

APPROVED

11-6-10

Public Hearing  
October 30, 2010  
Susan Bassett  
Sally Webster

The meeting was called to order at 10:00 AM by Chairman Barto. All members were present. Mike Cleere motioned to open the public hearing, with a second by Julie Thompson. Sally Webster proceeded by mentioning the new zoning regulations in 2008 where fences cannot exceed 4 feet and must be 2 feet off the property line. She said they had a fire where their hedges and trees were damaged. They took all of them down. She said they are a year-round home and would like a 6 foot fence, 28 feet total, for privacy in back.

Neighbor, Mr. Jenkins, said the fence won't interfere with his view. "It does not affect us at all." He did note that there already is a fence there.

Another neighbor, Mr. Acquilano said his garage burned and he doesn't want another fence against his. He said it will block his view to the north. He said the bushes were growing up against his fence and hung 3 feet over the side – on the lake side of the house. He said there was a single row of evergreens-did not have privacy. He was reminded that he can cut anything hanging on his side of the fence. He again mentioned the bushes planted right on the line. Chairman Barto interrupted to focus on the fence. Mr. Acquilano said he doesn't want his view to the north cut off, and wants the bushes removed that are against the fence.

Sally Webster told the board that they wrote a letter to Mr. Acquilano. This letter is included with her application. She also mentioned that the bushes were planted before the new zoning.

Mike Cleere motioned, with a second from Pete Keefer to close the public hearing at 10:15 AM. Ford Knight motioned, with a second from Julie Thompson to discuss the application and consider the application.

Pictures of the property were reviewed. A sheriff's report of the fire was passed around. Ford Knight pulled up a satellite photo of the shed and garage on his laptop for those present to view. Set-backs of the shed and neighbor's garage were mentioned. Chairman Barto moved on. He mentioned again that the public hearing was closed.

Chairman Barto stated that the law says fences are to be 2 feet from the line and no higher than 4 feet tall. "To start allowing something on the line, how does one repair the fence if you don't have a set-back?" Sally Webster replied that "with careful placement of the posts, they could probably move it in 2 feet from the line", noting a nearby waterline. Mr. Acquilano again mentioned his view would be interrupted. Chairman Barto said a fence too high would be tunnel vision. Julie Thompson added that it would just be 24 feet. Pete Keefer added that it won't look right. Ford Knight mentioned a hedge used to provide some privacy. Now they don't have it. The whole problem

happened before the new regulations. They want to gain some privacy in the back yard. The fence won't impact the view at all. At some point in the future, there could be a house there (next door) and the fence would protect privacy. Ford Knight agreed with the 2 foot setback. He added that the current chain link fence is an eyesore. Mr. Acquilano said he doesn't plan on doing anything to improve the appearance of the chain link fence. Chairman Barto suggested that weaves could be put in the chain link fence for privacy. Chairman Barto asked if Mr. Acquilano would allow it, if they (applicants) paid for it? Or paid for a new chain link fence with a weave in it. Ms. Webster is "not sure if that accomplishes our goals." Maintenance of the 2 foot setback was brought up. Sally Webster said they would plant grass, not weeds, or maybe myrtle. In discussing the height of the fence, Pete Keefer wants it to be 4 feet. Julie Thompson reiterated that what hangs over can be cut. Chairman Barto said he found no hardship "maintaining a 4 foot level." Chairman Barto offered having a 5 foot fence, since there is a 5 foot fence there now. Sally Webster agreed that a 5 foot fence-would accomplish some privacy. It is reasonable. Mr. Acquilano was asked for his opinion and he stated his concern was keeping the 2 feet clean. Ms. Webster plans on a vinyl fence. If can't get 5 feet, will have to do "some plantings two feet in and no higher than 5 feet." Pete Keefer said companies can build fence any size you want. Chairman Barto added that the zoning officer will check the height of the fence, 5 feet or tear down.

Motion by Mike Cleere, second by Julie Thompson to approve the application with the following conditions:

Five foot fence up to 28 feet long, within provision of 2 foot setback

If determined cost of fence is prohibitive, applicant can plant a hedge along the 2 Foot set back to be maintained at 5 feet.

One year from today's date to complete the job or will need a new variance.

Roll Call Vote:

Mike Cleere yes

Julie Thompson yes

Pete Keefer yes

Ford Knight yes

Chairman Barto yes

Motion by Ford Knight, second by Mike Cleere to approve the minutes from the October 16<sup>th</sup> public hearing.

Motion by Chairman Barto, second by Julie Thompson to adjourn at 11:17AM.

Respectfully submitted,

  
Susan Hensel

Zba Clerk