

Work Session

PRESENT: Katharine Prackajlo, Chair
Tracy Hirsch
Robert Woodring
Lisa Rood

ABSENT: Courtney Yoviene
Bethany Pryor

ALSO

PRESENT: Patricia Maxwell, Board Attorney
William Ferguson, Code Enforcement Officer
Allison Koczur, Supervisor Assistant

Mrs. Prackajlo read the Public Hearing Notice and opened the work Session at 7:00 public hearings relating to the applications for the following petitioners: New Frontier Excavating and Paving, Inc. located at 7003 Brown Hill Road is proposing the construction of a 55 x 140 x 27 high storage building on a lot with no principal structure. Town Code Section 123-48A does not allow construction of an accessory structure prior to a place on a principal structure. Town Code Section 123-136B(4) states maximum size accessory square footage on 3 to 5 acres is 2,000 square foot and maximum height for a 1 and ½ Accessory Building is 23 variance of 5, 560 square feet are needed along with a variance to construct an Accessory Building prior to a principal structure.

The next hearing would be Eugene and Mary Partridge residing at 7664 Back Creek Road. Are requesting to split there building lot. The lot requires a 100 foot of road frontage proposed 85.76 square foot frontage. Town Code Section 123-19B states lot width at the building line must be a 100 feet a variance of 14.24 is being requested. A Public Hearing Notice will be in the December 21, 2018 edition of the Hamburg Sun.

Correspondence:

- Received the engineering report and will be read according to petitions signed.
- Association of Towns monthly publication.
- Southtowns coming up in February in New York. Mrs. Prackajlo suggested to hold off until the April meeting due to it being more cost effective.

Approval of Minutes

Mrs. Prackajlo made a motion to accept minutes. Mr. Woodring seconded the motion. Motion carried.

Mrs. Prackajlo asked members if anyone had any questions regarding any of the variances. No questions.

Mrs. Prackajlo made a motion to close the work session at 7:07 PM. Seconded by Mr. Woodring. Motion carried.

Mrs. Prackajlo asked that Lisa Rood be made a voting member for Petition #542 & #543.

Mr. Woodring made a motion to accept Mrs. Rood. Seconded by Mrs. Prackajlo. Motion carried.

Signed: _____

Katharine Prackajlo, Chairman

Dated: _____

Zoning Board of Appeals

January 3, 2019

Petition #542 – Michael Halloran New Frontier Excavating 7003 Brown Hill Rd.

PRESENT: Katharine Prackajlo, Chair
Tracy Hirsh
Robert Woodring
Lisa Rood, Alternate

ABSENT: Courtney Yoviene
Bethany Pryor

ALSO PRESENT

Patricia Maxwell, Board Attorney
William Ferguson, Code Enforcement Officer
Allison Koczur, Supervisor Assistant

Mrs. Rood read the SEQUR from Hannon Engineering.

Mrs. Prackajlo made a motion that the ZBA established themselves as lead agency. Seconded by Mrs. Rood. Motion carried.

Mrs. Prackajlo invited the petitioner to speak to regarding their variance request.

- He states he lives in Angola and would like the accessory building for equipment storage. He stated he talked to the neighbors and they each signed a letter stating they had no objection to the variance request. He gave those letters to Mrs. Prackajlo.
- Mrs. Prackajlo asked if the machinery is just being left on sight.
- Mr. Halloran responded yes it is and it is unprotected and very visible.
- Mrs. Prackajlo asked how long have you been in business.
- Mr. Halloran responded 14 years.
- Mrs. Prackajlo stated accessory buildings are not usually built prior to residential and asked if he had any intention of building residential.
- Mr. Halloran stated no this property is adjacent to our businesses.
- Mrs. Rood asked if Mr. Halloran owned the property and he stated yes. He owns the two lots.
- Mrs. Prackajlo asked if he ever considered joining the two lots.

- Mr. Halloran said they are not opposed to it.
- Mr. Woodring commented there are expensive pieces of equipment
- Mrs. Rood had an alternate suggestion of putting up a temporary structure which would be unsightly as opposed to a metal that would be more aesthetically pleasing.
- Mr. Halloran said the structure will look the same as the other two buildings that are currently there.
- Mrs. Maxwell reminded about the letter of Declaration of Significance or Non-significance.
- Mr. Woodring made a motion to table this petition until February 7, 2019 ZBA meeting. Seconded by Mrs. Prackajlo. Motion carried.

Petition #543 Eugene and Mary Partridge 7664 Back Creek Road.

- Requesting to split their building lot. The lot requires a 100 foot road frontage proposed has 85.76 foot frontage. Town code Section 123-19B states lot width at the building line must be 100 foot, the variance of 14.24 feet is being requested.
- Mrs. P. made a motion to have Mrs. Rood a voting member. Seconded by Mr. Woodring. Motion carried.
- Mrs. Rood read the SEQR.
- Mrs. Prackajlo read the letter from Mr. & Mrs. Partridge requesting the variance.
- Mr. Partridge stated he would like to build a smaller house and his son would buy their current home.
- Mrs. Prackajlo asked if they spoke to any neighbors.
- Mr. Partridge did speak to Marcy Luccarelli, the neighbor who would be most impacted. Her or her husband did not object to the building.
- Mrs. Rood asked if they would consider moving their lot line being greater towards their neighbor Marcy and closer to their current home?
- Mr. Partridge agreed. He spoke to her regarding this.
- Mr. Woodring made a motion to approve the variance. Seconded by Mr. Hirsh. Mrs. Rood approved and Mrs. Prackajlo said no.
- Mrs. Prackajlo made a motion to close Petition #543 and to adjourn the meeting.