

**Village of Hilton Zoning Board
Meeting Minutes of February 13, 2007**

Member's Present: Richard LaForce, Jim Bimmler, Pat Holenbeck

Member's Absent: Bob Cusenz, Richard Bjornholm

Administration: Mike Lissow, Code Enforcement Officer; Tom Tilebein, Superintendent of Public Works; Joe Lee, Trustee; Debbie Buongiorno, Recording Secretary

Guests: Dave McCracken, Barbara DiPalma, Frank and Ann LePore, Eric LePore, Ed Hoefler, Carm Carmestro

The meeting was called to order with the pledge of allegiance to the flag at 7:00 p.m.

Vice-Chairman Richard LaForce explained the functions and responsibilities of the Zoning Board.

PUBLIC HEARING – 38 EAST AVENUE – AREA VARIANCE

Application of Ed Hoefler, 38 East Avenue, for an Area Variance to construct a proposed Pontillo's Pizza Restaurant with an exterior porch with a 3' 6" setback from the northeast property line. The minimum required setback is 8', Per section 24-310 D (4). This property is zoned Limited Commercial District. Mr. Ed Hoefler, owner of Pontillo's Pizza, 38 East Avenue was present to represent this application.

The public hearing was opened at 7:05 p.m.

Public Comment: Tom Tilebein stated there is not a need to grant an Area Variance for the setback at this time because Mr. Hoefler is building on his own property.

With all persons being heard, the public hearing was closed at 7:10 p.m.

Board Discussion: With the explanation from Tom Tilebein the Board was satisfied. At this time, the building conforms to the necessary zoning. The Village intends on constructing a driveway and sidewalk in the future that will conflict with the zoning code. A motion was granted giving relief to the property owner, Ed Hoefler, for this intended action as follows:

Motion to approve the application of Ed Hoefler, 38 East Avenue, for an Area Variance to construct a proposed Pontillo's Pizza Restaurant with an exterior porch with a 3'6" setback from the northeast property line. The minimum required setback is 8', Per Section 24-310 D (4). This property is zoned Limited Commercial District. Motion made by Jim Bimmler, seconded by Pat Holenbeck. **Motion** approved 3-0.

PUBLIC HEARING - 11 CANNING STREET - THREE (3) AREA VARIANCES

Application of Frank LePore, 11 Canning Street, for three (3) Area Variances to construct an exterior deck with:

1. A front setback of 3', Section 24-306 E (2) requires a front setback of 35'.
2. A side setback of 3' from the north property line, Section 24-306 E (3) requires a minimum setback of 20'.
3. A side setback of 3' from the southeast property line, Section 24-306 E (3) requires a minimum setback of 20'.

This property is zoned Industrial District.

Mr. Frank LePore owner of Abbotts, 11 Canning Street, was present to represent this application.

After general discussion, the front setback variance was omitted from the Public Hearing and approval due to:

1. The front setback is located on private property and meets the required front setback of 35', therefore, does not need board action.
 - (a) currently Mr. LePore owns this property on Canning Street.

Mr. Lepore also met with the Planning Board on February 12, 2007 and agreed to angle the northwest corner of the deck

The public hearing was opened at 7:15 pm

Public Comment: Carm Carmestro, 50 Canning St, was concerned with parking. Frank stated that Mr. Carmestro will not be losing any parking areas due to this project.

The public hearing was closed at 7:20 pm

Board Discussion: None

Motion to approve the application of Frank LePore, 11 Canning Street, for a side setback of 3' from the north property line, Section 24-306 E (3) requires a minimum setback of 20'.

Motion made by Pat Holenbeck, seconded by Jim Bimmler. **Motion** approved 3-0.

Motion to approve the application of Frank LePore, 11 Canning Street, for an Area Variance to construct an exterior deck with a rear setback of 3' from the southeast property line, Section 24-306 E (3) requires a minimum setback of 20'. This property is zoned Industrial. Motion made by Pat Holenbeck, seconded by Jim Bimmler. **Motion** approved 3-0.

PUBLIC HEARING - 25 FRASER DRIVE - AREA VARIANCE

Application of Ralph DiPalma, 25 Fraser Drive, for an Area Variance to construct a proposed inground pool with 4' rear setback. The minimum required setback is 8', per section 24-302 C (3). This property is zoned Residential District.

Mrs. Barbara DiPalma, 25 Fraser Drive, was present to represent this application.

The public hearing was opened at 7:25pm

Public Comment: A letter was received from a neighbor at 4 Cooper Drive stating they have no objection with this application.

Vice-Chairman Richard LaForce spoke with Mr. DiPalma this afternoon in regards to concerns of protrusion into the swale. After some discussion, Tom Tilebein was satisfied with the location in the easement area.

A question was asked if there was enough room on the north side? Mrs. DiPalma did not know how much of a sidewalk but there should be sufficient land for a 3' sidewalk.

According to Vice-Chairman Richard LaForce, Mr DiPalma stated to him there would not be a retaining wall.

The public hearing was closed at 7:35

Board Discussion:

Pat Holenbeck asked the Board what is the height requirement for a fence. Mike Lissow stated 4'-6'.

Motion to approve the application of Ralph DiPalma, 25 Fraser Drive, for an Area Variance to construct a proposed inground pool with a 4' rear setback. The minimum required setback is 8', per section 24-302 C (3). This property is zoned Resident District. Motion made by Jim Bimmler, seconded by Pat Holenbeck. **Motion** approved 3-0.

MINUTES

The November 14, 2006 will be approved at the next meeting.

REPORTS

Liaison's Report -

Joe Lee gave his report

Zoning Code Officer's Report -

Mike Lissow gave his report.

Chairman's Report -

Vice-Chairman LaForce gave his report.

ADJOURNMENT

There being no further business, the meeting was adjourned at 7:50pm. Jim Bimmler made the motion, seconded by Pat Holenbeck.

Respectfully Submitted,

Debbie Buongiorne
Recording Secretary