

**MINUTES OF THE REGULAR MEETING
ZONING BOARD OF APPEALS
TOWN OF NEW HARTFORD MUNICIPAL BUILDING
JUNE 22, 2026**

The regular meeting was called to order by Chairman Randy Bogar at 6:00 P.M. Board Members present are Byron Elias, Maria McNeil, Michele Mandia, John D'Amore, and Dominick Timpano. Absent: Board Members Michele DeTraglia, Lenora Murad and Dan McNamara. Also in attendance were Town Attorney Herbert Cully, Codes Officer George Farley and Dory Shaw, Secretary. Chairman Bogar introduced the Board Members and explained the procedures for tonight's meeting. Also, there are six Board Members in attendance with one Board Member absent. It is up to the applicant if they want to proceed as a full Board is not present.

The application of **Ms. Christina Sowich, 19 Slusser Avenue, New Hartford, New York**. Ms. Sowich is requesting to install a 6'± fence in the front yard, which requires an Area Variance. Therefore, the applicant is seeking a front yard Area Variance for a 6'± fence on Orange Avenue side of her property. Tax Map #329.013-2-69; Zoning: Medium Density Residential. Ms. Sowich appeared before the Board.

Ms. Sowich explained the need for this fence. The proposed fence will be approximately 20' from the center of the road. She would like to extend it as far as possible but not obstructing any view. A corner lot requirements were explained. Ms. Sowich explained another fence that was approved previously in her area with basically the same concept. The pressure treated wooden fence will be a light color. The fence will be far enough away where it doesn't obstruct any view. Board Member Elias was at the site and as long as they put it behind the big tree he is good with this application.

Discussion ensued regarding the location of the fence, snow removal, etc. Chairman Bogar stated that if this Board approves this application, the stakes should line up with the other stakes – Ms. Sowich agreed. They spoke with their neighbors and there were no concerns.

Chairman Bogar opened the Public Hearing and asked if there was anyone in attendance to address this application. No one in attendance. The Public Hearing ended at approximately 6:20 P.M. There were no calls or letters received on this application.

The Board Members reviewed the file and proposed location of this fence.

At this time, the Board Members reviewed the criteria for an Area Variance:

- An undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting the variance – response: no - all in agreement;
- The benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a variance – response: no, all in agreement;
- The requested variance is substantial – response: no, all in agreement;

- The proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district – response: no, all in agreement;
- The alleged difficulty was self-created, which consideration shall be relevant to the decision, but shall not necessarily preclude granting the variance – response: yes, all in agreement.

Motion was made by Board Member Byron Elias to **approve** the application of Ms. Sowich: that the fence stays parallel not to exceed 12' from the house and all the way back to their property line, parallel to the house on the Orange Avenue side and no closer to Slusser Avenue; and that it will remain inside of the first tree; and that a Building Permit be obtained within one year of approval date; seconded by Board Member Michele Mandia. Vote taken:

Chairman Randy Bogar – yes

Board Member Byron Elias – yes

Alternate Board Member Maria McNeil - yes

Board Member Dominick Timpano- yes

Alternate Board Member John D'Amore- yes

Board Member Michele Mandia – yes

Motion **approved** by a vote of 6 – 0.

The application of **Mr. Matthew Sanchez, 198 ½ Valley View Road, New Hartford, New York.** Mr. Sanchez is requesting to install a 6'± fence at his property at 198 ½ Valley View Road, New Hartford, New York. Fences are not permitted in a front yard. Therefore, Mr. Sanchez is requesting the 6'± Area Variance and the request for a fence to be located at this property. Tax Map #340.007-1-45; Zoning: Low Density Residential. Donald D. Ehre, PE appeared before the Board for Mr. Sanchez.

Mr. Ehre presented a view of where the proposed fence would be located. The fence is about 110' off of the right of way of Valley View Road. This fence is proposed for the safety of his 8 year old child who has severe autism/special needs. The concept is a metal fence that is essentially not climbable. The proposed fence is about 80' back from the front of his property. He explained the nature of this lot and the proposed fence how it relates to this property.

Alternate Board Member McNeil asked about mowing. There is enough room to mow around the fence – the fence will be 2' off the property line and there will be a gate across Mr. Sanchez's property. The whole point of a fence in the front yard is for the safety of his son. Mr. Ehre presented some pictures of the proposed project. It will be along the tree line.

Chairman Bogar opened the Public Hearing and asked if there was anyone in attendance to address this application.

Mr. Tom Arcuri, 204 Valley View Road appeared and wanted to know the exact location of the proposed fence (he also submitted a letter regarding this application). He had no further comments.

The Public Hearing ended at approximately 6:40 P.M. Oneida County 239 was received with no adverse comments.

At this time, the Board Members reviewed the criteria for an Area Variance:

Town of New Hartford
Zoning Board of Appeals Minutes
June 22, 2026
Page 3

- An undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by granting the variance – response: no - all in agreement;
- The benefit sought by the applicant can be achieved by some method, feasible for the applicant to pursue, other than a variance – response: no, all in agreement;
- The requested variance is substantial – response: no, all in agreement;
- The proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district – response: no, all in agreement;
- The alleged difficulty was self-created, which consideration shall be relevant to the decision, but shall not necessarily preclude granting the variance – response: yes, all in agreement.

Motion was made by Board Member Michele Mandia to **approve** the application of Mr. Sanchez as requested and a Building Permit obtained with one year of approval date; seconded by Board Member Maria McNeil. Vote taken:

Chairman Randy Bogar – yes
 Board Member Byron Elias – yes
 Alternate Board Member Maria McNeil - yes

Board Member Dominick Timpano- yes
 Alternate Board Member John D’Amore - yes
 Board Member Michele Mandia – yes

Motion **approved** by a vote of 6 – 0.

Draft minutes of the May 18, 2026 were approved by Chairman Randy Bogar; seconded by Board Member Dominick Timpano. All in favor.

Codes Officer George Farley was asked to review a couple of properties for compliance – he will do so.

There being no further business, the meeting adjourned at approximately 6:56 P.M. by motion of Chairman Randy Bogar; seconded by Board Member Byron Elias. All in favor.

Respectfully submitted,

Dolores Shaw, Secretary
 Zoning Board of Appeals

dbb