

Town of Essex Zoning Board of Appeals Minutes

December 14, 2016

Town Hall
PO Box 355
Essex, NY

Meeting called to order at 7:15pm by Kevin DeLaughter in Essex Town Hall, Essex, NY

Members Present

Kevin DeLaughter
Jay White
Susan Cerny
Richard Teitelbaum

Business

Board Chair Kevin DeLaughter explains the case: Paul Bird (applicant, not present) requests a zoning law interpretation or area variance for 10 Orchard Lane. A hedge on the mentioned property was removed and replaced during the installation of the town sewer system in 2010. Applicant requests that the previous height of the hedge be grandfathered. The then zoning officer, Lauren Murphy, had determined that the hedge could be maintained at a height not exceeding 6ft. The applicant requests this decision to be overturned and failing that, an area variance to allow the hedge to be maintained at 7.5ft.

Timeline issues presented by Kevin DeLaughter

- Zoning officer decision was filed in late December 2015
- Intent to appeal from applicant was filed within the 62 day timeframe however not accompanied with an application as is generally required
- Zoning Enforcement Officer Douglas Rock issued a Compliance Order to applicant on October 13, 2016
- Completed application received by Zoning Board of Appeals

John Caffry (applicant's lawyer, present) explains that applicant did not file application sooner because applicant was hoping to come to an agreement with neighbors over the summer.

Members of the board entered brief discussion

Motion from Kevin DeLaughter to determine if application is timely
Vote: 4 in favor, 0 opposed

Motion by Kevin DeLaughter to accept application as complete
Vote: 3 in favor, 1 abstention

SEQRA Classification of case

Type II Action-no further environmental assessment required

Motion from Kevin DeLaughter for a public hearing to be scheduled for January 18th, 2017 at 7pm in the Essex Town Hall, Essex, NY.

Vote: 4 in favor, 0 opposed

Meeting adjourned at by Kevin DeLaughter at 7:31pm