

10/09/07 Zoning Board Minutes

ZONING BOARD OF APPEALS

The hearing on Tuesday, October 9, 2007 was called to order by Chairman Trzepacz at 8:00 PM.

Members present: Alfred Harrington also: Tom Stynes, Asst Bldg Insp
Harry Kaczmarek Greg Kalinowski, Alternate
Mike Komorek Phyllis Todoro, Town Attorney
Robert Schafer
Donald Trzepacz, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case #1099 for David Power, 141 Stolle Rd, who is requesting a variance to install a 20'x40' inground pool in the side yard for personal use only, no business use. Res. C. 144-63; Appeals Case #1100 for Lawrence & Ruth Hoffman, 1999 Woodard Rd, who are requesting a variance to build a new 24'x36' detached garage & hobby shop for personal use only, no business use. Res. B. 52-6; Appeals Case #1101 for Daniel Dion, 191 Kinsley Rd, who is requesting a variance to build a 24'x30' pole barn/garage for personal use only, no business use. Res. C. 52-6.

In the matter of Appeals Case #1099 David Power stated he would like to have Majestic Pools install an inground pool on the east side and slightly to the rear of his property. The leach lines for the septic system will need to be moved. The pool will be lower than Stolle Road but higher than Creek Road. There is an existing row of trees for coverage and a fence will be required for around the pool. The fence will be less than 50' from the road. The pool will be 28' from the house. Mr. Power would like to add an 8'x10' shed for pool supplies and chemicals which would require a building permit and approval from the Building Department. No one spoke for this project. Fred Gruin, 151 Stolle Rd, is against the project and is concerned over the speed limit change on Stolle Rd from Marilla into Elma.

In the matter of Appeals Case #1100 Lawrence Hoffman stated he would like to build a 24'x36' accessory building to house his personal items. He would also like to use the

building as a personal hobby shop. He makes furniture for himself and for his children, not for sale- no business use. The garage will be board and batten and will have a green metal roof. There will be water, gas and electric, no sewer. There will be a concrete pad on the east side and the existing blacktop driveway will extend back to the building. The garage will sit 23' from the side lot line and 50' back from the house. No one spoke for or against this project.

In the matter of Appeals Case #1101 Daniel Dion stated he had just purchased an additional 100' of land at the back of his property which would put the garage he would like to build 110' from the new rear property line instead of 10'. The building will be metal (dark tan in color) with a green metal roof, 1' eaves all round and will have electric and possibly gas. The driveway will come directly off Kinsley. There is an existing culvert and stone drive presently. Crushed stone will be used for the remainder of the driveway. The building will be for personal storage only. No one spoke for or against this project.

Mr. Harrington made the motion: In Appeals Case #1099 for David Power , 141 Stolle Rd, who is requesting a variance to install a 20'x40' inground pool in the side yard 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 – 4 ayes. 1- Noe. Motion to approve carried. (Mr. Komorek voted no).
* The Clerk of the Zoning Board will send a letter to the Town Board on behalf of the Zoning Board of Appeals asking the Board to address the traffic concern with a speed study and the concern of the signs on Stolle Rd when leaving the Town of Marilla and enter the Town of Elma.

Mr. Harrington made the motion: In Appeals Case #1100 for Lawrence & Ruth Hoffman, 1999 Woodard Rd, who are requesting a variance to build a 24'x36' detached garage & hobby shop 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 – 5 ayes. Motion carried.

Mr. Schafer made the motion: In Appeals Case #1101 for Daniel Dion, 191 Kinsley Rd, who is requesting a variance to build a 24'x30' pole/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 – 5 ayes.

Motion carried.

The minutes of the last meeting of September 11, 2007 were approved as submitted.

Chairman Trzepacz stated there was 100% attendance of the Zoning Board at the training seminar given by TVGA on September 8, 2007.

There being no further business, the meeting was adjourned at 9:05PM.

Respectfully submitted,

Jennifer M. Ginter
Secretary-Clerk