



TOWN OF BEAUX ARTS VILLAGE

PLANNING COMMISSION

MINUTES

March 15, 2005

Donoghue

Present: Acting Chairman Jake Donoghue, Commissioners Sylvia Hobbs, Karen Scott, and Dennis Casey

Absent: Carol Clemett

Guests: Town Planner Mona Green, Eric Christoffersen

Deputy Town Clerk: Betsy Donworth

Acting Chairman Donoghue called the meeting to order. He welcomed newly appointed Commissioner Karen Scott to the Board and thanked former Commissioner Stefan for his service on the Commission.

MINUTES: Commissioner Casey moved to approve the corrected minutes of the February 17, 2005 meeting. Commissioner Hobbs seconded. Motion carried unanimously.

Building Height:

In Commissioner Clemett's absence, her letter addressing discussion at the March Town Council meeting was entered into the minutes. She wrote that the Council supports the proposal to limit the maximum building height to 30' and they would like the Commission to move forward with a public hearing as soon as possible. After continued discussion regarding maximum building height, the Commissioners agreed to schedule a public hearing for the April 21, 2005 Planning Commission meeting to discuss proposed modifications to zoning code 289 dealing with building height, as follows: "*8D. The maximum height of any building or structure shall not exceed thirty (30) feet above existing grade and finished grade.*"

Continued discussion focused on the Hunts Point concept of the sloped roof. Commissioner Clemett's letter explained that she reported to the Town Council that this concept had the full support of the Commission, although she thought personally that the concept needed further investigation. She wrote that she explained to the Council that the Beaux Arts lots are odd shaped and of varied sizes. Requiring a sloped roof from the side setback might not make sense for each lot. In some cases a sloped roof from the front and back setback would result in minimizing the appearance of the structure's bulk and could have less impact on neighbors. The Council agreed. The Council liked the idea of a sloped roof and asked the Commissioners to continue their discussions of the concept. The Council suggested getting input from some architects in the community such as Jan Johnston. Commissioner Clemett

also asked the Council if they wanted to ‘legislate’ architecture through zoning pointing out that these concepts might eliminate a modern house from being built. Commissioner Scott stated that she felt that roof overhangs and/or minor intrusions into the set-back are OK, adding that better architecture is achieved by such allowances while not necessarily taking away from the goal of a setback. Commissioner Hobbs and Casey did not feel that setback requirements should be changed. It was agreed that discussion on this issue will continue at future meetings.

Fence Height:

The Commissioners continued discussion of the current fence height provisions and whether or not they should be modified. Currently, fences up to 6 feet are allowed without a building permit, and 6 – 8 foot fences are allowed if the homeowner gets a building permit (fences over 6 feet need to be engineered and therefore plans need to be reviewed by a building inspector). Planner Green suggested language that more clearly defines the desire to limit fences to 6 feet, as follows: *Fences shall not exceed 6 feet in height, measured to the highest point above existing and finished grade.* There was some discussion about limiting the front yard fence height to 4 ½ feet. The Commissioners agreed that the issue needs to be reviewed more thoroughly and agreed to continue discussions at future meetings.

Topographic Survey:

Planner Green suggested that instead of creating a new permit for grading work that the requirement for a topographic survey could be handled administratively by modifying the Town’s building permit application. If construction were to include altering the existing grade of the property, this would be noted on the permit application and possibly trigger the need for a topographic survey. The Commissioners agreed with this idea and suggested that the building permit application be modified accordingly.

Landscape features in the setback:

Carol Clemett’s letter also stated that the Council supports the proposed changes allowing for landscape features in the setback. They would like the Commission to move forward with a public hearing to be scheduled as soon as possible. The Commissioners moved to schedule a public hearing to discuss the following language regarding landscape features in setbacks: *“the following structures may be allowed within setback areas: fences; retaining walls; rockeries up to 30” tall; ornamental landscape structures up to 30” tall, including ornamental pools of any depth provided they comply with safety regulations stipulated in Ordinance 289; garden trellis gates up to 8’ tall.*

ADJOURN: Acting Chairman Donoghue moved to adjourn. Commissioner Hobbs seconded. Motion carried unanimously.

Respectfully submitted,

Betsy Donworth
Deputy Town Clerk