VILLAGE OF PERRY ZONING BOARD OF APPEALS MEETING May 3, 2022

Laura Gifford, Village Deputy Clerk

Present: John Czyryca, Chairman Don Roberts, ZEO

Zach Kowasz, Member Bethany Zerbe, Member Meggan Quartz, Member Joe Rebisz, Alternate Eleanor Jacobs, Alternate

Guests: Angel & Bruce Gardner, applicant

Chairman Czyryca called the meeting to order at 6:31 PM and led the pledge to the flag.

APPROVAL OF MINUTES – APRIL 5, 2022

Motion to approve the minutes was made by Zach Kowasz, seconded by Chairman Czyryca, and carried with all voting aye.

PUBLIC HEARING FOR AREA VARIANCE - 79 GARDEAU ROAD

The application for an area variance at 79 Gardeau Road was referred to the Wyoming County Planning Board. It was approved, agricultural data included, and determined there is no significant impact on the community.

A list of neighbors within 200 feet of 79 Gardeau Road was provided to the applicant so they could provide notice of the public hearing. The applicant provided Certificates of Mailing from April 16, 2022 which shows that each of the neighbors, on the provided mentioned list, was mailed a notice of the public hearing. There were no objections.

Motion to approve an area variance requesting a reduction in side yard from the required 10 feet to a 1 foot setback from the furthest projection to add a three-season room and one car garage at 79 Gardeau Road, Perry, NY was made by Joe Rebisz, seconded by Chairman Czyryca and carried with all voting aye.

OTHER BUSINESS

Chairman Czyryca received a call from Mayor Hauser. The Village Board of Trustees would like ZBA members to go to a government workshop to help efficiency in processing variances.

Since the Local Zoning Law revisions, some Main St. District changes may potentially have an impact on specific future development for building owners. An example of this is "Travers Place". This property has a "pre-existing use" currently. However, the Village cannot confirm its legal existence. Apartments have been on the first floor for decades. However, this does not provide a building owner the ability to continue illegally. The zoning change alone will hinder an owner to expand the use on the first floor. There was a discussion about adopting an amortization schedule as one approach. The Village currently does not have proof of compliance so, while Travers Place has a pre-existing use, a pre-existing non-conforming use is yet to be determined.

Breezy Barn is putting up another barn for an open-air pavilion. The owner wants to have campers drive in and stay over. A plan was approved by the planning board and then the owner wanted to change it but has not taken it back to the board. Don did inform the owner to bring all her ideas as part of the original plan.

Motion to adjourn the meeting was made by Zach Kowasz at 7:05pm. Joe Rebisz seconded the motion and it was carried.

Respectfully submitted, Laura Gifford Village Deputy Clerk