

MINUTES OF THE ZONING BOARD OF APPEALS
February 8, 2016

The regular meeting of the Zoning Board of Appeals was called to order by Chairman William Cotey at 7:20 p.m. at the Village Hall.

Members present: Chairman William Cotey, Amy Flores, Matthew Krummick, Walter Oakley, Kurt Schultz, and David Semmelman.

Members absent: Mark Moore.

Village Staff present: David Smith, Senior Planner.

OLD BUSINESS: None.

NEW BUSINESS:

ZBA 16-01 Sylvain Nadeau and Marjorie Yang, Applicants
1332 Forever Avenue

Request is for a variation to allow a fence to be constructed in the corner side yard where the corner side yard abuts the front yard of the abutting property in an R-5, Single Family Residential District.

Mr. David Smith, Senior Planner, introduced the variation request to the Zoning Board of Appeals. He stated that the applicants, Sylvain Nadeau and Marjorie Yang, are requesting a variation to allow a fence to be constructed in the corner side yard in an R-5, Single Family Residential District located at 1332 Forever Avenue. Mr. Smith stated that the applicants are proposing to construct a black or bronze four (4) foot aluminum fence to wrap around their rear yard and a portion of their corner side yard. He stated that the corner side yard is adjacent to the Virginia Avenue right-of-way.

Mr. Sylvain Nadeau, petitioner, stated that they are proposing a four (4) foot high aluminum fence. He stated that some vegetation will be removed in order to increase visibility. He stated that they want the fence in order to provide safety for their children. He stated that there is some justification for the variation due to the irregular shape of their lot.

Board Member Oakley asked if the proposed fence line will impede the utility easements. He asked which trees are proposed to be removed. Mr. Smith stated that fences are not prohibited from being located within utility easements, but that the petitioner will be required to contact J.U.L.I.E., the (Joint Utility Locating Information for Excavators) prior to digging post holes for the new fence.

Mr. Nadeau stated that the primary intent of the proposed fence location is to provide a safe area for their children to play in. He stated that the trees proposed for removal will also enable a better use of the rear yard.

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Board Member Flores stated that she noted that the house across the street also was approved for the same variation and that this will provide an aesthetic and symmetrical balance.

Board Member Krummick stated that they appear to be the same fence.

Board Member Schultz stated that although he supports the fence variation request, he is concerned about the removal of the trees.

Chairman Cotey asked what are the tree species of those proposed for removal. Mr. Nadeau stated that they are proposing to remove one Pear tree, one Spruce, and two Crab trees.

Chairman Cotey asked the petitioner what action that they would like for the Zoning Board of Appeals to take tonight. Mr. Nadeau stated that he would like for the Zoning Board of Appeals to recommend approval for their fence variation request to the Village Board.

In the matter of ZBA 16-01, Board Member Semmelman moved, seconded by Board Member Schultz to recommend the Village Board of Trustees approve a variation to allow a fence to be constructed in the corner side yard where the corner side yard abuts the front yard of the abutting property in an R-5, Single Family Residential District, in accordance with the plans submitted.

Motion carried 6 - 0.

Ayes: Cotey, Flores, Krummick, Oakley, Schultz, Semmelman
Nays: None
Absent: Moore

COMMUNICATIONS AND DISCUSSION:

Board Member Schultz moved, seconded by Board Member Semmelman, to adjourn the Zoning Board of Appeals meeting.

Motion carried 6 - 0.

Meeting adjourned at 7:30 p.m.