. Mr. Aubertine noted that if the application is commercial, the application needs to be adjusted. As a commercial application, Miss LaPierre would need a 36' side setback as 75' would be required. All Board members agree that it is commercial and the setbacks were changed on the application from 39' to 36'. Mr. Nebbia made a motion to accept the application. Mr. DeSouza seconded the motion and it carried, unanimously. A public hearing has been set for June 1 at 6pm at Recreation Park.

Next Meeting: The ZBA will meet on Monday, June 1, 2026 at 6 p.m. at Recreation Park.

Meeting Adjourned: With no further business, Mr. Aubertine made a motion to adjourn the meeting. Mr. DeSouza seconded the motion and the Chair adjourned the meeting at 6:27 pm.

Respectfully submitted,

Sharon A. Nebbia
ZBA Secretary

