

Joseph M. Lee, Mayor

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# VILLAGE OF HILTON

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Village of Hilton Zoning Board  
Meeting Minutes of July 09, 2024  
Approved

- Member's Present: Chairman Kim Fay, Nicole Pennock, Joe Ruta, Elaine Begy, Paul Cliff (Alternate)
- Member's Absent: Harry Reiter
- Administration Present: Code Enforcement Officer; Mark Mazzucco, Recording Secretary; Aimee Doser, Mayor; Joe Lee, Village Board Liaison Larry Speer
- Guests: David Olney, Katelyn Olney, David Munnings, Susan Munnings, Vange Hanyten, Michael Bellanca

**Chairman Kim Fay** called the meeting to order at 6:30 p.m. with the Pledge of Allegiance and a moment of silence.

**Minutes:** **Chairman Fay** made the motion to accept the June 11th, 2024, Village of Hilton Zoning Board meeting minutes, seconded by **Member Pennock** and approved 5-0.

**Reports:**

Village Board Liaison	Larry Speer
Code Enforcement Officer	Mark Mazzucco
Mayor	Joe Lee

**Member Pennock** read and explained the procedures of the Zoning Board.

**PUBLIC HEARING OPENED AT 6:48 P.M.**

**Member Begy** excused herself into the audience as she is a neighbor and felt it was a conflict of interest.

**Chairman Fay** read an email that came in from a neighbor, Brian Daggett, owner of 1 Cross Lane, who is in full support of this application as he resides on a corner lot and has a fence for privacy and safety as well.

**ZONING SEGMENT – 6 CROSS LANE – AREA VARIANCE – CORNER LOT FENCE**

- Application of David Olney, for the property located at 6 Cross Lane, for an Area Variance to construct a fence six (6) feet in height in the side yard of a corner lot adjacent to the street. Per Section 275-38(C)--On a corner lot, no fence, wall hedge or screen planting over three (3) feet above road grade in height shall be constructed within the yards required adjacent to the streets. The current zoning is Residential.

**David Olney** stated that he lives on a corner lot and would like to install a six (6) foot privacy fence extending three (3) feet onto the Newcomb Drive side of his lot. They are expecting another child in the fall, do not have any family in the area, and are looking for space for their young daughter to grow and learn without mom and dad hovering over her and to be independent. They also have two dogs to keep fit and exercise, and with two kids soon it may be hard to walk them often, so they would like them to be able to play and fetch without disrupting neighbors or people walking by. He would want to maximize space by putting up a six (6) foot shadow box cedar fence, semiprivate, and when looking at an angle you will be able to see through it. With relatively low traffic in that corner area, the shadow box style will help a little with visibility. It also will not extend past their garage.

**Chairman Fay** asked the applicant about mentioning that he was planning on leaving space to mow between his lot and his neighbor.

**David Olney** said yes, there will be a two (2) foot setback

**Michael Bellanca** said that he lives next door to the Olney's and would like to go on record stating that he has absolutely no objections, supports this whole plan, and that they are wonderful neighbors.

### **BOARD QUESTIONS/COMMENTS:**

**Member Pennock** said she feels this is happening more with corner lots, resident's seeking variances for fences. The problem with fences on corner lots is visibility. She then asked why it is going along one side of whole house and not the other.

**David Olney** stated he is trying to maximize his lot size but also keep access to utilities outside of the fenced area.

**Chairman Fay** said he feels there is ample room for someone to come down the street and see well before they get to the corner, and the fence would not be restricting visibility at all. He thought about having it reduced to four (4) feet, but after looking at the lot he does not feel that this will interfere and it gives them the privacy they want, especially with the style he has chosen that he presented to the board.

**Member Cliff** said that looked at the lot and he agrees that it seems like it will not interfere with visibility.

**Member Ruta** stated that he does not see an issue with visibility, but his concern is the fence being three (3) feet from the sidewalk. If the Village DPW comes down with the sidewalk plow in the winter, the Village should not be responsible for any damage. He said that it looks like a nice fence, so his concern is liability if any damage.

**Code Enforcement Officer Mark Mazzucco** said that the code already states that fences must be three (3) feet off the sidewalk for that reason.

**Chairman Fay** asked if Mr. Olney is intending to install the fence himself.

**David Olney** stated that he is planning on doing the work himself.

### **CLOSED PUBLIC HEARING AT 6:55PM.**

**Chairman Fay** made the motion to approve the application of David Olney, for the property located at 6 Cross Lane, for an Area Variance to construct a fence six (6) feet in height in the side yard of a corner lot adjacent to the street.

**Member Ruta** seconded the motion.

Motion Carried 4-0-1

**DATES:**

Next Scheduled Meeting	Tuesday, August 13, 2024
Public Agenda Deadline	Tuesday, July 23, 2024

There being no further business, **Chairman Fay** made the motion to adjourn the meeting at 7:02 p.m.

Respectfully Submitted,  
Aimee Doser, Office Clerk

