

## ZONING BOARD OF APPEALS

The hearing on Tuesday, August 10, 2021, is called to order by Chairman Kwiek at 7:00pm.

Members present: Ron Carey

John Johnston

Greg Kalinowski

Shawn Pralow

Harry Kwiek

Also: Ray Balcerzak, Bldg. Inspector

Phyllis Todoro, Town Atty.

Robert Schafer, Alternate

Appeals Case #1400 for James & Ann Marie Pickard for the northwest corner of Rice & Girdle Road, Elma, NY who are requesting a variance to build a house with less than the required 50 feet front setback §144-132, Residential B.

The Building Department received an email that the Pickard's are withdrawing their request for a variance.

A motion was made by Mr. Kwiek to review next month to make sure a letter was received and that the file is closed at that point.

Appeals Case #1401 for Jeffrey Gorski of 2531 Woodard Road, Elma, NY who is requesting a variance to add an addition onto the existing garage with less than the required side setback §144-98 C4, Residential B.

Mr. Kwiek wanted it noted that the applicant was not present at the beginning of the meeting and had to be called and arrived 15 minutes late.

Mr. Gorski was present and explained how he wanted to extend his garage on the north side of the property.

Mr. Carey asked when he bought the house, and the reply was 2017 and that it is close to the property line and was also asked if the covered addition was going to be the same distance as the garage and Mr. Gorski's reply was yes.

Mr. Pralow asked if the size would be 18x40 and if the width is the same as the current garage and his reply was that it is, but the distance is increasing, and that the entire addition would be the same as the current garage.

Mr. Kalinowski asked if the addition could be squared to the property line and Mr. Gorski said he would not want to do that because it would be noticeable from the road. Mr. Gorski advised the board that he spoke with his neighbor and the neighbor has no issues with the addition. Mr. Kalinowski also asked what the purpose of the garage was, and the answer was to just store belongings.

Mr. Pralow asked the location of the septic and was advised that it is in the back of the property. No one spoke for or against the variance.

Mr. Johnston made the motion for Appeals Case #1401 for Jeffrey Gorski of 2531 Woodard Road, Elma, NY who is requesting a variance to add an addition onto the existing garage with less than the required side setback §144-98 C4, Residential B be approved based on the following criteria:

- 1) An undesirable change would not be known.
- 2) The benefit could not be achieved another way.
- 3) The request is not substantial.
- 4) The request would not have an adverse physical or environmental effect.
- 5) The alleged difficulty is not self-created in this case.

2<sup>nd</sup> by Mr. Kalinowski      Ayes: 5    Nays: 0

Motion to accept the minutes from July 13, 2021, by Mr. Johnston, 2<sup>nd</sup> by Mr. Carey  
Ayes: 5

Motion to adjourn at 7:24 pm made by Mr. Pralow, 2<sup>nd</sup> by Mr. Johnston.

Respectfully Submitted,

Kerry Galuski  
Zoning Board Secretary