

TOWN OF NEWSTEAD
ZONING BOARD OF APPEALS
MINUTES of February 19, 2002

Present: Corky Keppler
Clark Killian
Ike Cummings
Scott Chaffee
Don Folger, Code Enforcement Officer
Christine Falkowski, Recording Secretary

Chairman, Corky Keppler, led the Pledge of Allegiance to the Flag.

The Clerk read the previous minutes from January 15, 2002. Mr. Folger pointed out that a correction is necessary stating the following: ...that part of Greenbush is a Town road which requires a structure to be 50 feet off the right-of-way, whereas the other part is a County road, which requires 65 feet off the right-of-way.

The public hearing to hear comments for or against the request to allow a variance from 100 foot frontage requirement located at 13677 Main Road, owned by Richard Walser, in order to address Department of Environmental Conservation, was opened at 7:30 PM.

The Clerk read proof of publication.

Attorney Michael Ranzenhofer presented Mr. Walser's case to the Board. Mr. Folger recommended the Board address the septic system usage when making their decision.

No prior comments for or against had been received.

There being no one to speak further, Ike motioned to close the hearing at 7:45 PM, seconded by Scott, and all approved.

The public hearing to hear comments for or against the request to allow subdivision of property at 12447 Hunts Corners Road, owned by Jim Young, due to Erie County not turning the old right-of-way over to the Town was opened at 7:45 PM.

In 1947 the County was supposed to turn over the portion of land located between the old and current roads (.258 acres), therefore, he does not have any road frontage for the proposed lot. Nathan Neill recommended Mr. Young apply for a variance instead.

No prior comments for or against have been received.

There being no one to speak further, Clark motioned to close the hearing at 8:00 PM, seconded by Scott and all approved.

Discussion followed. Scott made a motion, seconded by Ike, to approve a variance from 100 foot frontage requirement located at 13677 Main Road, owned by Richard Walser, in order to address Department of Environmental Conservation, and approved by all, with the following stipulation:

That an agreement be put together between the Town attorney and Mr. Walser's attorney on the joint usage by both properties on the septic system.

Scott motioned to approve a variance that will allow subdivision of property at 12447 Hunts Corners Road, owned by Jim Young, due to Erie County not turning old ROW over to Town, seconded by Ike and all approved.

Scott motioned to adjourn the meeting at 8:03 PM, seconded by Clark and all approved.

Respectfully submitted,
Christine B. Falkowski,
Recording Secretary