

Town of Fenner  
Zoning Board of Appeals  
Minutes  
May 21st, 2025.

Re: Request for an area variance by Brian Davis.

Board members in attendance:

Rick Bosworth (chairman)

Chip Swart

Dan Snyder

Katy Pushlar

The meeting of the ZBA was called to order at 7:35 on 4/21/25. Mr. Davis is looking to subdivide at his current residence at 4729 Roberts Rd Cazenovia, NY. The current lot is 20 acres and he would like to subdivide, creating a 7 acre lot with the house and other dwellings and a 13 acre open lot. Part of the 13 acre lot is in the Town of Cazenovia. Both proposed lots are nonconforming as the depth exceeds the allowance due to the road footage. Some of the required information was not provided or was not available to the ZBA: A detailed explanation of what he was asking for with reference to the zoning law and a specific explanation of how the request meets the required tests. Mr. Davis was not able to show that hardship is due to circumstances that are unique to the property or show that the variance will not alter the essential character of the locality and prove that the hardship was not self created. Neighbors voiced concerns about the shape of the lot and the potential to build a house behind an existing house and that the area is known to have problems with adequate water supply. Properties in close proximity have had wells run dry, have had to drill multiple wells, and even those with viable wells have limited pressure. Allowing properties to be subdivided in a manner that allows for more dense concentration (when not needed, only wanted by the applicant) is likely to further strain water supply issues. Due to Mr. Davis's response to this information and the fact that ZBA board member, Katy Pushlar is a direct neighbor, Katy recused herself from the vote.

Motion to vote at 7:52 pm. All in favor- 0. All opposed- Rick, Chip and Dan  
Katy- recused

Motion to adjourn 8 pm- Chip and Dan

2 other cases brought to ZBA without being official:

Gene Weisbrod would like to subdivide and sell 1 acre. Will require a variance due to depth. Mr. Weisbrod was encouraged to complete the application for a use variance and submit it to town clerk.

Erin Sunderman would like to add a 30x30 2 story garage. Will require a use variance. Erin was encouraged to fill out an application for a use variance and submit it to the town clerk.