

2020-077

Request of Robert Jemiolo for renewal of the variance for property located at 3385 Clinton Street to allow live music

The applicant was not present.

Motion by Hughes, seconded by Greenan, to table the item until the end of the meeting.

Ayes: All

Noes: None

Motion Carried

2020-081

Request of CSEA for renewal of the variance for property located at 7 Willowdale Drive to construct an LED sign located within 500' of residential zoning district

A representative from the CSEA was present.

Code Enforcement Officer Doug Busse stated there are no complaints on file with the Code Enforcement Office.

Chairman Elling stated no complaints are on file with the West Seneca Police Department.

No comments were received from the public.

Motion by Elling, seconded by Kapuscinski, to close the public hearing and grant a one-year variance for property located at 7 Willowdale Drive to allow an LED sign.

Ayes: All

Noes: None

Motion Carried

2021-056

Request of Tammy Weisbeck for a variance for property located at 1729 Union Road to allow off-site advertising (no off-site advertising permitted)

The applicant was not present.

Motion by Elling, seconded by Hughes, to table the item at the request of the applicant until the January 2022 meeting.

Ayes: All

Noes: None

Motion Carried

NEW BUSINESS

2021-06

Request of Chris Stoutenburg for a variance for property located at 29 Delray Avenue to erect a 6' fence in front and side yard (4' maximum height allowed in front and side yard)

Mr. Stoutenburg stated he would like to replace the current chain link fence with a 6' privacy fence in the same location.

Chairman Elling stated he was in receipt of neighbor letters with no objection from 35, 26, 30, and 25 Delray Avenue.

Mr. Hughes noted approximately half of the fence would not require a variance. Code Enforcement Officer Doug Busse stated this is correct, where the fence meets the back corner of the house, the fence is permitted to be 6' in height.

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 29 Delray Avenue to erect a 6' fence in front and side yard.

Ayes: All

Noes: None

Motion Carried

2021-062

Request of Steven Hollis for a variance for property located at 646 Potters Road to allow parking of vehicles and parking area in front yard setback (no vehicles allowed within front yard setback)

Chairman Elling stated the applicant is not present due to concerns from the NYSDOT.

Motion by Elling, seconded by Hughes, to table the item until the January 2022 meeting.

Ayes: All

Noes: None

Motion Carried

2021-063

Request of Anthony Parker for a variance for property located at 140 Borden Road to construct a detached garage with 15' midspan (maximum 12' midspan allowed)

Mr. Parker stated approximately two years ago he attempted to obtain a variance for the project. In 2019, the flood plain had changed making the desired location to be unobtainable. The building location has been moved and is no longer in the flood plain.

Mr. Hughes questioned if the approved, could the flood plain change again. Code Enforcement

2021-063 (continued)

Officer Doug Busse stated this would be a question for the Town Engineer.

Ms. Greenan questioned how far off the flood plain is the structure. Mr. Busse stated the survey shows 27' and 17' which is a good distance.

Chairman Elling stated he was in receipt of neighbor letters with no objection from 124, 100, 110, 114, 126, and 132 Borden Road along with correspondence from ECDPW with no concerns regarding the variance request.

Mr. Busse stated the garage is for personal use only. Mr. Parker stated this is correct, a business will not be run out of the garage.

No comments were received from the public.

Motion by Elling, seconded by Greenan, to close the public hearing and grant a variance for property located at 140 Borden Road to construct a detached garage with 15' midspan, noting no business will be run out of the garage.

Ayes: All

Noes: None

Motion Carried

2021-064

Request of Jessica Sawyer for a variance for property located at 866 Mill Road to allow raising of chickens (raising of poultry/farm animals not permitted)

Ms. Sawyer stated she is a full time animal instructor with Erie 1 Boces. The chickens will be at the Potter Road school location ten months out of the year, the remaining two months, Ms. Sawyer would like to keep the chicken on her residential property.

Chairman Elling stated he was in receipt of neighbor letters with no objection from 874, 884, and 858 Mill Road and 41 and 47 Amana Place.

Mr. Hughes questioned how many chickens would be kept noting, roosters are not allowed. Ms. Sawyer stated she would be keeping three chickens and no roosters.

No comments were received from the public.

Motion by Elling, seconded by Hughes, to close the public hearing and grant a thirteen-month variance for property located at 866 Mill Road to allow raising of chickens.

Ayes: All

Noes: None

Motion Carried

2021-065

Request of Lawrence Sikorski for a variance for property located at 765 Fisher Road to construct a pole barn/garage with 14.5' midspan (maximum 12' midspan allowed)

Mr. Sikorski stated he would like to have a higher midspan to have an attic for storage. This will be strictly for personal use, no business will be conducted out of the structure.

Chairman Elling stated he was in receipt of neighbor letters with no objection from 728 and 724 Fisher Road along with correspondence from the ECDPW questioning the access to the structure. Mr. Sikorski stated access will be from the existing driveway. Chairman Elling questioned the second driveway going back to the shed. Mr. Sikorski stated this is not his property and was sold to the neighbor. Mr. Sikorski noted the adjoining neighbor was not available to sign.

Chairman Elling questioned if there was a plan for water. Mr. Sikorski stated there is an open drainage ditch.

No comments were received from the public.

Motion by Hughes, seconded by Elling, to table the item until the January 2022 meeting to allow the applicant time to obtain the adjoining neighbors signature.

Ayes: All

Noes: None

Motion Carried

2021-066

Request of Marsha Monaghan for a variance for property located at 195 Langner Road to permit an existing detached 2-family home (2-family home must be a singular continuous building with no seperation)

Mr. Monaghan stated they recently inherited the home with a separate apartment off the detached garage and for sale purposes they would like to correct the issue.

Code Enforcement Officer Doug Busse stated this is a formality. The property is zoned for a two-family house; R-65A permits a two family home but not seperated.

Chairman Elling stated he was in receipt of neighbor letters with no objection from 191, 201, 215, 222, 256, 210 149, 175, and 191 Langner Road along with correspondence from ECDPW with no concerns regarding the variance.

No comments were received from the public.

2021-066 (continued)

Motion by Elling, seconded by Kapuscinski, to close the public hearing and grant a variance for property located at 195 Langner Road to permit an existing detached 2-family home.

Ayes: All

Noes: None

Motion Carried

OLD BUSINESS

2012-58

Request of Ronald Race for renewal of the variance for property located at 1100 Orchard Park Road for display of storage sheds for sale

The applicant was not present.

Motion by Hughes, seconded by Elling, to table the item until the January 2022 meeting.

Ayes: All

Noes: None

Motion Carried

2020-077

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The applicant was not present.

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

Ayes: All

Noes: None

Motion Carried

ADJOURNMENT

Motion by Kapuscinski, seconded by Greenan, to adjourn the meeting at 6:27 P.M.

Ayes: All

Noes: None

Motion Carried

Respectfully submitted,

Amy M. Kobler
Town Clerk/Zoning Board Secretary