

11/09/11 Zoning Board Minutes

ZONING BOARD OF APPEALS

The hearing on Tuesday, November 9, 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
Michael Komorek
Robert Schafer
Donald Trzepacz, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case #1182 for Calvary Chapel of the Niagara Frontier, 2090 Bowen Rd, who were granted a continuance at the meeting of September 14, 2010; Appeals Case# 1185 for Ulrich Sign Co Inc Agent for Online Auto Connection, 2989 Transit Rd, who are requesting a variance for a new pole sign (20' high) with a full color LED message center. C-3. 144-102.1 B 1 b; Appeals Case #1186 for Heath & Karen Clemens, 2010 Jamison Rd, who are requesting a variance for 5' for a roof to be built over an existing concrete pad for personal use only, no business use. Res. C. 144-99 C (4).

In the matter of Appeals Case #1182 Pastor Mark Siena was present representing the Calvary Chapel of the Niagara Frontier. Chairman Trzepacz reviewed the facts of this case stating the Church was here in September looking to replace the existing sign with a new sign in the same location on the same post. A concern of the Board was to who owned the property the sign was on. Based on a letter received by the Church (a copy was given to the Zoning Board) the County owns the property and has given permission for a new sign (of similarity) to be placed on the existing pole. The final paperwork needs to be signed by the Deputy Highway Commissioner. Pastor Siena was told the signed paperwork was in the mail. The new sign will be almost identical in size as the old sign. No one spoke for or against this project.

Mr. Harrington made the motion: In Appeals Case #1182 for Calvary Chapel of the Niagara Frontier, 2090 Bowen Rd, who were granted a continuance at the meeting of September 14, 2010, I move the variance be granted to replace "The Lodge" sign with a

“Calvary Chapel of the Niagara Frontier” sign with the same dimensions on the existing pole. The sign will be internally lit. Seconded by Mr. Kaczmarek.
Poll vote – 5 ayes. Motion carried.

In the matter of Appeals Case #1185 Chris McCaffrey from Ulrich Sign Co Inc was present for this case. Mr. McCaffrey stated Online Auto Connection is looking to put up a sign on the Online Auto property on Transit Rd. The sign will be 20’ high. It will be an electronic sign and the property owner (Mr. Subjeck) does not want the sign to flash or scroll. He would like the sign to display pictures of cars, not a video. A message would be displayed with the picture to advertise a specific deal on a vehicle (the information and picture would be displayed). On Sundays the sign would display a community service message instead of business. The sign will automatically dim as it gets darker and will eventually go off after a certain hour (will not be on all night). Mr. Subjeck does not want the sign on 24 hours a day. No one spoke for or against this project.

Mr. Schafer made the motion: In Appeals Case #1185 for Ulrich Sign Co Inc Agent for Online Auto Connection, 2989 Transit Rd, who are requesting a variance for a new pole sign (20’ high) with a full color LED message center, I move the variance be granted, per sketches submitted and provided all Elma Town Codes and Ordinances are met and to include the owner’s statement that the sign will not flash or scroll. Seconded by Mr. Harrington. Poll vote – 5 ayes. Motion carried.

In the matter of Appeals Case #1186 Heath & Karen Clemens were present stating they would like to put a roof over an existing concrete patio. Upon applying for a building permit, it was brought to Mr. & Mrs. Clemens’ attention that due to the angle of the roof, one of the corners would be within the 20’ side setback. The front of the house sits 158’ off the road. The house to the left of the property is so far from the property line that they would not be affected by the addition of a new roof. The addition of the roof over the patio is at the back of the house and actually only requires a 3’ variance but Mr. Clemens was advised to request a 5’ variance by the architect. No one spoke for or against this project.

Mr. Komorek made the motion: In Appeals Case #1186 for Heath & Karen Clemens, 2010 Jamison Rd, who are requesting a variance for 5’ for a roof to be built over an existing concrete pad 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. Schafer. Poll vote - 5 ayes. Motion carried.

There was no meeting in October, so the minutes of the last meeting of September 14, 2010 were approved as submitted.

Chairman Trzepacz reminded the Board about the two 1 hour training sessions to be held on Tuesday, November 16 from 6-8PM at the Elma Town Hall.

The Association of Towns Conference in February 2011 was discussed.

There were no communications at this time.

There being no further business, the meeting was adjourned at 7:28PM.

Respectfully submitted,

Jennifer M. Ginter
Secretary-Clerk