

MINUTES OF VILLAGE OF MANCHESTER ZONING BOARD OF APPEALS
PUBLIC HEARING AND MEETING ON DECEMBER 01, 2010 AT 7:00 PM

Present: Donald Mordue, Chairman
Anthony Muscolino
Bernard Commisso
Michael Haley

Absent: John Yacuzzo

Others: Jim Moses, Scott Coyne, Anthony Cirulli, Isaac Moses, Michael Buttaccio, Joe Frasca, Richard Cirulli, Sharry Cirulli, Chuck Howell, and Jamie Kincaid, Deputy Code Enforcement Officer.

Recording: Debra A. Chase, Deputy Clerk

Chairman Mordue called the Public Hearing to order at 7:00 pm. He stated that this hearing was scheduled because an application was submitted to the Zoning Board of Appeals to consider a request from Isaac Moses of 4 Pratt Road for an area variance to erect a fence. The fence does not meet Village Code Section 100-29(6), *No fence shall be erected to encroach on any property line or upon a public right-of-way*. Chairman Mordue also stated that a situation has occurred due to the fact that the fence is already in place prior to requesting the variance.

Chairman Mordue then turned the meeting over to ZBA member Anthony Muscolino who consulted with the Ontario County Planning Department for these circumstances.

Mr. Muscolino stated that according to the documentation and evidence presented to the Zoning Board of Appeals, this public hearing and meeting to discuss the application does not meet the requirements needed for the code appeal process. The Zoning Board of Appeals cannot legally act upon this issue as it is outside of ZBA actions.

The Board then took comments from those present. A robust discussion followed.

No action was taken by the Board. Mr. Moses was advised to contact Code Enforcement Officer, Steve DeHond.

Respectfully submitted,

Debra A. Chase
Deputy Clerk/Treasurer