

**Zoning Board of Appeals  
Minutes  
April 28, 2022**

Members Present: Roger Smith, Chairperson  
Tracey Cullen, Vice Chairperson  
William Ordon, Member  
Eric Taylor, Member  
Robert Russo, Alternate Member

Other Attendees: Michael Breitweg, Building Inspector  
Kerri Geiger, Secretary to the Board

Absent: Richard Ubert, Member

Meeting called to order at 7:01 P.M.

Chairperson Smith welcomed everyone to the April 28, 2022 meeting of the Zoning Board of Appeals. He introduced himself and the Board Members. Vice Chairperson Cullen congratulated Chairperson Smith on being the new Chairperson on the Zoning Board of Appeals and said that Richard Ubert would still be on the Board just not as the Chairperson and is absent for tonight's meeting.

Chairperson Smith stated for the record that all applicants are hereby notified that nay and all agreed concessions, promises, pledges, assurances, or declarations given by them or their duly appointed agents, during their hearing process shall become stipulations to any approvals given by this Board. He also asked that anyone who comes to speak at the podium please state your name address for the record and sign in on the sign in sheet so we can record everything properly.

Chairperson Smith called for a motion to approve the minutes from the March 24, 2022, meeting. A motion was made by Vice Chairperson Cullen to approve the minutes which was seconded by Mr. Ordon.

Vote on the Motion: Chairperson Smith	aye
Vice Chairperson Cullen	aye
Mr. Ordon	aye
Mr. Russo	aye
Mr. Taylor	aye

Motion carried: 5 ayes 0 nays

**APPLICATION OF ERIC NAHACZEWSKI.** Applicant seeks a variance to maintain a 6 ft vinyl fence in the side yard with access gates pursuant to Section 183-139 C (3) of the Village Code. Premises located on the West side of Central Avenue Approximately 216 feet South of Morris Street in a “Residential B” District known as 19 Central Ave. a/k/a SCTM# 101-10-2-42.

Findings:

- Mr. Nahaczewski replaced a 6’ fence in 2007; the existing fence was there since the mid 1980’s. The material is white vinyl.
- The fence is on the front and east side of the property.
- There is other 6’ fences on the neighborhood.
- No one spoke for or against this application.

Stipulations:

1. The fence must be properly anchored with the finished side facing towards the neighbors.
2. Applicant must obtain a Fence Permit from the Building Department.
3. Applicant must comply with all plans submitted to the Building Department.
4. Applicant must abide by all applicable State, Village and Local Codes.

A motion to approve this application was made by Mr. Taylor and was seconded by Mr. Ordon.

Vote on the Motion: Chairperson Smith	aye
Vice Chairperson Cullen	aye
Mr. Ordon	aye
Mr. Russo	aye
Mr. Taylor	aye

Motion carried: 5 ayes 0 nays

**APPLICATION OF PATRICIA ARIAS.** Applicant seeks a variance to maintain a 6 ft vinyl fence in rear and side yards with access gates pursuant to Section 183-139 C (3) of the Village Code. Premises located on the west side of Ketcham Avenue approximately 267 feet North of Cedar Street in a “Residential B” District known as 100 Ketcham Ave., a/k/a SCTM# 101-5-5-26

Findings:

- Applicant’s daughter Kimberly Arciero spoke on behalf of the application
- Applicant replaced an older metal fence with a khaki-colored vinyl fence
- The fence is 6’ tall, (5’ with 1’ lattice at top)
- The fence is runs down the left and right sides of the property
- There is a rear fence that it is the neighbors behind them fence.
- The Board is aware of other six-foot fences in the area.
- No one spoke for or against this application

Stipulations:

1. The fence must be properly anchored with the finished side facing toward the neighbors.
2. Applicant must obtain a Fence Permit from the Building Department.
3. Applicant must comply with all plans submitted to the Building Department.
4. Applicant must abide by all applicable State, Village and Local Codes.

A motion to approve this application was made by Mr. Taylor and was seconded by Ms. Cullen.

Vote on the Motion: Chairperson Smith	aye
Vice Chairperson Cullen	aye
Mr. Ordon	aye
Mr. Russo	aye
Mr. Taylor	aye

Motion carried:      5 ayes              0 nays

**APPLICATION OF ANTHONY DEPAOLA.** Applicant seeks renewal of a previously approved special exception of an owner-occupied two-family dwelling, pursuant to Section 183-43 C (6) of the Village Code. Premises located on the North side of Sterling Pl, approximately 1237 feet West of Broadway in a “Residential B” District known as 101 Sterling Place, a/k/a SCTM# 101-3-1-33.

Findings:

- Mr. DePaola purchased the property in February of 2022.
- The upstairs of the residence has 2 bedrooms, a kitchen, a bathroom and living room. The family that lives upstairs has been a tenant for two years (inherited from the prior homeowner).
- The downstairs of the residence has a kitchen, bathroom, 2 bedrooms and a living room. The applicant lives there with his brother.
- There is adequate off-street parking.
- No one spoke for or against this application

Stipulations:

1. Approved for three years with the stipulation that the Building Inspector inspects the property within the next two weeks
2. Applicant must timely address any deficiencies.

A motion to approve this application was made by Vice Chairperson Cullen as long as the property is inspected, and any deficiencies found are taken care of in a timely manner.

Vote on the Motion: Chairperson Smith	aye
Vice Chairperson Cullen	aye
Mr. Ordon	aye
Mr. Russo	aye
Mr. Taylor	aye

**APPLICATION OF MAURICO E. RIVAS.** Applicant seeks renewal of a previously approved special exception for an owner-occupied two-family dwelling, pursuant to Section 183-43 C (6) of the Village Code. Premises located on the East side of County Line Rd., approximately 865 feet north of Cedar St., in a "Residential B" District known as 171 County Line Rd., a/k/a SCTM# 101-5-4-37.

Findings:

- This is a two-family home that Mr. Rivas has owned for 21 years.
- This is owner and family occupied two-family home.
- Mr. Rivas is applying to keep the kitchen on the second floor legal.

Stipulations:

1. Approved for one year with the stipulation that the Building Inspector inspects the property within the next two weeks.

A motion to approve this application was made by Mr. Ordon and was seconded by Mr. Taylor.

Vote on the Motion:	Chairperson Smith	aye
	Vice Chairperson Cullen	aye
	Mr. Ordon	aye
	Mr. Russo	aye
	Mr. Taylor	aye

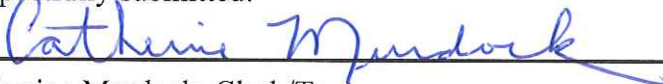
Motion to adjourn the meeting was made by Vice Chairperson Cullen and was seconded by Mr. Taylor.

Vote on the Motion:	Chairperson Smith	aye
	Vice Chairperson Cullen	aye
	Mr. Ordon	aye
	Mr. Russo	aye
	Mr. Taylor	aye

Motion carried:        5 ayes        0 nays

Chairperson Smith adjourned the meeting at 7:20 P.M.

Respectfully submitted:

  
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Catherine Murdock, Clerk/Treasurer