

## **07/13/10 Zoning Board Minutes**

### ZONING BOARD OF APPEALS

The hearing on Tuesday, July 13, 2010 was called to order by Chairman Trzepacz at 7:00 PM.

Members present: Alfred Harrington also: Ray Balcerzak, Asst Bldg Inspector  
Harry Kaczmarek Phyllis Todoro, Town Attorney  
Greg Kalinowski, Alternate  
Michael Komorek  
Donald Trzepacz, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case #1178 for Thomas & Mary Van Splunder, 421 Main St, who are requesting a variance to add an addition to the north side of their house. C-1. 144-78 D; Appeals Case #1179 for Patricia Curran, 7860 Clinton St, who is requesting a variance for 6650 Clinton St for a 24'x24' garage which lacks size conformity to Code. C-2. 144-84 B (2); Appeals Case #1175 for David Power, 141 Stolle Rd, who was granted a continuance at the meeting of June 8, 2010.

In the matter of Appeals Case #1178 Thomas Van Splunder stated he would like to add an addition on the north side of his house which is the back of the house. Their house sits the furthest back on their property than the other houses on the street. The addition to the house is 1264 sq ft making the total square footage of the house just under 2500 sq ft. The septic system will need to be moved. The Erie County Health Department sent a letter approving the relocation of the new septic system. No one spoke for or against this project.

Mr. Harrington made the motion: In Appeals Case #1178 for Thomas & Mary Van Splunder, 421 Main St, who are requesting a variance to add an addition to the north side of their house, 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 – 5

ayes. Motion carried.

In the matter of Appeals Case #1179 No one was present for this project.

Mr. Kalinowski made the motion: In Appeals Case #1179 for Patricia Curran, 7860 Clinton St, who is requesting a variance for 6650 Clinton St for a 24'x24' garage which lacks size conformity to Code, I move the variance be granted a 1 month continuance until such time a representative may be present for this project. Seconded by Mr. Harrington. Poll vote – 5 ayes. Motion carried.

In the matter of Appeals Case #1175 Mr. Power and Mr. Kipfer from Darwin Kipfer Contractor & Builder were present. A new survey (dated 6/23/2010) was submitted to the Board showing correct measurements of the land and proposed addition and deck. The new sketch shows the edges on the deck are cut on an angle, making the side setback 48'. The plans are the same from the last meeting for a proposed 10' addition and a second floor pressure treated deck. No one spoke for or against this project.

Mr. Komorek made the motion: In Appeals Case #1175 for David Power, 141 Stolle Rd, who was granted a continuance at the meeting of June 8, 2010, I move the variance be granted as stated in the minutes of June 8, 2010 for an addition and a second floor deck with a 48' setback and based upon the June 23, 2010 re-survey and provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Harrington. Poll vote – 5 ayes. Motion Carried.

The minutes of the last meeting of June 8, 2010 were approved as submitted.

There being no further business, the meeting was adjourned at 7:12PM.

Respectfully submitted,

Jennifer M. Ginter  
Secretary-Clerk