BALDWINSVILLE ZONING BOARD OF APPEALS

**16 WEST GENESEE STREET, BALDWINSVILLE, NEW YORK**

*Approved 8/13/2018*

The regular meeting of the Baldwinsville Zoning Board of Appeals was called to order on

July 9, 2018 at 7:04 p.m. by Chairman, Jim Zuccolotto

**Present:** Jim Zuccolotto, Chairman Eric Reinagel-Alternate

Fred Thomas

**Also Present:** Steve Darcangelo, Village Engineer

 Gregg Humphrey, Code Enforcement Officer

 Bob Baldwin, Village Attorney

**Guests:**  Heather Panek - 66 E. Oneida Street/Area variance

 David Demko - 66 ½ E. Oneida Street

 Kevin Shea-17 Wilkinson Place

Danielle Whelsky and Eric Reinagel are new members of the ZBA.

John Rutkowski, Connie Taft and Danielle Whelsky were unable to attends this month’s meeting

Pledge of Allegiance

**66 E. Oneida Street – AREA variance 8’ fence**

Ms. Heather Panek owner of the property at 66 East Oneida Street is at this evening’s meeting to address the Board. Ms. Panek has submitted an application for the construction for an 8’ 6” fence. Village Code only allows up to 6’ fences, anything over 6’ applicant would have to request an AREA variance. The property is zoned R-1and is a single-family home.

Ms. Panek bought this property through a tax sale auction about 4 years ago, the house and property were in disarray and over the years the house and yard has been completely re-done. This property runs parrell to the CXS railway. Ms. Panek would like to construct an 8’6” fence for privacy and delineate the property line from the railroad property. People are walking down the railroad to Byrne Dairy as well as through her yard and across her driveway as a short cut. The railroad sprays a weed killer twice a year down each side of the tracks. Ms. Panek felt this would kill any trees or scrubs she would plant along this strip for privacy. The rail road track grade is at least 2’ higher than her yard, this is the reason for her requesting the 8’6” fence.

Years ago, the railroad had a fence running along this parcel of land because the residence in this house had a day care in her home, the purpose of the fence was to keep children off the track.

***Motion*** by Mr. Thomas to publish a Public Hearing Notice for August 13, 2018 ZBA meeting with regards to an application for an 8’6” fence AREA variance at 66 E. Oneida Street, second by Mr. Reinagel.

 *Carried 3:0*

Mr. Kevin Shea residues at 19 Wilkinson Place, he was present this evening to address the Board regarding an issue with this neighbor. This neighbor, Mr. Allen residing at 17 Wilkinson Place submitted an application for a 20’ section of fence 4’ height on 6/11/2018. The permit was granted, and necessary inspections were done by Mr. Humphrey. Mr. Shea claims the fence is height than 4’. The Board asked Mr. Humphrey to go back to the site and assess the situation and measure again. Mr. Darcangelo read the Village code regarding requirements for fences. Chairman Zuccolotto suggested to Mr. Shea he fill-out an application for a review of this matter by the ZBA.

A Public Hearing will be arranged if the Board deems it necessary. Mary Augustus, Secretary will mail the paperwork out to Mr. Shea.

Mr. Baldwin suggested to have an educational session after the meeting on August 13, 2018, an overall review on the functions of a Board of Appeals and their duties.

***Motion*** by Mr. Thomas to adjourn the meeting at 7:41pm, second by Mr. Reinagel

 *Motion carried 3:0*

Next meeting scheduled for August 13, 2018 submission date of July 30, 2018.

Respectfully submitted,

Mary E. Augustus

ZBA Secretary