

Town Board Minutes June 3, 2002

SPECIAL TOWN BOARD MEETING TOWN HALL

JUNE 3, 2002 6:00 P.M.

Present were Councilman Damian P. Wiktor, Councilman Thomas A. Edington, Councilman Karl J. Simmeth Jr., Councilman Dennis J. Mead, Supervisor William A. Eagan, Highway Superintendent Wayne C. Kreitzbender and Town Attorney Michael F. Perley.

Also present were Deputy Supervisor Richard Hawkins, Town Engineer Robert Harris, Deputy Code Enforcement Officer Frank Lisowski, Ronald Wierzba and Attorney Allan Fielitz.

At 6:05 p.m. a Public Hearing was held to hear public comments as a result of inspections of the property at 8146 Boston State Road made by the Deputy Code Enforcement Officer of the Town of Boston. Pursuant to Town Code, Chapter 47, of the Town of Boston, the Town Board has Determined that unsafe building (s) are located at 8146 Boston State Road.

Supervisor Eagan read the legal notice.

Deputy Code Enforcement Officer Lisowski gave an update of the property at

8146 Boston State Road.

Attorney Allan Fielitz, 4388 Clark Street,

representing owner Ronald Wierzba, gave a

history of the property and noted

that Ronald Wierzba is a building

contractor who plans to update the property and bring it up to code. Owner may apply for a variance to make the dwelling livable.

Ronald Wierzba, 4268 Keller Road commented that he plans to remodel the dwelling and bring it up to code.

Deputy Code Enforcement Officer Lisowski commented that he is only concerned with the house being unsafe.

Ronald Wierzba responded that he plans to rebuild the house.

Town Attorney Perley commented that currently a house couldn't be built on this property due to the zoning. Mr. Wierzba will require a variance to build a house. The Zoning Board of Appeals will hear a variance request but the Town Board does not know how they will rule. The Code Enforcement Office will have to determine if the house can be salvaged.

Deputy Code Enforcement Officer asked how the property would have to be zoned in order for him to construct a house.

Town Attorney Perley responded the property would have to be zoned R-C.

Ronald Wierzba commented that he would store some business-related equipment on the property.

Town Attorney Perley noted that the Town Board must determine whether to proceed with the Demolition Order.

Code Enforcement Officer Lisowski noted that the owner must move along with the project and not delay and that he may be better off leaving the zoning C-1 for future use. Mr. Wierzba must close the building securely until reconstruction begins.

A motion was made by Councilman Mead and seconded by Councilman Simmeth to close the Public Hearing at 6:22 p.m.

five (5) Ayes Carried SPECIAL TOWN BOARD MEETING TOWN HALL

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Attorney Fielitz asked the Board to delay any negative determination until they have decided their intentions.

Councilman Simmeth responded that the Town Board will delay the demolition for 30 days and requested a plan by 7/3/02.

DAVID J. SHENK, TOWN CLERK