

ZONING BOARD OF APPEALS
MEETING MINUTES
Wednesday, June 15, 2016
Approved July 20, 2016

Call to Order: Chairman Stare called the meeting to order in the Roselle Village Hall Council Chamber at 7:00 p.m.

Roll Call:

Present: Members Eichholz, Pileski, Wurtz, Walloch & Chairman Bob Stare

Absent: Members Rhode and Lombardi

Staff: Matthew Fitzgibbon, Planner

Approval of the Agenda: Chairman Stare asked for a motion to approve the agenda with the change of moving petition ZBA 16-435 ahead of petition ZBA 16-434. Mr. Pileski moved to approve the agenda for the meeting as presented. Mr. Wurtz seconded the motion and the motion carried (5-0).

Approval of Minutes: Mr. Walloch moved to approve the draft minutes of May 18, 2016. Mr. Pileski seconded the motion and the motion carried (5-0).

Consideration of Petitions:

A. ZBA 16-435, Hetrick, 664 Springfield – fence height

Chairman Stare entertained a motion to open the public hearing for ZBA 15-435. A motion was made by Mr. Walloch and seconded by Mr. Pileski. The motion carried (5-0).

Mr. Fitzgibbon started that the sign was not erected, as required for public hearings. Mr. Fitzgibbon asked that the Board continue the hearing to a date specific, so the sign may be erected; the date was set for July 20, 2016; Mr. Stare noted no one except the petitioner was present to provide testimony; Mr. Walloch made a motion to continue the public hearing to a date specific – July 20, 2016 at 7:00 pm. The motion was seconded by Mr. Pileski. The motion carried (5 – 0).

B. ZBA 16-434, Bauer, 10 Picton – fence height

Chairman Stare re-introduced the continued hearing for ZBA 15-434.

Mr. Fitzgibbon provided an overview of the staff report.

Mr. Bauer explained the project, described landscape plantings he already installed, and distributed artistic renderings of his proposed fence.

Chairman Stare asked about the proposed height; Mr. Bauer stated eight feet (8').

Mr. Bauer stated he could build a berm with plantings as an alternative plan.

Mr. Wurtz asked if the top of the fence would be level, a "clean line"; Mr. Bauer stated yes.

Mr. Walloch asked about the trees that were recently planted. Mr. Bauer stated that those are the trees depicted on the site plan. Mr. Fitzgibbon stated that Mr. Bauer's new plantings appear to be on county ROW; Mr. Bauer stated that the new plantings are on his property, not in the county ROW, and that he received verbal permission from the highway department to install the berms and trees.

Mr. Stare asked if the fence was continuous or staggered; Mr. Bauer stated that the fence is staggered, with breaks in between. Mr. Bauer stated the fence is more for screening and sound abatement, than for securing the rear yard.

Mr. Stare asked about the low area; the low area was shown to be the northeast corner of Mr. Bauer property. Mr. Bauer said he was discussing the types and locations of plantings for that area with the county highway department.

Mr. Pileski asked to clarify the setback from the ROW; he stated that he was in favor of an increased setback from the property line to plan for future improvements to Roselle Road including a bike path.

Chairman Stare invited audience members to speak.

Dick Day, 20 Picton, provided history of the wall and embankment built on Roselle Road to the south, in the unincorporated or Bloomingdale side; he stated that the county built the wall right up to the sidewalk. He also described clogged sewers in the vicinity. Mr. Day added that children riding bikes could fall off the sidewalk, in to Mr. Bauer's ditch and fence.

Stanley Pierz, 25 Picton, stated that he thought the fence would be a nice improvement to Mr. Bauer's property, as long as an even, straight-line is achieved.

There were no more comments from the audience.

Todd Eichholz stated that he thought the proposal was a nice improvement to the property.

Mr. Wurtz asked if the plantings are in the vision triangle.

Chairman Stare said that the corner was historically difficult.

Mr. Fitzgibbon stated that the new plantings do not appear to be on Mr. Bauer's property as depicted on Mr. Bauer's site plan. The plantings on Mr. Bauer's site plan appear to not violate the vision triangle, whereas, the plantings actually installed recently, appear to be in the vision triangle.

There was general discussion about the line of site and the location of the existing and proposed plantings.

Chairman Stare directed the meeting discussion to the proposed plan and asked Mr Fitzgibbon and the Board to review the discussion, to develop a motion that reflected the Board's potential, conditional approval.

There was general discussion about staff's need for scaled plans; Chairman Stare reiterated that the goal is to correctly cite the approval, since the Board is the final decision. Mr. Pileski stated that scaled plans are a good idea. Mr. Bauer stated that he does not want to pay for professionally drawn plans; Mr. Fitzgibbon stated that Mr. Bauer could produce the plans himself, provided they are accurate and to scale. Mr Eichholz believed that requiring scaled plans are too burdensome; Mr. Fitzgibbon reminded the Board that scaled plans are a standard requirement for all building departments in the area, and that scaled plans are required for the permit, regardless.

Mr Fitzgibbon cited the four condition in the memorandum, and edited the conditions to reflect the Board's direction; the setback was reduced from 10' to 4' in condition 1 and 3, and the term "to scale " is removed from condition 4 (3). The fence height is approved at 6', but allowing up to 8' in areas where the elevation warrants; in no event shall the fence be higher than 6' above the sidewalk grade.

Chairman Stare entertained a motion to close the public hearing; the motion was made by Mr. Pileski, seconded by Mr. Eichholz. The public hearing was closed.

Mr. Walloch made a motion to approve the findings of fact, subject to the cited conditions, with the noted changes [insert]. The motion was seconded by Mr. Pileski. The motion passed 5-0.

Mr. Pilecki made a motion to approve the variation subject to the modified conditions; the motion was seconded by Mr. Eichholz. The motion passed 5-0.

Old Business: None.

New Business: None.

Adjournment: Chairman Stare then called for a motion to adjourn. Such a motion was made and seconded. The motion carried (5-0) by a voice vote, and the meeting concluded at 8:30 pm.