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Hilton Zoning Board of Appeals
Meeting Minutes of April 13th, 2021
Approved

ZBA Member's Present: Chairman Kim Fay, Murray Weaver, Pat Hollenbeck, Shelly Kordish, Harry Reiter and Linda Viney (Alternate member).

Village Board Present: Mayor Joe Lee and Village Board Liaison; Larry Speer

Administration Present: Code Enforcement Officer; Mark Mazzucco, and Recording Secretary; Debbie Jones

Guests: Danielle Mangene, Ray Dawley, Gregory Merrick, Ed Begy, Elaine Begy, Brian Daggett, Herb Case, Suzanne Case and Amy Firkins

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

MINUTES:

Chairman Fay made the motion to accept the amended March 9th, 2021 Zoning Board of Appeals meeting minutes, seconded by **Member Holenbeck**, and approved 5-0.

Member Holenbeck made the motion to accept the March 10th, 2021 Zoning Board of Appeals meeting minutes, seconded by **Member Weaver**, and approved 5-0.

REPORTS:

Village Board Liaison Larry Speer	Gave his report
Mayor Joe Lee	Gave his report
Code Enforcement Officer Mark Mazzucco	Gave his report
Chairman Fay	Advised the Zoning Board to revisit the plans for St. Leo's/Providence Project for the upcoming meeting with them on April 27 th , 2021.

Chairman Kim Fay opened the public hearing at 6:39 p.m.

Member Weaver read the Explanation of the Zoning Board of Appeals procedure.

ZONING SEGMENT – 337 PARMA VIEW DRIVE – REVIEW OF COND. USE PERMIT

- Conditional Use Permit 6-month review of Danielle Mangene for the property located at 337 Parma View Drive for an in-home Business (Dog Grooming) per section 275-13B (3). This property is Zoned Residential.

Mrs. Mangene was present for her 6-month review and shared some changes she has done at her home to ensure visibility and safety for her clients. Mrs. Mangene stated she has begun grooming full-time at home, she now has insurance for the business, installed 3 cameras on the outside of the home (2 on the front of the home and 1 in the back of the home), and installed a light up house number sign in the bush in the front of the house to make it easier for clients to find the house.

PUBLIC COMMENTS: Chairman Fay opened at 6:42 p.m., was promptly closed with no comments.

BOARD COMMENTS:

Member Holenbeck asked about the traffic, that was a concern at the October 13, 2020 meeting. Mrs. Mangene stated she has not had any complaints with neighbors or traffic. There are rarely ever 2 (two) cars in the driveway.

Chairman Fay saw nothing out of the ordinary when he visited the site, as he expected. Code Enforcement Officer, Mark Mazzucco stated he has not received any verbal or written complaints.

Member Weaver had no comment.

Member Kordish has no objections for this Conditional Use permit to move forward.

Member Reiter has no objections.

Member Weaver made the motion that upon 6-month review of this Conditional Use permit, the condition can be removed, and Mrs. Mangene can operate her in-home Business (Dog Grooming) with no further conditions. There was no public comment. Seconded by **Chairman Fay**, approved 5-0.

ZONING SEGMENT – AREA VARIANCE – 3 EFNER DRIVE

- Application of Herb Case Jr, for the property located at 3 Efner Drive, for an Area Variance to permit the storage of a Recreational Vehicle/Camper on the Southeast facing aspect of side yard of Lot Area, adjacent to the street. Principal dwelling is located on a corner lot. Per Section-275-9(C)-No motor vehicles, trailers, campers or boats and other recreational vehicles shall be stored on a lot outside of existing buildings thereon except to the rear of the principal dwelling and within the side and rear setbacks applicable to said lot. This property is zoned Residential District.

Mr. Case states they sit on a corner lot, approximately 5/8 of an acre. Their RV sits on a concrete pad and does not block the view where it currently is. They have 5 cars that occupy the driveway. Mr. Case has tried to park it next to the garage, but it will not fit.

PUBLIC COMMENT: Opened at 6:50 p.m. – Closed at 6:51 p.m. with no public comment.

BOARD COMMENT:

Chairman Fay recommended off-site storage/parking. Chairman Fay stated he must store his RV off-site or is it possible to put a fence on the East side.

Member Holenbeck stated it is a corner lot, but it is behind the house. The property is well taken care of and does not pose as an eye sore.

Member Kordish feels it is far enough back and it is not blocking.

Member Reiter agrees with the other member's comments.

Member Weaver has no issues with this application. Mr. Case has lived here since 1999 and there have been no complaints on his property.

Code Enforcement Officer, Mark Mazzuco stated he has not received any complaints in the office.

There was much discussion on the storage of RV's, campers, etc. off-site for a specific time throughout the year, during the off season for camping (November 1st – April 1st). Mr. Case stated he would be open to that idea.

Code Enforcement Officer, Mark Mazzuco stated the following:

- Letters to homeowners were mailed/notifications in order
- Matter is a Local determination per Exemption(s) in Schedule 'A' of the Monroe County DRC
- This is a Type II action under SEQR and no further review is required.
- There are no complaint letters or code enforcement actions in the property file.

Chairman Fay made the motion to approve the application of Herb Case Jr, for the property located at 3 Efner Drive, for an Area Variance to permit the storage of a Recreational Vehicle/Camper on the Southeast facing aspect of side yard of Lot Area, adjacent to the street. Principal dwelling is located on a corner lot. Per Section-275-9(C)-No motor vehicles, trailers, campers or boats and other recreational vehicles shall be stored on a lot outside of existing buildings thereon except to the rear of the principal dwelling and within the side and rear setbacks applicable to said lot. There was no public comment, and the following condition was placed:

- a. Recreational Vehicle/Camper will be stored off-site from November 1st through April 1st.

Seconded by **Member Kordish**, approved 5-0

PUBLIC HEARING – AREA VARIANCE – 17 TYLER TRAIL

- Application of Raymond E Dawley Jr, for the property located at 17 Tyler Trail, for an Area Variance to permit the storage of a Camper in the front of the principal dwelling on the North side of the driveway. Per Section-275-9(C)-No motor vehicles, trailers, campers or boats and other recreational vehicles shall be stored on a lot outside of existing buildings thereon except to the rear of the principal dwelling and within the side and rear setbacks applicable to said lot. This property is zoned Residential District.

Mr. Dawley is perplexed as to why after 32 years of living in Hilton with his Recreational Vehicle that he must now appear before the Board and obtain a Variance. Mr. Dawley explained he only has a pop-up camper and has never received any complaints on it.

PUBLIC COMMENT: Opened at 7:04 p.m. – Closed at 7:06 p.m.

Amy Firkins, 19 Tyler Trail stated they have been neighbors for years and Mr. Dawley keeps his property impeccable. Mrs. Firkins feels it would be difficult for Mr. Dawley to park his camper on his property where the Village ordinance states.

BOARD COMMENT:

Chairman Fay feels strongly this camper could be parked along the side of the house.

Mr. Dawley stated because of the electric meter on the one side of the house he would not be able to pull the camper tight enough to the house and anywhere else on his property the ground is too wet.

Member Kordish ask Mr. Dawley if where he currently parks the RV is where he parks it year-round. Mr. Dawley stated yes.

Member Weaver has no comment and feels this application along with the other related RV/Camper applications is a waste of time.

Member Reiter No comment

Member Holenbeck stated this RV (pop-up) seems to be relatively small and neighbors can see over it. **Member Holenbeck** has mixed feelings on this application due to the size of the camper compared to the other, much larger Recreational Vehicles. However, she does understand about setting a precedence.

Code Enforcement Officer, Mark Mazzucco stated the following:

-Letters to homeowners were mailed/notifications in order

-Matter is a Local determination per Exemption(s) in Schedule 'A' of the Monroe County DRC

-This is a Type II action under SEQR and no further review is required.

-There are no complaint letters or code enforcement actions in the property file.

After more discussion on Section 275-9 (C), it was decided to table this application.

Member Weaver made the motion to table this application until the May 11th meeting, seconded by **Member Reiter**, approved 4-1 (**Member Fay nay**)

PUBLIC HEARING – AREA VARIANCE – 1 CROSS LANE

- Application of Brian Daggett, for the property located at 1 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, seconded by **Member Weaver**

Mr. Daggett would like to extend his existing privacy fence 28' towards Carter Dr. to better utilize his backyard. He has 2 kids this would give them more room in the backyard to safely play in the backyard. There would be no obstruction of view from Cross Lane.

PUBLIC COMMENT: Opened at 7:35 p.m. – Closed at 7:38 p.m.

Ed Begy, 3 Cross Lane stated he and his wife Elaine were present and had no issues with the proposed fence. Both go through the Cross Lane/Carter Dr./Timberwood Dr./ Peach Blossom Rd. N intersection multiple times and feel the fence will have no adverse effects (obstruction of view).

BOARD COMMENT:

Member Weaver – has no objection with this application.

Member Reiter – has no objections with this application, there is a similar fence kitty corner from this property at 43 Carter Drive.

Member Holenbeck was concerned about the view obstruction but if everyone else seems fine with it and is certain the view will not be blocked then she is fine with the application.

Member Kordish has no comment.

Chairman Fay does not see any issues with this application.

Code Enforcement Officer, Mark Mazucco stated the following:

- Letters to homeowners were mailed/notifications in order
- Matter is a Local determination per Exemption(s) in Schedule 'A' of the Monroe County DRC
- This is a Type II action under SEQR and no further review is required.
- There are no complaint letters or code enforcement actions in the property file.

Member Holenbeck made the motion to accept the application of Brian Daggett, for the property located at 1 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, seconded by **Member Weaver** and approved 5-0.

PUBLIC HEARING – AREA VARIANCE – 26 ROLLING MEADOW DR. NORTH

- Application of Gregory Merrick, for the property located at 26 Rolling Meadow Drive North for an Area Variance to construct a second Accessory Structure (Gazebo) on the real property. Per Section 275-13E (a)-Only one such accessory structure will be permitted on any real property and shall not be used for housing animals or their wastes. This property is zoned Residential District.

Mr. Merrick stated he would like to construct a 12'x14'x10' gazebo (pre-fabricated) to place on their patio in their backyard. They already have one structure, a shed which stores their outdoor and property maintenance equipment, but they wanted a gazebo to be able to enjoy sitting in their backyard. They feel the gazebo would be sturdier in the wind, etc. rather than the typical netted type of gazebo. The Merrick's have spoken to the neighbors on both sides of them and both neighbors have no issues with the gazebo.

PUBLIC COMMENT: Opened at 7:43 p.m. – Closed at 7:44 with no public comment.

BOARD COMMENT:

Member Reiter has no objections with this application.

Member Holenbeck thinks it is a lovely idea.

Member Kordish had no comment.

Chairman Fay feels it will look nice.

Member Weaver loves the idea.

Code Enforcement Officer, Mark Mazzucco stated the following:

-Letters to homeowners were mailed/notifications in order

-Matter is a Local determination per Exemption(s) in Schedule 'A' of the Monroe County DRC

-This is a Type II action under SEQR and no further review is required.

-There are no complaint letters or code enforcement actions in the property file.

Member Kordish made the motion to accept the application of Gregory Merrick, for the property located at 26 Rolling Meadow Drive North for an Area Variance to construct a second Accessory Structure (Gazebo) on the real property. Per Section 275-13E (a)-Only one such accessory structure will be permitted on any real property and shall not be used for housing animals or their wastes. There was no public comment. Seconded by **Chairman Fay** and approved 5-0.

Next Meeting: Tuesday April 27th, 2021

There being no further business, **Chairman Fay** made the motion to adjourn the meeting at 8:00 p.m.

Respectfully Submitted,
Debbie Jones, Recording Secretary