

ZONING BOARD OF APPEALS

The hearing on Tuesday, July 13, 2021, is called to order by Chairman Kwiek at 7:00pm.

Members present: Ron Carey	Also: Ray Balcerzak, Bldg. Inspector
Robert Schafer, Alternate	Phyllis Todoro, Town Atty.
Greg Kalinowski	
Shawn Pralow	John Johnston
Harry Kwiek	

Appeals Case #1400 for James & Ann Marie Pickard for the northwest corner of Rice & Girdle Road, Elma, NY who are requesting a variance to build a house with less than the required 50 feet front setback §144-132, Residential B.

John Bierl represented and spoke for the Pickard's. On the Rice roadside is where the house would be adjusted so the driveway is not right by the corner. The front right corner would be the area in question.

Mr. Kwiek asked about the measurement to the center of the road. Mr. Kwiek asked where the driveway would be positioned, and Mr. Bierl showed the board the survey and where the driveway would be located.

Mr. Kalinowski said the house faces Girdle Rd more than Rice Rd and questioned the fact that the house would have a Rice Road address. Mr. Kalinowski showed Mr. Bierl different ideas of how the house could be positioned. Mr. Bierl then showed the board the purpose of the house being in the position that is being requested.

Mr. Carey asked for a design of the house with details so it can be visualized to better understand the purpose. Mr. Kalinowski asked if the lot could be made larger and Mr. Bierl stated that it is not possible. Mr. Bierl also stated he is only doing eight lots and he is trying to preserve green space.

Mr. Kwiek stated that the town code is there for a purpose. Mr. Schafer mentioned there is already a basement a few lots over and already there is an issue with the driveway. Mr. Bierl is trying to work with the request from the SEQR review and acknowledge the request from the County for the driveway to be as far from the corner as possible.

No one spoke for or against the variance, David Marzo from 1890 Rice Road had some questions about the project.

Mr. Kalinowski asked if they would like additional time to show more details of what the property would look like. Mr. Pickard asked for a continuance to be requested.

Mr. Kalinowski made the motion for Appeals Case #1400 for James & Ann Marie Pickard for the northwest corner of Rice & Girdle Road, Elma, NY who are requesting a variance to build a house with less than the required 50 feet front setback §144-132, Residential B that a continuance for one month for more detailed information be given. 2nd by Mr. Carey. Ayes: 4 Nays: 1 (Mr. Schafer – No)

Motion to accept the minutes from June 8, 2021, by Mr. Kalinowski, 2nd by Mr. Carey
Ayes: 5

Motion to adjourn at 7:30 pm made by Mr. Kalinowski, 2nd by Mr. Kwiek.

Respectfully Submitted,

Kerry Galuski
Zoning Board Secretary