

12/08/09 Zoning Board Minutes

ZONING BOARD OF APPEALS

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

Members present: Alfred Harrington also: Ray Balcerzak, Asst Bldg Inspector
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 #1166 for Leon Berner, 257 Townline Rd, who is requesting a variance for 850 Maple Rd to move a 28'x32' barn and add a 15'x60' covered porch approximately 40' from the Right of Way. Res/Ag. 144-70 & 144-99 C 6; Appeals Case #1165 for William Patchett, 2890 Bowen Rd, who was granted a continuance at the meeting of November 10, 2009.

In the matter of Appeals Case #1166 Leon Berner brought in a copy of his original survey showing the original barns on the property. One barn was moved to the back and one barn was taken down that was in the Right of Way. The barn in question will be moved back 12' and to the north, even with the existing barn which will then open 12' of open space. Once the barn is moved the covered porch will be added. Even with moving the barn it will still be within 50' of the Right of Way. The open covered porch will be added along the front and side of the barn still keeping the "Old Barn" look, a new roof will be added and new vinyl windows. An addition may be added to the back for more retail space. There will be no parking in the front. Mr. Berner will talk with the County to see if a flower garden or something can be added to keep vehicles from parking in the front. Parking will be in the parking lot only. Drainage issues have been fixed. The broken wood will be replaced with more wood to keep the "Old Barn" look. No one spoke for or against this project. Beverly Klin of 2020 West Blood Rd and Stephen Angelli of 2040 West Blood Rd had questions for Mr. Berner.

Mr. Schafer made the motion: In Appeals Case #1166 for Leon Berner, 257 Townline Rd, who is requesting a variance for 850 Maple Rd to move a 28'x32' barn and a 15'x60' covered porch approximately 40' from the Right of Way, I move the variance be granted, per sketches submitted, provided the windows are replaced, a new roof on the barn and old broken wood is replaced and provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Harrington. Poll vote – 5 ayes. Motion carried.

In the matter of Appeals Case #1165 William Patchett stated he would like to construct a 24'x24' building for personal storage. It will be wood frame and vinyl sided to match the house. There will be a window, 1 man door and a 16' overhead door. The structure will be built on his land own land 10' from the property line, no part of the building will be on County property. Once the concrete footer is complete the construction of the garage will begin. No one spoke for or against this project. A letter from Richard Sawicki, 920 Rice Rd was received in favor of this project.

Mr. Harrington made the motion: In Appeals Case #1165 for William Patchett, 2890 Bowen Rd, who was granted a continuance at the meeting of November 10, 2009, I move the variance be granted, per changes in sketches submitted for a 24'x24' detached garage 10' from the front property line and provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Komorek. Poll vote – 5 ayes. Motion carried.

The Association of Towns Conference in New York City in February 2010 was mentioned. Harry Kaczmarek may attend the Conference on behalf of the Zoning Board. There was no other correspondence at this time.

The minutes of the last meeting of November 10, 2009 were approved as submitted.

There being no further business, the meeting was adjourned at 8:27PM.

Respectfully submitted,

Jennifer M. Ginter
Secretary-Clerk