

**VILLAGE OF WATKINS GLEN  
ZONING BOARD**

Boardroom – 303 N Franklin St

**March 20, 2025**

6:30 p.m.

**AGENDA**

1. **PLEDGE OF ALLEGIANCE**
2. **VARIANCE REQUESTS:**
  - Mary Gauck Area 507 N Perry St
3. **APPROVAL OF MINUTES**
  - January 16, 2025
4. **BOARD CONCERNS/NEW BUSINESS**
5. **ADJOURNMENT**

## **NOTICE OF PUBLIC HEARING:**

The regular Village of Watkins Glen Zoning Board meeting is scheduled for March 20, 2025 at 6:30pm. A Public Hearing will be held on the request by Mary Gauck for an area variance at 507 N Perry St. Meetings are held in the board room of the municipal building located at 303 N. Franklin Street, Watkins Glen, New York.



REGULAR MEETING OF THE VILLAGE OF WATKINS GLEN  
ZONING BOARD OF APPEALS  
THURSDAY, January 16, 2025  
Board Room - 303 N Franklin Street

## OPEN MEETING

The public session of the meeting was called to order at 6:32 pm by Phil Cherry. Present were Board Members: Sue Olevnik, Phil Cherry, Alan Benedict, Samantha Boyette, David Lisk; and Code Enforcement Officer (CEO) Dennis Tremblay; and Deputy Clerk/Treasurer Barbara Peterson.

## USE VARIANCE – JESSE WORSK (15 N FRANKLIN)

Sue Olevnik moved to open the public hearing. Alan Benedict seconded and the motion passed unanimously.

6:34 pm Public hearing open.

Jesse and Carrie Worsk were present. The Worsks are requesting to be able to have a cannabis retail dispensary in a mixed-use lake front district located at 15 N Franklin Street. The applicants have a contingent lease with owner, Sally Scaptura-Clark, but no written authorization for the zoning variance. Applicants own and operate dispensaries in Pennsylvania and have been issued a provisional license from the State. While there will be full security/surveillance, there will not be on-site consumption. Public comments included concerns about location and foot traffic, as well as security for not only cash, but product.

David Lisk moved to close the public hearing. Sue Olevnik seconded and the motion passed unanimously.

7:15 pm Public hearing closed.

Board findings: 1) No financial data for the property was submitted. Even though the property has sat vacant, the owner does have the ability to rent to someone else. 2) There is nothing unique about the property – it is similar to other storefronts in the district. 3) Character of the neighborhood would not change – similar to alcohol serving establishments. 4) Hardship is self-created because applicant chose to rent this property. No rental data submitted. Zoning law may have made it impossible to comply based on availability of properties in cannabis approved zones.

Sue Olevnik moved to deny the application as presented. David Lisk seconded and the motion passed unanimously.

## APPROVAL OF MINUTES

Sue Olevnik moved to approve the minutes of April 18, 2024 as presented. Alan Benedict seconded.



607-738-5752

PAID

FEB 05 2025

\$100.00

Village of Watkins Glen



Village of Watkins Glen  
303 North Franklin Street, Watkins Glen, NY 14891

Phone: (607) 535-2736 Fax: (607) 535-7621

Zoning Board of Appeals

Application for Zoning Review

Application #: DA

Date: 2/15<sup>MC</sup>/25

Applicant(s): Mary Spuck

Address: 507 Perry Street  
Watkins Glen NY 14891

Nature of Review Request:  Area Variance (Dimensional Relief-setbacks, height, etc.)

Official Zoning Law Language Interpretation / Appeal of Zoning Administrator's Decision

Use Variance (For a Use Not Permitted in Subject District)

Zoning Law Citation: Article:  
Section:  
Subsection:  
Paragraph:

Nature of Complaint/Relief Sought:

Took down 12x20 Garage - left concrete of 2 inches walls out on  
would like to put back a 10x20 steel/garage

I agree to be present in person or have a representative appear on my behalf at any meeting of the Zoning Board of Appeals regarding my request and to provide such additional information as may be necessary to process my request. If a representative is to appear on my behalf, I will provide the Board with a written authorization for such representative to speak on my behalf.

By: Mary Spuck  
Applicant

Date: 2/15/25

## Evaluation Criteria

UNDER THE LAW THE ZONING BOARD OF APPEALS WILL APPLY THE FOLLOWING CRITERIA IN THE CONSIDERATION OF THIS APPLICATION:

### Area Variance:

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the variance.
2. Whether the benefit sought by the Applicant can be achieved by some method, feasible for the Applicant to pursue, other than an area variance.
3. Whether the requested area variance is substantial.
4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.
5. Whether the alleged difficulty self-created, which consideration shall be relevant to the Board of Appeals, but shall not necessarily preclude the granting of the area variance.

### Use Variance:

*A use variance shall not be granted by a board of appeals without a showing by the applicant that the applicable zoning regulations and restrictions have caused unnecessary hardship. In order to prove such unnecessary hardship the applicant must demonstrate to the Board of Appeals that for each and every permitted use under the zoning regulations for the particular district where the property is located that all the following criteria are met:*

1. The Applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence.
2. That the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood.
3. That the requested use variance, if granted, will not alter the character of the neighborhood.
4. That the alleged hardship has not been self-created.