

01/13/09 Zoning Board Minutes

ZONING BOARD OF APPEALS

The hearing on Tuesday, January 13, 2009 was called to order by Chairman Trzepacz at 8:00 PM.

Members present: Alfred Harrington also: Joseph Colern, Building Insp
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 #1137 for Mark Kolkiewicz, 120 Winspear Rd, who is requesting a variance to build a 6'x5' front porch 24'.66" from the road. Res. C. 144-99 C (4); Appeals Case #1138 for Alton's Restaurant, 2221 Transit Rd, who is requesting a variance for a 4'x7' flashing LED sign to replace an existing message board. Commercial. 144-102.1 B (b). (There was an error in the Legal Notice for Appeals Case #1137. The front porch size is 6'x5' not 4'x5').

In the matter of Appeals Case #1137 Mark Kolkiewicz stated he would like to replace an old existing porch with a new 6'x5' porch on the front of his house 24'.66" from the road and a new roof on the existing house. Mr. Kolkiewicz is doing the work himself. He had begun the work already because he was unaware he needed a building permit for the work and a variance because of the front setback. He stopped the work and came before the Zoning Board with his request for the variance. No one spoke for or against this project.

Mr. Schafer made the motion: In Appeals Case #1137 for Mark Kolkiewicz, 120 Winspear Rd, who is requesting a variance to build a 6'x5' front porch 24'.66" from the road and to put a new roof on the existing 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 #1138 Paul Stratta with N.A.S Quick Signs and Milton Koutsandreas from Alton's Restaurant were present. Mr. Stratta stated Alton's is proposing to replace the current message board with a LED sign. Alton's is in a commercial area. The proposed sign is 25.3 sq ft and will be replacing a 32 sq ft sign. The sign will sit 12' from the ground. It will display different messages and most nights will only run until midnight. Some nights could run longer but they want to save the bulbs and save expense of running the sign all night. No one spoke for or against this project.

Mr. Harrington made the motion: In Appeals Case #1138 for Alton's Restaurant, 2221 Transit Rd, who is requesting a variance for a 4'-7' flashing LED sign to replace an existing message board, 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.

There is no correspondence at this time.

The minutes of the last meeting of December 9, 2008 were approved as submitted.

Alfred Harrington will be attending the Association of Towns Conference in NYC in February representing the Zoning Board of Appeals.

There being no further business, the meeting was adjourned at 8:13PM.

Respectfully submitted,

Jennifer M. Ginter
Secretary-Clerk