

Minutes  
For the  
Village of Cayuga Heights  
Zoning Board of Appeals Public Hearing and Meeting  
Held on July 7, 2008

Meeting was called to order at 7:05 PM

Present: Chairman John Young; Members Fred Cowett, Peter McClelland, Bob Powers, Sarah How

Absent: Alternate Members: Sally Grubb and Alison Smith

Others: Brent Cross, Code Enforcement Officer, and Mary Jane Neff, Secretary

Guest: Mark Mecenas

The new chairman introduced himself and all present gave an explanation of their backgrounds.

The meeting date and time was discussed. It was the consensus of the Board that they will continue to meet on the first Monday of each month on an as need basis. Since most meetings will require a public notice, the meeting will be announced in the legal advertising section of "The Ithaca Journal".

It was the consensus of the Board that Bob Powers be designated as acting Chairman in Chairman Young's absence.

The Board reviewed the differences and requirements for area variances and use variances. The secretary was asked to make up a check sheet with the criteria for both kinds of variance that the Board can use at future meetings and that can become part of the minutes.

Chairman Young stated that the previous Zoning Board been requested to review the fence ordinance and that the previous Board did not have time to complete the review before all of the changes in members. The continuing board members updated the new members with the discussions that had taken place before tonight. Code Enforcement Officer Cross provided the Board with copies of a drawing that he prepared which shows how he measures fences. He stated that nothing was in place before he came 13 years ago and this was what he had devised as a way to measure fences. The previous board and the Board of Trustees have also received copies of his drawing. A discussion followed on the number of fence variances over the last few years and the some of the issues that the previous board encountered when reviewing variance requests. Cross explained his interpretation of the difficulty he has encountered with the wording of the current local law regulating fences.

The consensus of the Board regarding the wording of the fence local law was as follows:

1. Remove the reference to “natural grade” because over the years the natural grade cannot reasonable be determined.
2. To require all fence construction to obtain a permit. This should stop the construction of illegal fences. A decision to require the removal of a fence that has already been constructed is difficult.
3. Require a variance for all fences over 4 feet in height.
4. Clarify that the measurement of a fence will be from the adjacent property side.

The Board discussed that there was not a definition of a fence and the chairman asked Mr. Cowett and Ms. How, who have access to Cornell Library, to find a definition that could be used by the Village.

The Board discussed the requirement of training for the ZBA. Chairman Young stated that he would check with someone that he knows at Cornell and if they have something useful for this Board he will try to schedule a time for at least an hour of training. Chairman Young asked Mr. Cross if he could possibly supply some training. Mr. Cross confirmed that he could because he is required to obtain 24 hours of training each year. He will need to know what the Board is interested in first. Board Secretary Neff commented that the New York Conference of Mayor also does training sessions and she will check with them to see what they offer or recommend.

There being no other business to come before the Board, this meeting was closed at 8:40 PM.

Respectfully submitted,

Mary Jane Neff