

ZONING BOARD OF APPEALS

The hearing on Tuesday, October 12, 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 #1405 for Jon Miller of 1199 Girdle Road, Elma, NY who is requesting a variance to build an addition to his detached garage with less than the required rear yard setback §144-99 C6, Residential C.

Jon Miller was present and advised the board that he lives at the residence in questions and that he is looking to make the garage longer to store additional vehicles. The garage will match the existing garage and will be used for additional parking of antique cars. Mr. Miller spoke with his neighbors and was told that they had no issues with the addition to the garage. Mr. Miller did advise the board that his septic is to the left of the garage, and he would not be able to build out to the left.

Mr. Kwiek asked if he knew exactly how far from the garage the septic was and Mr. Miller thought it was at least 30 feet from the building. Mr. Kwiek also inquired about the cost and was advised that it would cost more to go out on the sides than it would the back of the building.

Mr. Kwiek asked about the attached garage to the house and that is used for his car and his children's cars. Mr. Carey inquired on the size of the building, and it would be roughly 28x66 with the addition and that there would not be garage doors in the back of the garage. Mr. Carey asked how the vehicles would be moved around in the garage with only the front garage doors and Mr. Miller replied that the vehicles will not be moved in the winter and they there would be three cars deep.

Mr. Kalinowski asked if the shed had a foundation that is on the property and was advised that it does not. Mr. Johnston asked if the shed was going to be relocated and was told that it would be. Mr. Kalinowski mentioned that the measurement would be from the overhang on the garage and if that was where the measurements were taken from, and Mr. Miller stated he was not aware of that and that the measurements were from the building.

Mr. Kwiek inquired on if he would be renting out any of the spots in the garage and the answer was no. Mr. Carey asked if there was a possibility to make the garage smaller and Mr. Miller reply was no. Mr. Kwiek asked about the survey and the drawing on the survey and why there were different markings on the survey. Mr. Miller answered that he tried to make a different marking so the board would know he was referencing two different items. Attorney Todoro mentioned that the drawing is a survey and that is the way some surveys are done.

Mr. Kalinowski stated a continuance would be possible to give more time to secure a survey with more definite dimensions from the back property line for the garage addition and without exact measurements the variance could be turned down. Mr. Kwiek brought up that a motion could be done to incorporate the minimum distance to the property line so Mr. Miller could move forward.

Mr. Kalinowski brought up that in one of the pictures it looks like the property may have a slight sloop in the back yard and asked how the addition would be level and Mr. Miller answered that there is not really any change in elevation.

For the variance was: 1190 Girdle Road – letter from Salvo
1181 Girdle Road – Tom Banas

No one was against the variance.

Mr. Carey made the motion for Appeals Case #1405 for Jon Miller of 1199 Girdle Road, Elma, NY who is requesting a variance to build an addition to his detached garage with less than the required rear yard setback §144-99 C6, Residential C, be given a continuance to allow for additional time to gather more specific distances and measurement on a survey for the addition.

2nd by Mr. Pralow Ayes: 5 Nays: 0

Motion to accept the minutes from September 14, 2021, by Mr. Kalinowski, 2nd by Mr. Pralow. Ayes: 5

Motion to adjourn at 7:49 pm made by Mr. Pralow, 2nd by Mr. Carey.

Respectfully Submitted,

Kerry Galuski
Zoning Board Secretary