

03/13/07 Zoning Board Minutes

ZONING BOARD OF APPEALS

The hearing on Tuesday, March 13, 2007 was called to order by Chairman Trzepacz at 8:00 PM.

Members present: Alfred Harrington also: Tom Stynes, Asst Bldg Inspector
Harry Kaczmarek Phyllis Todoro, Town Attorney
Mike Komorek Greg Kalinowski, Alternate
Robert Schafer
Donald Trzepacz, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case #1069 for William Falkner & Susan Sudlik, 931 Girdle Rd, who are requesting a variance for 681 Chairfactory Rd for the addition of a garage and porch to an existing foundation 35.39 feet from the road for personal use only, no business use. Res. A. 144-97 C (4); Appeals Case #1070 for William and Jennifer Massaro, 170 Northrup Rd, who are requesting a variance to remove an existing barn and replace it with a 24'x28' garage that will not meet the 50' setback requirement, for personal use only, no business use. Res. C. 144-99 C (4).

In the matter of Appeals Case #1069 William & Susan stated they are in the process of purchasing 681 Chairfactory Rd and should close on the property this Friday. An original survey submitted with the application shows the front set back of the house as being 51.29', but a more recent survey shows the front set backage as being 42.39'. Building on the property is difficult due to the property being shallow, the back drops off 80', there is a septic system on one side and a buried in ground pool on the other. They would like to add a three car garage and a covered porch 35.39' from the road. The first floor is presently 1450 sq ft and the addition will make it 1900 sq ft. The second floor addition to include a couple of bedrooms and a bathroom will be 700 sq ft. They plan to maintain the character of the neighborhood with the improvements they are making to the house. They do not plan to maintain the existing stone driveway on the property, but rather will install a new circular driveway to the new garage as indicated on the plans submitted. No one spoke for or against this project.

In the matter of Appeals Case #1070 William Massaro stated the existing barn on the property is currently within the Right of Way and the proposed garage will be located 1Æ from the R.O.W. The measurement of the barn and garage is taken from the access road and not the main road. There is no foundation under the barn, but the new garage will have a foundation as determined by the Building Department. The new garage will be for personal storage only, no business use. No one spoke for or against this project.

Mr. Harrington made the motion: In Appeals Case #1069 for William Falkner & Susan Sudlik, 931 Girdle Rd, who are requesting a variance for 681 Chairfactory Rd for the addition of a garage and porch to an existing foundation 35.39 feet from the road for personal use only, no business use, I move the variance be granted, per new survey and sketches submitted, and provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Kaczmarek. Poll vote û 5 ayes. Motion carried.

Mr. Schafer made the motion: In Appeals Case #1070 for William and Jennifer Massaro, 170 Northrup Rd, who are requesting a variance to remove an existing barn and replace it with a 24Æx28Æ garage that will not meet the 50Æ setback requirement for personal use only, no business use, I move the variance be granted, per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Komorek. Poll vote û 5 ayes. Motion carried.

The minutes of the last meeting of February 13, 2007 were approved as submitted.

There being no further business, the meeting was adjourned at 8:35PM.

Respectfully submitted,

Jennifer M. Ginter
Secretary-Clerk