

2019-44 (continued)

Frank Wailand submitted a letter from National Grid approving a 5' setback. The site plan was modified and Mr. Wailand requested his application be amended to reflect the 5' setback.

Chairman Elling stated he was in receipt of approval signatures from property owners at 3160, 3180 & 3210 Seneca Street. The letter from National Grid indicated they felt the 3' boundary could be a safety hazard, but they had no problem with 5'.

No comments were received from the public.

Motion by Hughes, seconded by Marzullo, to close the public hearing and grant a variance for property located at 3155 Seneca Street to reduce the side yard setback to 5'.

Ayes: All

Noes: None

Motion Carried

NEW BUSINESS

2019-51

Request of David Buchheit Jr. for a variance for property located at 823 Fisher Road to allow a second driveway in required 40' front yard setback

David Buchheit stated his proposal to construct a second driveway on his property at 823 Fisher Road to access a new building behind his garage.

Chairman Elling stated because of the width of the parcel Erie County had no issue with the second driveway. Mrs. Hicks also noted the depth of the parcel is 297' and the building is located at the rear of the property.

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 823 Fisher Road to allow a second driveway in the required 40' front yard setback.

Ayes: All

Noes: None

Motion Carried

2019-52

Request of Guy & Pam Whiteley for a variance for property located at 290 Garry Drive to construct a roof over front porch reducing front setback to 23' (30' front setback required)

Guy Whiteley stated his proposal to construct a new 8' x 7' porch with a roof which will reduce the front setback to 23'.

Chairman Elling stated he was in receipt of approval signatures from property owners at 1611 East & West Road; 281 & 289 Garry Drive and 350 Fawn Trail.

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 290 Garry Drive to construct a roof over front porch reducing front setback to 23'.

Ayes: All

Noes: None

Motion Carried

2019-53

Request of David & Roxane Richmond for a variance for property located at 31 Old Farm Circle to construct a 6' high fence in side yard (maximum 4' high fence permitted)

David Richmond stated his proposal to construct a 6' high fence in his side yard in line with both his neighbor's fences. He presented pictures of the proposed fence and stated there will be locking gates on both sides.

Chairman Elling stated he was in receipt of approval signatures from property owners at 25, 30, 34 & 39 Old Farm Circle.

No comments were received from the public.

Motion by Marzullo, seconded by Hicks, to close the public hearing and grant a variance for property located at 31 Old Farm Circle to construct a 6' high fence in side yard.

Ayes: All

Noes: None

Motion Carried

2019-54

Request of Mark Lorenz for a variance for property located at 3966 Clinton Street to construct a 13' high detached garage (maximum 12' high accessory structure)

Chairman Elling stated no comments were received from NYSDOT so this item will have to be tabled.

No comments were received from the public.

Motion by Elling, seconded by Hicks, to table this item until the next meeting.

Ayes: All

Noes: None

Motion Carried

2019-55

Request of Thomas Zimmerman for a variance for property located at 4805 Seneca Street to raise chickens

Chairman Elling stated no comments were received from Erie County so this item will have to be tabled.

No comments were received from the public.

Motion by Elling, seconded by Kapuscinski, to table this item until the next meeting.

Ayes: All

Noes: None

Motion Carried

2019-56

Request of Gregory & Judith Varga for a variance for property located at 382 Woodward Crescent to construct a 6' high fence in front & side yard of corner lot (maximum 4' high fence permitted)

Judith Varga stated her proposal to construct a 6' high fence in her front & side yard to contain her dogs and for privacy.

Chairman Elling stated he was in receipt of approval signatures from property owners at 379, 380, 386 & 430 Woodward Crescent; 20 & 26 Woodward Court and 53 Treehaven Road. He questioned lack of a signature from the Alma Court property owner.

Mrs. Varga stated the Alma Court resident does not like fences and was not supportive of her proposal.

2019-56 (continued)

No comments were received from the public.

Motion by Elling, seconded by Hughes, to close the public hearing and grant a variance for property located at 382 Woodward Crescent to construct a 6' high fence in the front & side yard of the corner lot.

Ayes: All

Noes: None

Motion Carried

2019-57

Request of Diana Trent for a variance for property located at 1201 Center Road to reduce required parking for hair salon to seven spaces (nine spaces required)

Chairman Elling stated no comments were received from Erie County so this item will have to be tabled.

No comments were received from the public.

Motion by Hughes, seconded by Kapuscinski, to table this item until the next meeting.

Ayes: All

Noes: None

Motion Carried

2019-58

Request of Brian & Jamie Whittington for a variance for property located at 160 Northwood Avenue to construct a 6' high fence in front & side yard of corner lot projecting more than 10' in front of house (maximum 4' high fence allowed in front & side yard and maximum 10' projection in front of house)

Brian Whittington stated he had constructed a 6' high fence to protect his children and dogs. The fence is already up and he had obtained a permit for it, but it was the wrong permit.

Chairman Elling stated the fence was constructed 27" off the sidewalk and the Zoning Board has required they be setback 36" off the sidewalk for the safety of children and pedestrians. Mrs. Hicks commented they should be consistent with this requirement.

Chairman Elling stated he was in receipt of approval signatures from property owners at 140, 161 & 168 Northwood Avenue; 378 & 384 Forest Drive and 545 Meadow Drive.

2019-58 (continued)

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 160 Northwood Avenue to construct a 6' high fence in the front & side yard of the corner lot projecting more than 10' in front of the house and 3' off the sidewalk.

Ayes: All

Noes: None

Motion Carried

2019-59

Request of Marrano/Marc Equity Corporation for variances for property located in Princeton Park Subdivision to change driveway arrangements for Lots 29 thru 37 (driveways shall be located on the same side of the dwelling as adjacent sublots)

Attorney Ralph Lorigo represented Marrano/Marc Equity Corporation and stated their proposal to change the driveway arrangements for Lots 29 thru 37 to the west side of the property due to the slope of the land.

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 in Princeton Park Subdivision to change the driveway arrangements for Lots 29 thru 37.

Ayes: All

Noes: None

Motion Carried

2019-60

Request of Hassan & Angela Mohamed for a variance for property located at 79 W Bihrowd Drive to construct a new attached garage with 26' front setback and 3.7' side setback (30' front setback & 5' side setback required)

Angela Mohamed stated her proposal to demolish an existing one-car garage and construct a new two-car garage with 26' front setback and 3.7' side setback, noting the driveway is wide enough to accommodate a two-car garage and no business will be operated from the building.

Code Enforcement Officer Douglas Busse noted the house next door well exceeds the 5' separation mark required by NYS for fire rating.

2019-60 (continued)

Chairman Elling stated he was in receipt of approval signatures from property owners at 71, 76, 80, 83, 84 & 88 W Bihrwood Drive.

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 79 W Bihrwood Drive to construct a new attached garage with 26' front setback and 3.7' side setback.

Ayes: All

Noes: None

Motion Carried

ADJOURNMENT

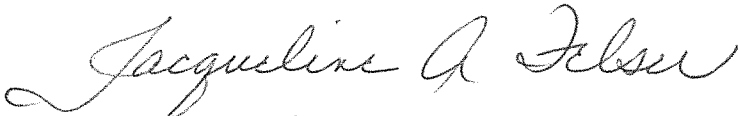
Motion by Hughes, seconded by Kapuscinski, to adjourn the meeting at 7:30 P.M.

Ayes: All

Noes: None

Motion Carried

Respectfully submitted,



Jacqueline A Felser
Town Clerk/Zoning Board Secretary