

2016-01 (continued)

Steven Haney stated his request to renew the variance to allow a temporary structure at 611 Indian Church Road, noting the structure will only be there until he retires in a few years.

Chairman Elling stated no complaints have been registered with the town over this past year.

Mr. Marzullo commented the property has been cleaned up as requested by the Zoning Board at last year's meeting.

No comments were received from the public.

Motion by Elling, seconded by Marzullo, to close the public hearing and grant a one year variance for property located at 611 Indian Church Road to allow a temporary structure.

Ayes: All

Noes: None

Motion Carried

2013-19

Request of David Shearer for renewal of a variance for property located at 1800 Union Road to allow live music

David Shearer stated his request for renewal of the variance to allow live music.

Chairman Elling stated no complaints were registered with the Police Department over the last year relative to live music at this location.

No comments were received from the public.

Motion by Elling, seconded by Hicks, to close the public hearing and grant a one year variance for property located at 1800 Union Road to allow live music Friday and Saturday nights, 10 P.M. until 2 A.M.

Ayes: All

Noes: None

Motion Carried

2019-20

Request of Brian & Erica Carr for a variance for property located at 327 Woodcrest Drive to construct a garage with 27' front setback (30' setback required) and a driveway 2' off lot line (3' from lot line required)

2019-20 (continued)

The applicant was not present at the meeting.

Motion by Elling, seconded by Marzullo, to table this item until the end of the meeting.

Ayes: All

Noes: None

Motion Carried

2019-32

Request of Richard Johnson Jr. for a variance for property located at 2172 Transit Road to construct an electronic sign within 500 feet of residential zoning

Chairman Elling stated comments were received from NYSDOT indicating they had no problem with the electronic sign, but it cannot be located within the state right-of-way. Also, the existing sign must be moved whether or not the variance is approved because it is located within the state right-of-way.

No comments were received from the public.

Motion by Marzullo, seconded by Kapuscinski, to close the public hearing and grant a variance for property located at 2172 Transit Road to construct an electronic sign within 500 feet of residential zoning, noting the sign cannot be located within the state right-of-way.

Ayes: All

Noes: None

Motion Carried

NEW BUSINESS

2019-33

Request of Steven Powell for a variance for property located at 90 Morris Crescent to construct a deck connecting the pool to the house (pool deck required to be 10' away from house)

Steven Powell stated his proposal to construct a 12' x 20' deck off the back of his house connecting to his pool deck with a gate for separation. There is a pool alarm and the 10' section near the water will have a 48" tall barrier with a self-closing gate with lock. Mr. Powell further stated the deck will not fit on the other side of his yard.

Code Enforcement Officer Douglas Busse advised the 48" barrier is required under the code.

2019-33 (continued)

Mrs. Hicks questioned if Mr. Powell intends to increase the size of the pathway to the pool and Mr. Powell responded he does not.

Chairman Elling stated he was in receipt of approval signatures from property owners at 86 & 94 Morris Crescent.

No comments were received from the public.

Motion by Elling, seconded by Hicks, to close the public hearing and grant a variance for property located at 90 Morris Crescent to construct a deck connecting the pool to the house.

Ayes: All

Noes: None

Motion Carried

2019-34

Request of Paul Strada of N.A.S. Sign Company for a variance for property located at 154 Orchard Park Road to construct an electronic sign within 500' of residential zoning

Paul Strada of N.A.S. Sign Company represented Southtowns Animal Hospital and stated their request for a variance to allow an electronic sign within 500' of residential zoning.

Chairman Elling stated no comments were received from NYSDOT, so the item will have to be tabled until the next meeting. Approval signatures were received from 40, 46, 51, 63, 70, 76, 82 Marlow Road; 47, 61 & 63 Lenox Road; 59, 64 & 81 Innes Road; and 25, 30, 56, 60 & 69 Fairfax Drive.

No comments were received from the public.

Motion by Elling, seconded by Hicks, to table this item until the July meeting pending receipt of comments from NYSDOT.

Ayes: All

Noes: None

Motion Carried

2019-35

Request of Daniel Brunner for a variance for property located at 341 Fawn Trail to construct a 6' high fence in front and side yard projecting 32' into front yard (maximum 4' high fence and maximum 10' projection permitted)

2019-35 (continued)

Daniel Brunner stated his proposal to replace a 4' high fence with a 6' high fence in his front and side yard projecting 32' into the front yard of his corner lot. The 6' fence will provide privacy, stop balls from coming into his yard, screen headlights and protect against intruders. Mr. Brunner stated he purchased the fence and started putting it up where permitted.

Chairman Elling stated he was in receipt of approval signatures from property owners at 323, 332, 336, 340 & 349 Fawn Trail. He further noted the fence is required to be setback 3' from the sidewalk.

No comments were received from the public.

Motion by Elling, seconded by Marzullo, to close the public hearing and grant a variance for property located at 341 Fawn Trail to construct a 6' high fence in the front and side yard projecting 32' into the front yard and setback 3' off the sidewalk.

Ayes: All

Noes: None

Motion Carried

2019-36

Request of Nicole Vara for a variance for property located at 826 East & West Road to construct a 6' high fence in front and side yard of corner lot (maximum 4' high fence permitted)

Nicole Vara stated her request to replace a chain link fence with a 6' high vinyl fence for privacy, noting the fence will go from the rear corner of the house to the rear of the lot.

Mrs. Hicks questioned if there will be a gate to the back yard and Mrs. Vara stated there will be a gate.

Chairman Elling stated he was in receipt of approval signatures from property owners at 800, 817 & 819 East & West Road; 3 E Bihrwood Drive & 48 W Bihrwood Drive.

No comments were received from the public.

Motion by Marzullo, seconded by Kapuscinski, to close the public hearing and grant a variance for property located at 826 East & West Road to construct a 6' high fence in the front and side yard.

Ayes: All

Noes: None

Motion Carried

2019-37

Request of Paul Strada of N.A.S. Sign Company for a variance for property located at 4100 Clinton Street to construct an electronic sign within 500' of residential zoning

Paul Strada of N.A.S. Sign Company represented Clinton Street School and stated their request for a variance to allow an electronic sign within 500' of residential zoning.

Chairman Elling stated no comments were received from NYSDOT, so the item will have to be tabled until the next meeting. Approval signatures were received from property owners at 4101, 4130 & 4148 Clinton Street and there were many no answers on the list. Chairman Elling suggested Mr. Strada attempt to get additional signatures and bring them to the next meeting.

No comments were received from the public.

Motion by Elling, seconded by Kapuscinski, to table this item until the July meeting pending receipt of comments from NYSDOT.

Ayes: All

Noes: None

Motion Carried

2019-38

Request of Elias Argen for a variance for property located at 24 Villa Maria Road to construct a garage addition with 17' front setback (minimum 30' front setback required)

Elias Argen stated his proposal to extend his garage to allow for additional parking, noting he has four vehicles, a motorcycle, snowmobile and trailer.

Mrs. Hicks questioned if the height of the garage will be increased. Mr. Argen responded the height may have to be increased to make it structurally correct, but he will be using the same garage doors. Code Enforcement Officer Douglas Busse advised an attached garage can be the height of the existing house.

Chairman Elling stated he was in receipt of letters of approval from property owners at 10, 17, 23, 29, 36, 37 & 45 Villa Maria Road.

No comments were received from the public.

2019-38 (continued)

Motion by Elling, seconded by Marzullo, to close the public hearing and grant a variance for property located at 24 Villa Maria Road to construct a garage addition with 17' front setback.

Ayes: All

Noes: None

Motion Carried

2019-39

Request of John Lydon of Lydon Architects for a variance for property located at 213 Chamberlin Drive to construct an addition with 17.17' front setback (minimum 30' front setback required)

Ruth Eaton of Lydon Architectural Services represented the owner of 213 Chamberlin Drive who would like to construct an open porch addition on the house. The porch will be 8' x 20' wide with four columns and an open railing. The existing house has a 25' front setback and the owner would like to reduce that to 17' with the porch addition.

Chairman Elling stated he was in receipt of letters of approval from property owners at 209, 217 & 218 Chamberlin Drive.

No comments were received from the public.

Motion by Elling, seconded by Kapuscinski, to close the public hearing and grant a variance for property located at 213 Chamberlin Drive to construct an addition with 17.17' front setback.

Ayes: All

Noes: None

Motion Carried

2019-20

Request of Brian & Erica Carr for a variance for property located at 327 Woodcrest Drive to construct a garage with 27' front setback (30' setback required) and a driveway 2' off lot line (3' from lot line required)

The applicant was not present at the meeting.

Motion by Elling, seconded by Marzullo, to table this item until the July meeting and if the applicant is not present at that time the item will be received and filed.

Ayes: All

Noes: None

Motion Carried

WEST SENECA COMMUNITY CENTER
1300 Union Road
West Seneca, NY 14224

ZONING BOARD OF APPEALS
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ADJOURNMENT

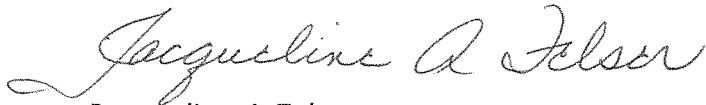
Motion by Kapuscinski, seconded by Hicks, to adjourn the meeting at 7:40 P.M.

Ayes: All

Noes: None

Motion Carried

Respectfully submitted,

A handwritten signature in cursive script that reads "Jacqueline A Felser".

Jacqueline A Felser
Town Clerk/Zoning Board Secretary