

ZONING BOARD OF APPEALS

The hearing on Tuesday, January 12, 2021 is called to order by Chairman Kwiek at 7:00pm.

Members present: Ron Carey
John Johnston
Greg Kalinowski
Harry Kwiek
Robert Schafer

Also: Ray Balcerzak, Bldg. Inspector
Phyllis Todoro, Town Atty.

Appeals case #1388 for St. Gabriel's Church of 5271 Clinton Street, Elma, NY who were given a continuance and are requesting a variance to recondition the existing illuminated sign with a new face and partial LED display §144-102.1 I (2) (8), Residential C-2.

The Pastor and Tim Greenan were present to represent St. Gabriel's Church and explained how they thought the Zoning Board of Appeals was going to reach out to go over the guidelines for a new sign.

Mr. Kwiek explained that two of the Zoning Board of Appeals members were willing to assist with the guidelines and that no one from the Church contacted anyone. Mr. Greenan replied that their understanding was that some from the Zoning Board was going to contact them.

Mr. Kwiek also mentioned that the Town Board was looking at a revised sign code. Mr. Greenan asked if they could have additional time to put a guideline together. Mr. Carey stated the zoning board is not authorized to revise a code and that the board could only give a variance for as minimal as possible.

Mr. Kalinowski asked if the approval could have conditions on it and have the approval mention something about awaiting the final sign code revisions. Attorney Todoro suggested continuing to next month so that they can meet and maybe the sign code will be under way.

Mr. Carey asked if the scrolling and flashing can be taken out of the programming, so it is not available, and he was informed that it is not possible.

Ray Balcerzak the assistant building inspector asked about the colors that would be used on the sign and that white would be too bright. Again, Town Attorney Todoro said a continuance would give more time to go over details.

No one spoke for or against the variance.

Mr. Carey made the motion for Appeals case #1388 for St. Gabriel's Church of 5271 Clinton Street, Elma, NY who were given a continuance and are requesting a variance to recondition the existing illuminated sign with a new face and partial LED display §144-102.1 I (2) (8), Residential C-2 to be given a continuance in order to sit down and setup conditions in writing.

Seconded by Mr. Johnston All-Yes

Appeals Case #1390 for Linda Hessel of 51 Winona Road, Elma, NY who is requesting a variance to demo existing garage and build a garage with a small living space for a one-bedroom in-law apartment §144-99A C7, Residential C.

Linda Hessel was present and explained that the drawing is not exact due to needing a variance. The garage would either be a four car or three car garage with a utility room. The septic that is there could be used for the apartment as well.

Mr. Carey stated that the first floor must have 720 sq. ft. for the apartment in the garage. If the garage is attached, then it can be on the second floor. Ms. Hessel said the house is only a two bedroom.

Mr. Balcerzak advised everyone that each dwelling would need 800 sq. feet and if there was no kitchen it would not need a variance.

Ms. Hessel asked for the case to be withdrawn.

Motion was made to approve the minutes from December 8, 2019 by Mr. Kalinowski and seconded by Mr. Johnston

Motion was made to approve the minutes from December 21, 2019 by Mr. Kalinowski and seconded by Mr. Schafer.

Motion made to adjourn the meeting at 8:00 PM by Mr. Johnston and seconded by Mr. Schafer.

Respectfully Submitted,

Kerry Galuski
Secretary-Clerk