

## **06/12/07 Zoning Board Minutes**

### ZONING BOARD OF APPEALS

The hearing on Tuesday, June 12, 2007 was called to order by Chairman Trzepacz at 8:00 PM.

Members present: Alfred Harrington also: Joseph Colern, 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 #1078 for Michael & Kathleen Janiga, 126 Kalla Ln, who are requesting a variance for a 36'x60' detached garage for personal use only, no business use. Res. C. 52-6; Appeals Case #1079 for Michael Dole, 180 Valley View Dr, who is requesting a variance to relocate an existing 10'x16' shed and construct a new 24'x32' detached garage for personal use only, no business use. Res. B. 52-6; Appeals Case #1080 for Robert & Elaine Gielowski, 550 N Blossom Rd, who are requesting a variance to construct a 14'x18' detached garage for personal use only, no business use. Res. C. 52-6; Appeals Case #1081 for David & Michele Ebeling, 1695 Bowen Rd, who are requesting a variance to build a 28'x44' 3 car detached garage for personal use only, no business use. Res. C. 52-6; Appeals Case #1082 for Chad Barry, 1195 Girdle Rd. who is requesting a variance to construct a 30'x32' detached garage for personal use only, no business use. Res. C. 52-6; Appeals Case #1083 for Darren & Joy Caparaso, 71 Hidden Valley Dr, who are requesting a variance to construct a 12'x48' barn with an 8' lean-to to house 3 horses for personal use only, no business use. Res. B. 52-6; Appeals Case #1084 for Timothy Ebert, 511 Schultz Rd, who is requesting a variance to build a 30'x40' pole barn for personal use only, no business only. Res. C. 52-6.

In the matter of Appeals Case #1078 Kathleen Janiga stated they would like to construct a 36'x60' garage that will sit behind the house for storage of 4 wheelers, sea-dos and other personal items. There will be electric and water. The driveway will go along the north side of the house back to the garage. No one spoke for or against this project.

In the matter of Appeals Case #1079 Michael Dole is out of Town and unable to attend and has authorized his daughter Karen Berhalter to speak on his behalf. Ms. Berhalter stated her father would like to build a 24'x32' detached 2 car garage with loft 13' from the property line and to relocate an existing 10'x16' shed to the rear of the property. The garage will also be used as a studio for Mr. Dole's personal wood working hobby. The loft will be for personal storage. There will be electric only. No one spoke for or against this project

In the matter of Appeals Case #1080 Robert & Elaine Gielowski stated they would like to build a 14'x18' detached garage in front of their house, 10' from the property line, 40' from the ROW and 60' from the road. The septic system is in the back so the garage couldn't go there. It will be vinyl sided to match the house. There will be no utilities at this time. It will be used for personal storage. There will be a right angle turn into the garage from the driveway. No one spoke for or against this project.

In the matter of Appeals Case #1081 David & Michele Ebeling stated they would like to build a 28'x44' detached garage with 2 garage doors and 1 man door. It will be 35' from the property line. There will be electric and will be used for storage of tractors, parts for the tractor, cars, golf carts, etc. The house sits back 240' from the road. No one spoke for or against this project.

In the matter of Appeals Case #1082 Chad Barry stated he would like to build a 30'x32' detached garage, side load facing for personal storage. The septic is behind the house so the garage cannot go there. It will sit 90+ ft from the side lot line. There will be electric only. The new garage will match the existing house. No one spoke for or against this project.

In the matter of Appeals Case #1083 Darren & Joy Caparaso stated they have 4.3 acres and would like to build a 12'x48' horse barn with 8' lean-to 120' from the road. They presently own 1 horse but it is not kept on the property. They have a niece who owns 1 horse and would like to keep that horse on their property. Three is the maximum number of horses they intend to keep on the property. There will be no utilities in the barn at this time. There is a water source near the location of the proposed barn. Two letters of support were submitted by Mr. & Mrs. Caparaso from neighbors and read by the Clerk in favor of this project as follows: Carl Aquila from 61 Hidden Valley Dr. and Vicki and Bob Kamholz from 60 Hidden Valley Dr. No one spoke for or against this project.

In the matter of Appeals Case #1084 Timothy Ebert stated he would like to construct a 30'x40' pole barn 25' from his property line, 73' behind his house. There will not be an overhang as the picture submitted shows, and the service door and window will be on the opposite side of the building as in the picture submitted (will be on the right side of the building). The barn will be used to store lawn equipment, a camper, a pickup truck and a car. He hasn't decided on a color yet but is looking into earth tone color schemes. No one spoke for or against this project.

Mr. Schafer made the motion: In Appeals Case #1078 for Michael & Kathleen Janiga, 126 Kalla Ln, who are requesting a variance for a 36'x60' detached garage for personal use only, no business use, I move the variance be granted, per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Harrington. Poll vote û 5 ayes. Motion carried.

Mr. Kaczmarek made the motion: In Appeals Case #1079 for Michael Dole, 180 Valley View Dr, who is requesting a variance to relocate an existing 10'x16' shed and construct a new 24'x32' detached garage for personal use only, no business use, I move the variance be granted, per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Schafer. Poll vote û 5 ayes. Motion carried.

Mr. Schafer made the motion: In Appeals Case #1080 for Robert & Elaine Gielowski, 550 N Blossom Rd, who are requesting a variance to construct a 14'x18' detached garage for personal use only, no business use, I move the variance be granted per sketches submitted, provided all Elma Town Codes and Ordinances are met and in addition to approve the variance for the 40' front set back. Seconded by Mr. Harrington. Poll vote û 5 ayes. Motion carried.

Mr. Harrington made the motion: In Appeals Case #1081 for David & Michele Ebeling, 1695 Bowen Rd, who are requesting a variance to build a 28'x44' 3 car detached garage for personal use only, no business use, I move the variance be granted per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Kaczmarek. Poll vote û 5 ayes. Motion carried.

Mr. Schafer made the motion: In Appeals Case #1082 for Chad Barry, 1195 Girdle Rd, who is requesting a variance to construct a 30'x32' detached garage for personal use

only, no business use, I move the variance be granted per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Harrington. Poll vote û 5 ayes. Motion carried.

Mr. Komorek made the motion: In Appeals Case #1083 for Darren & Joy Caparaso, 71 Hidden Valley Dr, who are requesting a variance to construct a 12Æx48Æ barn with an 8Æ lean-to to house 3 horses for personal use only, no business use, I move the variance be granted per sketches submitted as to the location of the barn, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Schafer. Poll vote û 5 ayes. Motion carried.

Mr. Kaczmarek made the motion: In Appeals Case #1084 for Timothy Ebert, 511 Schultz Rd, who is requesting a variance to build a 30Æx40Æ pole barn for personal use only, no business use, I move the variance be granted per sketches submitted, provided all Elma Town Codes and Ordinances are met. Seconded by Mr. Schafer. Poll vote û 5 ayes. Motion carried.

The minutes of the last meeting of May 8, 2007 were approved as submitted.

Information was given on The Association of Towns Planning and Zoning Summer Schools 2007.

There being no further business, the meeting was adjourned at 9:00PM.

Respectfully submitted,

Jennifer M. Ginter  
Secretary-Clerk