Town of Cape Vincent Zoning Board of Appeals August 3, 2026

The regular meeting of the Town of Cape Vincent Zoning Board of Appeals was held on Monday, August 3, 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
	Maret Salsbury-alternante	
Board Members Excused:	Neale Farrell -alternate	
Board Members Absent:	Bill DeSouza	

Other: Cody Higgins, ZEO- **Excused**
There were 4 visitors.

Privilege of the Floor: Faith Vernetti asked about the difference between a public and private road which the Chair explained. Mrs. Vernetti showed a map asking where a variance would start. Due to the fact that she owns the road, would she receive a notice if someone is requesting a variance. The answer is yes because she pays taxes on the road, it is stamped and recorded as its own parcel. She also asked how she stops someone who does what they want in regards to her property. It was suggested to her to find a land use attorney.

Approval of Minutes:
Board members approved the minutes of the July 6, 2026 meeting with a unanimous vote by a motion made by Mr. Aubertine and seconded by Mr. Nebbia.

Old Business:
Carleton Island- Continues to be tabled.
Lyle Wood- still tabled. Waiting for SEQR completion from the DEC.

Old Business: John Carr Area Variance Application Public Hearing
(Tax Map #: 40.09-1-2.2)
The Chair opened the Public Hearing at 6:20 pm.
Alan Wood was present and represented the applicant. He submitted a blueprint of the garage to the Board. With no comments from the public, the Public Hearing was closed at 6:21 pm. The Board discussed the application. The Chair asked each Board member for their comments. Mr. Aubertine stated he was familiar with property and supports the variance. Ms.
Salsbury, Mrs. Dayton, and Mr. Nebbia all stated that they agree with Mr. Aubertine. The Chair also agreed that the variance does not change the character of the neighborhood. The applicant is adding one extra stall. If he just tore it down, he could rebuild on the blueprint. 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: 1-yes, 4-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: 2-yes, 3-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. Nebbia seconded the motion and it carried with an unanimous vote.

New Business: None

Good of the Board: Mr. Aubertine received a certified letter for a public hearing notification of a subdivision. Both lots are in compliance. His concern is why a public hearing is needed for a subdivision where the lots are in compliance. He made note that this is not a reflection of the Planning Board, but of the law and how both the Town Law and Subdivision Law need to be reviewed. Mr. Bonvouloir, Chair of the Planning Board and who was present at this meeting, spoke that it is the law and everyone needs to follow the law and be treated equally. There was a discussion between Mr. Aubertine and Mr. Bonvouloir and that the Town Law, Subdivision Law, and the Town Comprehensive Plan all need to be cohesive.

Next Meeting: The ZBA will meet on Tuesday, September 7, 2026 at 6 p.m. at Recreation Park due to Labor Day on Monday, September 6, 2026.

Meeting Adjourned: With no further business, Mr. Aubertine made a motion to adjourn the meeting. Mr. Nebbia seconded the motion and the Chair adjourned the meeting at 6:34 pm.

Respectfully submitted,

Sharon A. Nebbia
ZBA Secretary