

RESENT: Robert Chelus  
Tracy Hirsch  
Courtney Mead  
Bethany Pryor

ABSENT: Kathy Prackajlo

ALSO Thelma Faulring Secretary to the Boards and Committees  
PRESENT:

Meeting to order

Secretary Faulring: Is there a motion for Chairman for this evening's proceeding's?

Ms. Pryor: I'll make a motion for Robert Chelus as Chairman for this evening.

Miss Mead: I'll second.

Secretary Faulring: If you are in favor of that motion please say yes.

Mr. Hirsch	yes
Miss Mead	yes
Miss Pryor	yes
Mr. Chelus	yes

Mr. Chelus appointed Courtney Mead as a regular voting member for this evening's proceeding.

Mr. Chelus asked for a toll call of the members. Attendance is noted above.

Mr. Chelus opened the Work Session at 7:03 PM.

Mr. Chelus: Mrs. Prackajlo did call to say that she would not be here this evening so that is an excused absence.

Minutes

Mr. Chelus: Are there any correction or additions to the minutes of August 6, 2015? Being none I will make a motion to approve those minutes as they are for the Work Sessions, Zolnowski, Cherry-Myers, Opfer and Kicinski.

Ms. Pryor: I'll second.

All were in favor of the motion.

Secretary Faulring: Do I have your approval to sign those minutes before they are put on the website?

Mr. Chelus: Yes, you have my permission to sign my name and finalize the minutes.

Correspondence

Mr. Chelus: There was no new correspondence for this evening. The other two items I would like to wait until after the petition ...actually the appointment of Courtney as regular member, has been tabled twice now, so Thelma's recommendation is to send another letter to the Board, I am going to try to be there Wednesday night for the meeting, this should still be on their agenda as old business. Is everybody in favor of sending them another letter asking them to appoint Courtney as a permanent member? All were in favor.

Mr. Chelus: I'll make a motion to have Thelma send the Town Board a letter asking them to appoint Kathy Prackajlo as Chairman of the Zoning Board of Appeals and to appoint alternate member Courtney Mead as a regular member of the Zoning Board of Appeals .

Ms. Pryor: I'll second.

All were in favor of Secretary Faulring sending the Town Board another letter with these requests.

Mr. Chelus: I'd like to hold off on the other item so that we can have further discussion on that.

Petition Discussion

Steve Batorski petition

There were no questions or comments at this time.

Mr. Chelus: I'll make a motion to close the Work Session.

Miss Mead: I'll second that.

All were in favor of the motion.

Mr. Chelus: I will make a motion to adjourn from the Executive Session  
Ms. Pryor: I second.  
All were in favor of the motion.

Mr. Chelus: I would like to make a motion that we send a letter to Town Attorney Kobiolka requesting an update on the Paul Mazur property. At this time we are aware his application for variance May 1, 2015 and he has not met either of the stipulations regarding that request and we would like written notification as to their intentions going forward regarding that variance as they are in violation.  
Miss Mead: I'll second that.  
All were in favor of the motion.

Mr. Chelus: We've already discussed the letter for appointment, so with that I will make a motion to adjourn.  
Ms. Pryor: Second.  
All were in favor of the motion.

Signed: Robert Chelus 26  
Robert Chelus  
Acting Chairman

Dated: October 1, 2015  
October 1, 2015

PRESENT: Robert Chelus  
Tracy Hirsch  
Courtney Mead  
Bethany Pryor

ABSENT: Kathy Prackajlo

ALSO William Ferguson Code Enforcement Officer  
PRESENT: Thelma Faulring Secretary to the Boards and Committees  
Steve Batorski Applicant - 5883 Old Orchard Drive  
James Currie 5928 Old Orchard Drive  
Heidi Finnegan 5883 Old Orchard Drive  
Sharon Measer 5871 Old Orchard Drive

Mr. Chelus opened the Public Hearing at 7:09 PM and read the Public Hearing Notice.

Mr. Chelus asked for a roll call of the members. Attendance is noted above.

Mr. Chelus: appointed Courtney Mead to serve as a regular member for this evening's meeting.

Mr. Chelus: Read Town Engineer James Hannon's SEQR Review in its entirety. The main points being:

- The action is not subject to review under Part 617
- No further action with respect to SEQRA is necessary or recommended

Mr. Chelus read Mr. Batorski's letter of request.

Mr. Chelus: Would the applicant come forward, state your name and background on what you're looking to do?

Steven Batorski: First of all I want to rescind the request of the feet off the lot line I think it would be better 10 feet off the lot line so I can have access all the way around.

Mr. Chelus: So today you're just looking for the square footage variance.

Mr. Batorski: Yes. And as I stated in my letter I would just like to have all my stuff in one spot and for the safety of everyone, all the kids in the neighborhood, and everyone around, if everything is contained in one area there would be less clutter in the neighborhood. If you drove by my property is tucked away in the back so you really can't even see it. I have no neighbors in the back or on the sides.

Mr. Chelus: What type of building is this?

Mr. Batorski: It's a pole barn. So at this point it's just going to be cold storage because I've got to pay for the building before I can move forward.

Mr. Chelus: One bay, two bays?

Mr. Batorski: It's going to be a pole barn, it's just one big open area, so I can move things around.

Mr. Chelus: Does anyone else have anything?

Mr. Hirsch: I think it's a good idea to move it over the 10 feet, because with two feet you'd have no way of maintaining that west side or doing any work on it without going on to the neighbor's property.

Mr. Chelus: Are there any other questions?

There were none at this time.

Mr. Chelus: At this point I'd like to open the public comment portion of the meeting, so please come forward and speak on behalf of the variance, please state your name and address.

James Currie – 5928 Old Orchard

- I'm across the street from him
- I have no objections whatsoever
- It's going to be way in the back no one will see it

Sharon Measer – 5871 Old Orchard Drive

- I'm on the other side of the lot between his house and ours
- The side lot as long as it's going to be 10 feet, I'm perfectly happy with that for the neighborhood
- No problem

Mr. Chelus: At this time I'd like to close the public comment portion of the meeting.

Ms. Pryor: I'd like to make a motion to approve the variance

- (1) Does it create an undesirable change to the character of the neighborhood?      Yes      No [ **X** ]
- (2) Can the benefit sought by the applicant be achieved if the variance is not granted?      Yes      No [ **X** ]
- (3) Is the requested variance substantial?      Yes      No [ **X** ]
- (4) Will the variance have an adverse effect/impact on the physical or environmental conditions of the neighborhood?      Yes      No [ **X** ]
- (5) Is the alleged difficulty self-created?      Yes [ **X** ]      No

Ms. Pryor: As the applicant withdrew his request for the setback variance, I'm only approving the size variance, the square footage, just the square footage.

Mr. Chelus: I'll second that.

Secretary Faulring: The motion is only on one item now the excessive square footage, a variance of 360 square feet is being recommended for approval. Say yes if you are in favor of the motion:

- Mr. Hirsch                      yes
- Miss Mead                     yes
- Ms. Pryor                      yes
- Mr. Chelus                     yes

Mr. Chelus: So moved. Please be aware that a Building Permit must be obtained within 6 months of the variance date and the building completed within one year of this date or else the variance is null and void.

Mr. Chelus: I'd like to make a motion to close the Public Hearing for Petition 688.

Miss Mead: I'll second that

All were in favor of the motion.

Discussion followed regarding a letter being sent to the Town Attorney concerning the Paul Mazur property.

Miss Mead: I'd like to make a motion to go into Executive Session to discuss the letter regarding the Paul Mazur's property.

Mr. Chelus: I'll second.

All were in favor of the motion.

Mr. Chelus: At this time I will re-open the Work Session.

Signed: Robert S. Chelus *rf*  
Robert S. Chelus, Acting Chairman

Dated: October 1, 2015 :  
October 1, 2015