

Continuation of Public Hearing from October 20, 2009
Joel Capolongo
November 2, 2009

Present: Mike Sperling, Bob Loran, Deborah Worlock, Mark Bombardo

Guests: Joel Capolongo, Kendra Murphy, Mary and Roger Warner

Chairperson Mike Sperling called to order the continuation of public hearing at 7:02 PM.

Applicant presented info Joel Capolongo 1) real estate assessment, 2) estimate for removal of trailer 3) ascertain original sale price.

- 1) Oswego county clerk's office and obtained copy of deed – transfer tax – purchase price not on deed – for every \$1000 value = \$4. \$100 was paid for stamp making property purchase at 24,500 -25,000.
- 2) Assessment from realtor is \$12,100 - \$15,000 land only along with attributes.
- 3) Estimate of removal from wholesale homes - \$3500 to remove trailer from property.

All documentation presented to board. Copies made – original retained by Mr. Capolongo

Mark Bombardo – can it be strictly limited from being rented or any time frames for removal of trailer – neither of this conditions can be put on the property.

Capolongo is not interested in renting the property as it is inconsistent with the wishes of the parents will.

Capolongo – the economic hardship that would be created is they are still paying bill on property – sewer and school taxes. The longer the board takes to decide, the more financial hardship is acquired by the owner. Not seeking variance for financial gain – only to fulfill the wishes of the parents will.

Sperling – what does the trailer add to the property? Board will take into consideration value of property with and without the home. Capolongo – indicated the realtor thought the 20,000 was a reasonable offer.

Bombardo – assessment from town is a good indicator. The assessed value as verified in Capolongos documents is \$18,300. \$12,000 for lot does not consider cost for removal of trailer.

Motion by Bob Loran 2nd by Deborah Worlock to close public hearing at 7:17 PM

Regular board meeting opened by Mike Sperling at 7:17

Bombardo – Explanation to Capolongo ZBA is made up of 5 members – 3 must vote yes. 2 absent – need 3 of 5 to pass variance.

Motion by Bob Loran, 2nd Debbie Worlock to declare ZBA lead agency for SEQR for application as submitted by Joel Capolongo. Motion carried.

Debbie – concern is age of trailer –once variance is granted, it goes with whoever buys that land. What will happen to trailer once sale is made.

Bob – has same concerns

Reviewed environmental impact section of SEQR form.

Motion by Debbie Worlock, 2nd by Bob Loran to make a negative declaration as pertains to the application. Motion carried.

Sperling – added concern – property is worth 12000 as is. It is ¼ acre. Moving trailer and forcing property owner to sell at a lower cost will create a financial hardship for the owner.

Motion by Bob Loran, 2nd by Mike Sperling to grant use variance of section 250-23 I 1 and 2 of the Village of Central Square municipal code for the following reasons:

- 1) it has been determined that this is not a self created hardship
- 2) after reviewing values it has been determined that it is a financial hardship
- 3) granting the due variance there will not be a substantial alter in the essential character of the neighborhood.

Motion carried.

Bombardo - Upon filing decision with village clerk, anyone who could be grieved could commence an article 78 against the board and will have 30 days to do it.

Bob Loran motion to accept minutes, Debbie 2nd. Motion carried

Bob Loran motion to adjourn – Debbie 2nd. Motion carried.

Adjourn at 7:41 PM