

**VILLAGE OF CHATHAM  
ZONING BOARD OF APPEALS MEETING  
and PUBLIC HEARING  
Tracy Memorial Hall  
77 Main Street, Chatham, NY 12037  
October 21, 2021  
7:00pm**

**MINUTES**

**Call To Order:** 7:00pm by *Chairman S. Piazza.*

**Present:** Chairman S. Piazza; Members E. Wagner, M. Washburn; Village Attorney K. Dow; ZBA Secretary A. Formel; Village Clerk D. Kelleher; Applicants A. Gaylord, M. McGuire.  
**Not present:** Building and Codes E. Reis; Member R. O'Mara-Garcia.

**Public Hearing opened for** Application # 2021-047: Tax Map#66.10-1-35; **35 Main Street**, Chatham, NY 12037, North side; Section 110-49, Area Variance to add historically significant Ad to North Façade.

Attorney K. Dow read aloud the 5 factors to be used in determining the approval or denial of an area variance. No comments from the public regarding this application.

*Motion to close the Public hearing by M. Washburn, seconded by E. Wagner.*

1. Application # 2021-047: Tax Map#66.10-1-35; **35 Main Street**, Chatham, NY 12037, North side; Section 110-49, Area Variance to add historically significant Ad to North Façade. ***Motion to approve the sign dimensions and application by S. Piazza, seconded by E. Wagner. Approved by all. Motion passes.***

2. Application #2021-122; Tax Map #66.9-2-33/34; **16 Maiden Lane**, Chatham, NY 12037; Section 110-26B, Variance for 8' fence, and more than 35% open surface in the front yard. (See "110 Attachment 3" attached with application).

*Applicant looking for privacy for himself and privacy and respect for the people visiting the cemetery. Applicant notes that he experiences disturbances from kids with flashlights shining into his yard, which is located down a slope from the cemetery.*

*S. Piazza questions the property line location and requests a survey from the applicant. Piazza would like the property line location, as well as the fence location with respect to the property line, established. Piazza suggests that the applicant might check with the County to see if a survey is on file.*

*Applicant M. McGuire asks hypothetically, if the 8ft height (2ft variance) be approved if he is within his property. Attorney K. Dow states that approval from the Board is granting permission for the Building Inspector to go outside the 6ft limit, it is not giving permission to*

*the applicant to move forward with the project. It would then be up to Building inspector to grant the permit.*

*Member M. Washburn asks about the definition of “front” yard vs “side” yard and states that depending on which of those this parcel actually is, it may affect the requirements for the fence.*

*S. Piazza notes that permits have certain criteria and if you build it to something else then it’s in violation. Attorney K. Dow: Applications generally detail materials and all of the information on totality of impact of what’s being proposed, and the 5 factors from McKinney’s. K. Dow asks the Board, if the fence is in fact on the applicant’s property then what other information would the Board need? Also suggests to the applicant that the materials and details be submitted in writing. K. Dow again reminds the Board that they need to let the applicant know what he needs to provide.*

**1. sample of fabric.**

**2. visual drawing or picture of fence construction.**

**3. photo from cemetery Road facing down toward applicant’s house.**

*Motion to table until 12/16/21 by S. Piazza. Seconded by E. Wagner. All approved.*

*Village Clerk D. Kelleher requests all information be submitted by 11/29/21 so that Notice of Public Hearing can be published in papers.*

**Other Public Comments:** *none.*

**Approve Minutes:** *September 16, 2021 so moved by S. Piazza, seconded by M. Washburn. All approved.*

**Adjournment:** *Motion to adjourn by E. Wagner, seconded by M. Washburn. All approved at 9:48pm.*

**Next ZBA meeting:** *December 16, 2021, 7:00pm. (No applications for November). (12/13/21)*

Respectfully submitted,

Desiree Kelleher

Village Clerk

12/13/21