

02/08/05 Zoning Board Minutes

ZONING BOARD OF APPEALS

The hearing on Tuesday, February 8, 2005 was called to order by Chairman Trzepacz at 8:00 PM.

Members present: Alfred Harrington also: Tom Stynes, Asst Bldg Inspector
Harry Kaczmarek Robert Pierce, Town Attorney
Robert Schafer
Donald Trzepacz, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case #994 for Richard Panicali, 1271 Rice Rd, who is requesting a variance to construct a 30G'+x60G'+ 2 story barn with 2 car garage for personal use only, no business use, Res. B. 52-6 (This case has been rescheduled from last month because appellant was not present for that meeting); Appeals Case #999 for Bruce Trzepacz, 1740 Bowen Rd, who is requesting a variance to construct a 28G'+x32G'+ garage and storage building for personal use only, no business use. Res. C. 52-6; 144-99 C (6).

In the matter of Appeals Case #994 Mr. Panicali stated he missed last month's meeting because he had the date wrong. Mr. Panicali then went on to say the proposed 2 story 30G'+x60G'+ barn would be located at the rear of the property 100G'+ from the back lot line and 30G'+ from the side lot line. The barn will be for personal storage of a log splitter, snowmobile, ATV, Jet Ski, a car, lawn equipment, etc. The second floor will be for storage. There will be electric, but no gas, water or septic system. The barn will be hemlock sided like the house. There used to be a bass pond just east of where the barn is to be built and because of poor drainage the pond was lost and the area is too swampy to be used for anything else. The barn will be on fill with a footer. A road already exists to the back of the property to be used for access to the barn. No one spoke in favor of this project. A letter from Dennis Klimko of 180 Oaknoll was read by the Clerk in opposition to this project. Dennis Klimko was present to reiterate his opposition to Mr. Panicali's barn regarding registered & unregistered vehicles and trailers on the property, piles of materials (unidentified & building) and too many buildings already on the property. Robert Zdrojewski of 181 Oaknoll Ct and also owns property at 1245 Rice Rd spoke against this project and the mess on Mr. Panicali's property. No one else spoke against

this project.

In the matter of Appeals Case #999 Bruce Trzepacz stated he would like to construct a 28G'+x32G'+ garage and storage building for 3 vehicles and a trailer. It would have 2 garage doors and a man door. The set back is 9G'+3G'Ñ from the property line. The neighboring land is vacant and owned by the Town of Elma. No one spoke for or against this project.

Mr. Harrington made the motion: In Appeals Case # 994 for Richard Panicali, 1271 Rice Rd, who is requesting a variance to construct a 30G'+x60G'+ 2 story barn with 2 car garage 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 G'(4 ayes. Carried.

Mr. Schafer made the motion: In Appeals Case #999 for Bruce Trzepacz, 1740 Bowen Rd, who is requesting a variance to construct a 28G'+x32G'+ garage and storage building 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. Harrington. Poll vote- 3 ayes. 1- abstain. Carried. Chairman Trzepacz abstained from the discussion & voting because the appellant is his brother.

The minutes of the last meeting (January 11, 2005) were approved as submitted.

There being no further business, the meeting was adjourned at 8:50PM.

Respectfully submitted,

Jennifer M. Ginter
Secretary-Clerk