Zoning Board of Appeals
Minutes
May 21, 2015

Present	**Absent**
Chairman John Dole	Mark Unvericht
Michael Flavin	
Dale Kellerson	
Diana Powell Keery	

Also Present

Zoning Board Attorney Eric Stowe
Zoning Board Secretary Pam Gilbert
Carol Nellis Ewell
Joan Quigley
Sarah Infantino

Chairman Dole led the Pledge of Allegiance.

Public Hearing

The application of Sarah Infantino, 80 Mill Street, Spencerport, New York 14559, for a special permit for a privacy fence, 50’ in length of 6’ high and 180’ of 4’ high to replace existing chain link fence on property located at same, whereas, a special permit from the Zoning Board of Appeals shall be required for a privacy fence, pursuant to Chapter 340-32.A(4)(a), and two (area) variances; one for the total length of 230’ and one for the location of fence being near the lot lines, whereas, any privacy fence must be located not nearer to a side line or rear line than the required side line of rear line setback and shall not exceed a total length of 65 feet on any one lot, pursuant to Chapter 340-32. A(4) (b) in an Residential District.

At this time the applicant is not present and the board is unable to offer a decision without applicant being present therefore the following resolution is offered.

Resolution No 255	Introduced by Chairman Dole
May 21, 2015	Seconded by Michael Flavin

Resolved, that the application of Sarah Infantino for a special permit and two area variances to erect a privacy fence, 50’ in length of 6 feet high and 180' of 4 feet high to replace existing chain link fence on property located at 80 Mill Street be tabled until which time the applicant can be present.

Ayes: Dole, Flavin, Kellerson, Powell Keery
Nays: none

May 21, 2015

After said resolution is offered applicant arrived.

Resolution No 256 — Introduced by Chairman Dole
May 21, 2015 — Seconded by Michael Flavin

Resolved, that the application of Sarah Infantino for a special permit and two area variances to erect a privacy fence, 50’ in length of 6 feet high and 180' of 4 feet high to replace existing chain link fence on property located at 80 Mill Street be re-opened as applicant is now present.

Ayes: Dole, Flavin, Kellerson, Powell Keery
Nays: none

Sarah Infantino stated that she wanted to put the 6 ft. fence in between my house and my neighbor to the left of me. I have a lot of bushes there and they are being taken down and I would like to still have some privacy between the two of us. I thought a 6 ft. privacy fence would be nice but I don’t want to close everyone out as my back yard is pretty open so I want to drop it down to a 4 ft. for the rest of the yard. Right now I have a chain link fence up and my dog keeps getting out. I have fixed it several times and she still finds ways to get out. So I need something harder construction to keep her in.

Michael Flavin: The 4 ft. fence what style would it be?

Sarah Infantino: I would like to keep it like the 6ft stockade or dog-eared but I haven’t found anything I like in the 4 foot height. I have been all over looking so I haven’t found the right fence.

Chairman Dole: Are you planning on putting in any gates?

Sarah Infantino: Yes, I would be one gate where the existing chain link gate is now between the driveway and the backyard.

Michael Flavin: Who currently maintains the other side of the chain link fence?

Sarah Infantino: The neighbors do.

Chairman Dole: Are you looking to put this right on the property line?

Sarah Infantino: Probably more towards my side as I would probably have to put up the wood fence before I take down the chain link one. Not sure how that will work yet.

Dale Kellerson: It states in the code that you should discuss with an attorney to make sure that you put the fence on your property as not to cause problems later on.

Attorney Stowe stated that anything more than a foot will create an issue.

At this time Chairman Dole closed the Public Hearing.
May 21, 2015

Chairman Dole stated that we did receive a letter from a neighbor Robert Janes the executor of the estate of 33 Bowery Street and they have no concerns.

Resolution No 257 — Introduced by Diana Powell Keery
May 21, 2015 — Seconded by Dale Kellerson

Resolved, that the application of Sarah Infantino for a special permit and two area variances to erect a privacy fence, 50’ in length of 6 feet high and 180' of 4 feet high to replace existing chain link fence on property located at 80 Mill Street be approved with the following conditions:

1. Fence to be installed to professional standards.
2. Fence to be installed at same location of existing chain link fence.

It is a Type 2 SEQR and needs no further review pursuant to Chapter 340-32. A(4)(a)(b) in a residential district.

Ayes: Dole, Flavin, Kellerson, Powell Keery
Nays: none

Unfinished Business

Mavis Discount Tire

At this time the Attorney Stowe updated the board on the final scope document prepared by the Spencerport Planning Board for Mavis Discount tire project.

Approval of Minutes

Motion made by Chairman Dole seconded by Diana Powell Keery and carried unanimously to approve the April 16, 2015 minutes as written.

Adjournment

Motion made by Diana Powell-Keery seconded by Chairman Dole and carried unanimously to adjourn the meeting at 7:30 pm.