

## ZONING BOARD OF APPEALS

A hearing before the Hudson Falls Zoning Board of Appeals was held on May 20, 2024, at 6:00 p.m. in the Village Hall Board Room.

Present: Louis Cantiello, Board Member  
Edward Mahan, Board Member  
Mary Alice Murphy, Alt. Board Member  
Robert Durkee, Chairperson  
William Nikas, Village Attorney

Absent: Michael Willig, Board Member  
Tammy Mullen, Board Member  
Chris Connelly, Alt. Board Member

Public Present: Applicant and 1 Member of Public

Chairman Durkee called the meeting to order at 6:01pm and introduced the board.

Upon motion by Board Member Murphy, seconded by Board Member Mahan and carried the minutes of the February 20, 2024, Zoning Board Meeting were approved as submitted.

The next item on the agenda was an area variance application submitted by Brittany McGaughnea, 37 Martindale Ave., Hudson Falls, NY 12839 seeking relief to install a six-foot stockade fence in the setback zone.

Chairman Durkee asked the applicant to address the board with her request. Brittany McGaughnea introduced herself and her fiancé Matt to the board. She explained that her property is on a corner lot, she had Code Officer Will Celeste come to look at it regarding adding a fence to the property and since it is a corner lot they needed to come before the board for the area variance. They have three dogs and children and are looking to make their property safer and more private for them. They would like to do a six-foot fence along their driveway. Chairman Durkee explained as it is on a corner, although it is a side yard, it is considered an architectural front yard and that is why you are not supposed to have a six foot fence there. A discussion ensued using the computer showing the property as to where the fence would be and how it would look. Chairman Durkee asked if the fence would still be approximately ten feet off the road, the applicant answered yes it would be.

Chairperson Durkee opened the meeting to Public Comment.

The only member of the public present was the applicant's mother-in-law, Cynthia Ploof, who is the actual owner of the home located at 37 Martindale Ave. Board member Mahan asked if she was okay with this project as it is a permanent structure and she stated she is fine with them installing a fence.

There being no further comments, the public hearing was closed.

Chairperson Durkee asked the board if they had any further questions. Board Member Murphy verified it is a six-foot fence to be installed. Attorney Nikas asked what type of fence they were installing? They will be installing a stockade fence.

There being no further questions from the board, Village Attorney Nikas reviewed the area variance findings as well as questions from the Short Environmental Assessment form. The Board was satisfied that the application met the variance requirements.

Upon motion made by Board Member Cantiello, seconded by Board Member Mahan and carried unanimously it was,

**RESOLVED**, after reviewing the short form EAF, the board has determined that the action does not present any adverse environmental impacts. The Board further determined that, based upon the foregoing, a negative declaration be issued.

Upon motion made by Board Member Murphy, seconded by Board Member Mahan and carried unanimously it was,

**RESOLVED**, that the Area Variance application for 37 Martindale Avenue is approved as submitted.

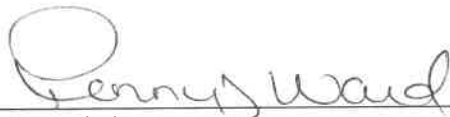
Duly adopted this 20<sup>th</sup> day of May 2024, by the following vote:

AYES : Chairperson Durkee, Board Members, Cantiello Murphy, Mahan

NOES : N/A

ABSENT: Board members Mullen and Willig, Alt. Member Connelly

There being no further business to come before the Board the meeting was adjourned at 6:13 pm.

  
Deputy Clerk

JOHN E. BARTON  
MAYOR

CASSANDRA ALLEN  
CLERK TREASURER

## *VILLAGE OF HUDSON FALLS*

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WILLIAM L. NIKAS  
VILLAGE ATTORNEY

### **NOTICE OF FINAL DECISION**


The Village of Hudson Falls Zoning Board met on May 20, 2024, and approved the Area Variance application submitted by Brittany McGaughnea for the property located at 37 Martindale Ave., Hudson Falls, NY 12839

Upon motion made by Board Member Murphy, seconded by Board Member Mahan and carried unanimously it was,

**RESOLVED**, that the Area Variance application for 37 Martindale Avenue is approved as submitted.

Duly adopted this 20<sup>th</sup> day of May 2024, by the following vote:

AYES : Chairperson Durkee, Board Members, Cantiello Murphy, Mahan  
NOES : N/A  
ABSENT: Board members Mullen and Willig, Alt. Member Connelly

  
\_\_\_\_\_  
Signature of Local Official

5/20/24  
Meeting Date

5/23/24  
Date Signed