

**AGENDA  
PUBLIC HEARINGS**

**PLEASE TAKE NOTICE** that the Zoning Board of Appeals of the Town of New Hartford, Oneida County, New York, will hold a Public Hearing at the Town of New Hartford Municipal Offices, 8635 Clinton Street (at The Orchards), New Hartford, New York, on Monday, March 6, 2023 to commence at 6:00 P.M., or as soon thereafter as reached in the regular course of business, to address the following:

The application of Ms. Joan Nellenbach, 3697 Cosmo Lane, Sauquoit, New York. Ms. Nellenbach is requesting an addition to the rear of her home. The existing garage is 7'± off the property line of the required 15' setback. The proposed addition is 20' x 33' (660 ± square feet) that will extend into the rear yard setback 18'±. Therefore, the applicant is seeking an Area Variance for the rear yard setback of 18'± for this addition. Tax Map #349.008-1-8; Zoning: Residential/Agricultural.

The reapplication of Ms. Judy DeFina, 201 Gilbert Road, New Hartford, New York. Ms. DeFina is seeking Area Variances for an inground pool and fence on her property on the corner of Gilbert Road and Woodstream Court. Corner lots have two front yards and, thus, she will need the following Area Variances. Tax Map #339.001-1-6; Zoning: Low Density Residential. Ms. DeFina, Mr. Phil Cittadino and Michael Arcuri, Esq. appeared before the Board. (THIS APPLICATION IS A CONTINUATION OF THEIR LAST APPEARANCE AT THE JANUARY 23, 2023 ZONING BOARD MEETING).

- 1) Pursuant to Section 118-23C (1) No accessory structures shall be located in the front yard. The applicant is seeking Area Variances to construct a swimming pool and fence in the front yard on Woodstream Court. The pool will extend approximately 50' to 60'± in front of the residence, thus, requiring a 50'- 60'± front yard variance.
- 2) Pursuant to Section 118-80D Residential fences shall not extend forward beyond the frontmost point of a residential building. Pursuant to Section 118-23(C)(2), a swimming pool shall be set back a minimum of 10' from all side and rear lot lines. The applicant is seeking Area Variances to construct the fence around her pool extending approximately 65' to 75'± into her front yard and extending to and connecting with a neighbor's fence located on the property line. Applicant will need a front yard variance of 65' to 75'± to place the fence in her front yard and a 10' side yard variance to allow the fence to connect to the neighbor's fence.

**Randy Bogar, Chairman  
Zoning Board of Appeals  
February 4, 2023**