

No one spoke for or against the variance.

Mr. Trzepacz made the motion for Appeals Case #1333 for Chuck Faso of 1 Briggswood Drive, Elma, NY who is requesting a variance to construct a garage with less than the required side property setback § 144-97 C4, residential A, that the variance be approved based on the following criteria:

- 1) An undesirable change would not be known.
- 2) The benefit could not be achieved another way.
- 3) The request is not substantial.
- 4) The request would not have an adverse physical or environmental effect.
- 5) The alleged difficulty is not self-created in this case.

Seconded by Mr. Carey. Ayes: 5. Nays: 0

Appeals Case #1334 for Matthew Mariacher of 230 Pound Road, Elma, NY who is requesting a variance to split the property and make two additional nonconforming lots § 144-99 C1, residential C.

Matt Mariacher was present and explained how he has owned the property since 1968 and he is looking to split the property for his two kids to be able to build on the property.

Mr. Schafer stated there must be 100 feet of frontage and that flag lots were stopped in 2014 per the Town Board. Mr. Trzepacz mentioned that one of the most important issues with the request is that it would create two nonconforming lots. Mr. Kwiek advised Mr. Mariacher that he is creating the hardship because there is 284 feet of frontage.

Mr. Carey asked Mr. Mariacher to point out where his house is located on the property and if his intension is just for his family to build on the property and the answer was yes.

For the variance was Todd Huber of 6091 Seneca Street and against the variance was Julianne Spence of 191 Pound Road.

Mr. Kalinowski made the motion for Appeals Case #1334 for Matthew Mariacher of 230 Pound Road, Elma, NY who is requesting a variance to split the property and make two additional nonconforming lots § 144-99 C1, residential C, that the variance be approved based on the following criteria:

- 1) An undesirable change would not be known.
- 2) The benefit could not be achieved another way.
- 3) The request is not substantial.
- 4) The request would not have an adverse physical or environmental effect.
- 5) The alleged difficulty is not self-created in this case.

Seconded by Mr. Carey. Ayes: 2. Nays: 3 (Mr. Kwiek, Mr. Trzepacz and Mr. Schafer)

The motion was made to approve the minutes from October 9, 2018 by Mr. Trzepacz and seconded by Mr. Kwiek. Ayes: 5.

The meeting was adjourned at 7:50 PM. Motion made by Mr. Kwiek and seconded by Mr. Trzepacz. Ayes: 5.

Respectfully submitted,

Kerry A. Galuski
Secretary-Clerk