

Village of Caledonia Zoning Board of Appeals  
Meeting Minutes for May 22, 2019

Members Present:

Steve McIlwaine, William Hughes, Robert Middleton, Patrick Talty

Others in Attendance:

Lorie Gaffney, Vic Cappotelli, Seth Graham, Pat Cappotelli, Archie Cappotelli, Steven Wilson, Tom Beach, Cathy Graham, Michael Burnside

The meeting was called to order at 7:00 pm with the Pledge of Allegiance.

Chairperson Steve McIlwaine stated the purpose of tonight's meeting is to hold a public hearing on two area variance applications.

The first hearing was regarding an application of Vic Cappotelli, 2997 Main Street, to construct a privacy fence along his property line. He would like the 6' fence continue from the foundation line of his home to about 5' from the sidewalk. His building permit was denied because a 6' high fence can only go to the front corner of the house but not from the foundation of the dwelling forward.

Mr. Cappotelli brought pictures of his property to illustrate where he would like to install the fence.

Lorie Gaffney commented re: Mr. Cappotelli's neighbor, and how her behavior influences Mr. Cappotelli's decision to install a fence: Mrs. Gaffney was helping clear snow for Mr. Cappotelli, and the neighbor yelled at her, even though Mrs. Gaffney was in Mr. Cappotelli's driveway.

The board discussed what the code allows regarding fences. From the foundation of the dwelling to the road, property owners may install a 3' high solid fence or a 4' high open (ie: chain link) fence.

The board discussed the qualifications for an area variance.

1: Is this an undesirable change?

No.

2: Is there an alternative solution?

No.

3: Is this a substantial request?

Possibly, yes, because the fence is coming past the house.

4: Will there be an adverse affect on the environment?

No

5: Is this a self-created hardship?

No

Motion made by Patrick Talty, seconded by William Hughes, to grant an area variance allowing Mr. Cappotelli to construct a 6' high fence to the front foundation of the neighboring house. From that point forward, because it will not block the view when exiting the driveway, a 3' privacy fence or a 4' chain link fence is permitted.

Aye: Steve McIlwaine, William Hughes, Patrick Talty, Robert Middleton

Nay: None

Abstention: None

The second hearing was in regard to an application by Tom Beach, 257 Spring Street, to construct a front porch. The variance request is to allow this construction to take place without the required setback. The required setback is 6' and Mr. Beach has 5'6" available.

Mr. Beach will remove the existing deck and dispose of it. The new deck will be a wood with a railing and will be approximately 20' across. In the next couple years, he would like to add a roof.

The board discussed the qualifications for an area variance.

1: Is this an undesirable change?

No.

2: Is there an alternative solution?

No.

3: Is this a substantial request?

No

4: Will there be an adverse affect on the environment?

No

5: Is this a self-created hardship?

No

Motion made by Robert Middleton, seconded by Patrick Talty, to grant an area variance for the addition of a porch.

Aye: Steve McIlwaine, William Hughes, Patrick Talty, Robert Middleton

Nay: None

Abstention: None

Motion to adjourn made by Robert Middleton, seconded by William Hughes, to adjourn the meeting at 7:50 pm.

Aye: Steve McIlwaine, William Hughes, Patrick Talty, Robert Middleton

Nay: None

Abstention: None

Elizabeth Dietrich

Secretary, Zoning Board of Appeals