

## **06/14/05 Zoning Board Minutes**

### ZONING BOARD OF APPEALS

The hearing on Tuesday, June 14, 2005 was called to order by Chairman Trzepacz at 8:00 PM.

Members present: Alfred Harrington also: Tom Stynes, Asst Building Insp  
Harry Kaczmarek  
Robert Schafer  
Donald Trzepacz, Chairman

After Roll Call, the Clerk read the Notice of Public Hearing for Appeals Case #1012 for Richard Sawicki, 920 Rice Rd, who is requesting a variance for 2901 Bowen Rd to place a sign (7G'+high x 3G'+wide) on the front lawn for business advertisements, Res. A. 144-45 A 4; Appeals Case #1013 for Michael Gruber, 1930 West Blood Rd, who is requesting a variance to construct a 33G'+x44G'+ private storage building for personal use only, no business use, Res. B. 52-6; Appeals Case #1014 for Kevin & Renee Day, 1701 Bowen Rd, who are requesting a variance to build 30G'+x56G'+ 3 car detached garage for personal use only, no business use, Res. C 52-6; Appeals Case #1015 for Joyce Kreuzer, 6971 Seneca St, who is requesting a variance to construct a sunroom & deck 24G'+ from the Right of Way, for personal use only, no business use, Commercial 144-100 B (4); Appeals Case # 1010 for Dwight Smith, 46 E Jerge Dr, who was granted a continuance (from the meeting of May 10) until June 14, 2005; Appeals Case #1002 for Metzger Civil Engineering, 8560 Main St, Williamsville, for 3427 Transit Rd, who were granted a continuance pursuant to a court order.

In the matter of Appeals Case #1012 Mr. Sawicki stated the actual size of the sign, which is already in place, is 3G'+x4G'+ not 7G'+x3G'+. The sign is on his property and is needed for advertisements for four businesses in the building. He has a permit for the sign placed on the front of the building. He stated there was miscommunication on his end and that is why a sign was placed without appearing before the Zoning Board or applying for a building permit. A letter was received from Ross Giese & Patricia Costanzo from 2960 Bowen Rd, stating they do not object to a sign being placed on the property just not one of the proposed (7G'+x3G'+) size. Fredericka Sobieski of 2921 Bowen Rd was unable to attend the meeting but left a message with the Clerk that she has no objection to a sign

and says Mr. Sawicki is an excellent neighbor and an asset to the neighborhood. No one present spoke for or against this project.

In the matter of Appeals Case #1013 Michael Gruber stated he needs more garage space for his 11 vehicles. Some of the vehicles are antiques and classics and have to be stored off his property. The property is concealed by trees and vacant farmland. The garage will sit 20G<sup>+</sup> off the side lot line and the driveway will extend to the new garage. On the application submitted, Mr. Gruber states there are many daily drivers on his property and he clarified the daily drivers as being him, his wife and his 2 sons. Ed Weisbeck of 1917 West Blood Rd spoke in favor of the garage stating Mr. Gruber has a lot of vehicles and it would be better to have them inside rather than out in his yard. No one spoke against this project.

In the matter of Appeals Case #1014 Kevin Day stated he needs to add a 3 car detached garage to store his woodworking equipment, a truck & plow, personal tractor & equipment, a boat, motorcycles and other recreation vehicles. The 3 garage doors will be facing his house. No one spoke for or against this project.

In the matter of Appeals Case #1015 Joyce Kreuzer stated she would like to enclose (with walls & a roof) the deck in her backyard to make it a sunroom. Her property is on Seneca Street at Jamison Rd. The Jamison Rd pumping station is behind her and she is limited with where she can build the sunroom addition. No one spoke for or against this project.

In the matter of Appeals Case #1010 Jim Howeck, nephew of Dwight Smith was present for the case. A letter was submitted authorizing Mr. Howeck to act on Mr. Smith's behalf. The application (see minutes of May 10, 2005) was amended to read the garage will be 32G<sup>+</sup>x32G<sup>+</sup>, and will be 150G<sup>+</sup> from the road and 11G<sup>+</sup> from the side lot line (10G<sup>+</sup> with the 1G<sup>+</sup> eave). The overhang will face the pond and the back of the property. The driveway will have a slight curve to the garage doors. No one spoke for this project. Marie & Walter Glowny of 37 West Jerge spoke against this project stating they are opposed to any barn or barn like structures in a residential area. They would rather have him add on to his existing house & garage. No one else spoke against this project.

In the matter of Appeals Case #1002 for Metzger Civil Engineering, the case was granted a continuance until July 12, 2005 due to unforeseen circumstances.

Mr. Harrington made the motion: In Appeals Case #1012 for Richard Sawicki, 920 Rice Rd, who is requesting a variance for 2901 Bowen Rd to place a sign 3G<sup>+</sup>x4G<sup>+</sup> on the front lawn for business advertisements, I move the variance be granted, provided all Elma Town codes and ordinances are met. Seconded by Mr. Kaczmarek. Poll vote G<sup>+</sup>( 3 ayes, 1 - no. Carried. (Mr. Schafer voted no).

Mr. Harrington made the motion: In Appeals Case #1013 for Michael Gruber, 1930 West Blood Rd, who is requesting a variance to construct a 33G<sup>+</sup>x44G<sup>+</sup> private 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. Kaczmarek. Poll vote G<sup>+</sup>( 4 ayes. Carried.

Mr. Schafer made the motion: In Appeals Case # 1014 for Kevin & Renee Day, 1701 Bowen Rd, who are requesting a variance to build a 30G<sup>+</sup>x56G<sup>+</sup> 3 car detached 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. Kaczmarek. Poll vote G<sup>+</sup>( 4 ayes. Carried.

Mr. Kaczmarek made the motion: In Appeals Case # 1015 for Joyce Kreuzer, 6971 Seneca St, who is requesting a variance to construct a sunroom and deck 24G<sup>+</sup> from the Right of Way, 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- 4 ayes. Carried.

Mr. Schafer made the motion: In Appeals Case # 1010 for Dwight Smith, 46 E Jerge Dr, who was granted a continuance until June 14, 2005, I move the variance for a 32G<sup>+</sup>x32G<sup>+</sup> garage, for personal use only, no business use, be granted, per sketches submitted and provided all Elma Town codes and ordinances are met. Seconded by Mr. Kaczmarek. Poll vote G<sup>+</sup>( 3 ayes, 1 G<sup>+</sup>( no. Carried. (Mr. Harrington voted no).

The minutes of the last meeting (May 10, 2005) were approved as submitted.

Correspondence was received from The Association of Towns for Planning & Zoning Summer Schools in New Paltz on Friday, July 15, 2005 or in Geneseo on Thursday, July 28, 2005.

There being no further business, the meeting was adjourned at 9:10PM.

Respectfully submitted,

Jennifer M. Ginter  
Secretary-Clerk