

07/08/08 Zoning Board Minutes

ZONING BOARD OF APPEALS

The hearing on Tuesday, July 8, 2008 was called to order by Chairman Trzepacz at 8:00 PM.

Members present: Alfred Harrington also: Joe Colern, Building Inspector
Harry Kaczmarek Phyllis Todoro, Town Attorney
Mike Komorek
Donald Trzepacz, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case #1118 for Kevin McNamara, 970 Ostrander Rd, who is requesting a variance to construct a 40'x40' pole barn for personal use only, no business use. Res. C. 52-6; Appeals Case #1119 for John Wahl, 1650 Bullis Rd, who is requesting a variance to build a 30'x40' pole barn for personal use only, no business use. Res. C. 52-6; Appeals Case #1120 for Frank Leonard, 81 Schwartz Rd, who is requesting a variance to build a 10'x15' addition and 12'x24' covered porch on the side & back of the house approximately 42' from the road. Res. C. 144-99 C 4; Appeals Case #1121 for Daniel Gilbert, 2230 Woodard Rd, who is requesting a variance to build a 40'x60' pole barn for personal use only, no business use. Res. B. 52-6; Appeals Case #1113 for David & Jennifer Weremblewski, 7931 Clinton St, who were granted a continuance at the meeting of June 10, 2008.

In the matter of Appeals Case #1118 Kevin McNamara stated he would like to build a pole barn 40' behind his house, 20' from the side lot line and 250' back from the road. It will have three (3) garage doors and one (1) man door. The outside will be metal sided with some brick facing to match the house. There will be electric only. An existing shed on the property may be taken down. The pole barn will be used for personal storage only, no business use. No one spoke for or against this project.

Mr. Kaczmarek made the motion: In Appeals Case #1118 for Kevin McNamara, 970 Ostrander Rd, who is requesting a variance to construct a 40'x40' pole barn for personal use only, no business use, I move the variance be granted, per sketches submitted and provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Harrington.

Poll vote – 4 ayes. Motion carried.

In the matter of Appeals Case #1119 John Wahl stated he would like to build a 30'x40' building to store tractors, 4-wheelers and a boat (the boat belongs to his dad). His property extends 1157' back. He states he is located 2 miles east of Transit Rd and 1 mile from Bowen Rd. The barn will be 20' from the west property line and 30' from the natural gas well on the property. It will be a metal building to match the house with electric and gas. There will be no business use. No one spoke for or against this project.

Mr. Harrington made the motion: In Appeals Case #1119 for John Wahl, 1650 Bullis Rd, who is requesting a variance to build a 30'x40' pole barn for personal use only, no business use, I move the variance be granted, per sketches submitted and provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Kaczmarek. Poll vote – 4 ayes. Motion carried.

In the matter of Appeals case #1120 Frank Leonard stated he would like to add on to an existing 4'x8' addition on the side and back of the house. The new addition will not affect the septic system. Mr. Leonard has been before the Zoning Board in the past for a variance for a front porch. No one spoke for or against this project.

Mr. Kaczmarek made the motion: In Appeals Case #1120 for Frank Leonard, 81 Schwartz Rd, who is requesting a variance to build a 10'x15' addition and 12'x24' covered porch on the side and back of the house approximately 42' from the road, I move the variance be granted per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Harrington. Poll vote – 4 ayes. Motion carried.

In the matter of Appeal Case #1121 Dan Gilbert stated he would like to build a 40'x60' building with a 40'x40' lean-to 525' from the road, 20' from the side property line. The two (2) garage doors and one (1) man door will face east. The driveway will be to the east and will be 5' off the property line. The neighbor to the west will not be affected by the garage doors or driveway. The building will be metal and will have electric and possibly water from a nearby well. The barn will be used for storage and hobby shop only, no business use. Ron Vohwinkel, 2220 Woodard Rd, spoke in favor of this project. Four signed letters of support were submitted by Mr. Gilbert to the Clerk from: Judette Dahleiden, 2209 Woodard Rd; Nelson Hartloff, 2241 Woodard Rd; Mark Danner, 2250 Woodard Rd; Jessica Hassukaty, 2260 Woodard Rd. No one spoke against this project.

Mr. Komorek made the motion: In Appeals Case #1121 for Daniel Gilbert, 2230 Woodard Rd, who is requesting a variance to build a 40'x60' pole barn with a 40'x40' lean-to for personal use only, no business use, I move the variance be granted, per sketches submitted and provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Harrington. Poll vote – 4 ayes. Motion carried.

In the matter of Appeals Case #1113 David Weremblewski was granted a continuance at the meeting of June 10, 2008 and is asking for another continuance because he is still working on trying to purchase property from the adjacent property owner.

Mr. Harrington made the motion: In Appeals Case #1113 for David & Jennifer Weremblewski, 7931 Clinton St, who were granted a continuance at the meeting of June 10, 2008, I move the variance be granted a 90 day continuance to allow time for the purchase of additional property. Seconded by Mr. Kaczmarek. Poll vote- 4 ayes. Motion carried.

The minutes of the last meeting of June 10, 2008 were approved as submitted.

There being no further business, the meeting was adjourned at 8:22PM.

Respectfully submitted,

Jennifer M. Ginter
Secretary-Clerk