

**VILLAGE OF PERRY
ZONING BOARD OF APPEALS MEETING
SEPTEMBER 15, 2026**

Present:	Zach Kowasz	Chairperson
	Meggan Quartz	Member
	George Smith	Member
	Joe Rebisz	Member
	Tim Hatch	Alternate
Also Present:	Don Roberts	ZEO
	Christina Slusser	Zoning Secretary
Guests:	Michael Webb	Applicant
	Michael Bernard	Applicant
	Del Bell	Resident/Neighbor of Applicants
Absent:	Bethany Zerbe	Member

Chairperson, Zach Kowasz called the meeting to order at 6:30 pm and led in the Pledge of Allegiance.

MINUTES

Meggan Quartz made a motion to approve the minutes for 8/4/2026 which was seconded by George Smith and carried with all voting aye.

PUBLIC HEARING – VARIANCE FOR 5 ANDRUS AVE.

An application was submitted by Ashley Berger of 5 Andrus Ave. for an area variance for the construction of a 20' x 30' garage. Michael Bernard, also of 5 Andrus Ave. was present to answer any questions on the application. Chairperson Kowasz opened the public hearing for 5 Andrus Ave. at 6:37pm.

A letter was received today from neighbor Lonnie Bogardus in response to the public hearing notice. Chairperson Kowasz read the letter aloud. Mike Bernard addressed some of the concerns in the letter by clarifying that the proposed garage would be used solely as a personal garage and that there was no intention of operating a business from the property. He acknowledged that he understands concerns regarding water drainage and stated he is willing to develop a solution to address the issue.

Chairperson Kowasz noted that at the previous meeting the applicant had been asked to provide updated drawings addressing the drainage concerns. An updated drawing had been received but was not included in the meeting packet. Don stated that while collecting water in

barrels was an option, it would be preferable to install drainage tile and direct the water to the storm drains.

The proposed setback would be approximately 2–3 feet from the property line. Don also discussed the lot coverage requirements and noted that the proposed garage would leave limited room for any additional structures on the property.

Del Bell expressed concern that the garage should be oriented differently and suggested that it face the other direction. He raised concerns regarding the proposed setback and where snow and rainwater would go. He questioned who would be responsible for potential damage if water entered a neighboring property. Del also expressed concern that the proposed structure could affect property values and stated that he believed the garage should be located 10 feet from the property line.

Chairperson Kowasz acknowledged the concerns and noted that the proposal remained within the applicable lot coverage requirements and that the size of the building, by itself, could not be considered an obstruction to the neighborhood if the applicable requirements were met. Drainage, however, is an issue that needs to be addressed. The revised roof design was discussed where the roof would slope towards the front and rear yards rather than towards the neighboring property. The proposed drainage solution would direct water to the storm drains located along the street.

Any portion of the garage located less than five feet from the property line would require the applicable one-hour fire rating protection. ZEO Roberts stated that the proposed garage would be a significant improvement because the existing structure (the garage that was demolished) was nonconforming. The proposed changes would result in a structure that was closer to conforming than the existing was.

Mike Bernard stated that he would work to adjust the garage to be approximately six feet from the rear property line to avoid the need for a one-hour fire rating and in an effort to address the neighbors' concerns. These changes will trigger the need for a new public hearing and notifications to be sent out. This matter is tabled until new plans are received from the applicant.

PRELIMINARY REVIEW – VARIANCE FOR 7 ANDRUS AVE.

Michael Webb and Adrienne Skitch of 7 Andrus Ave. submitted an application for a variance to place an 18' x 20' single story shed on a concrete slab in the west corner of their lot. The shed will replace a shared garage (with 5 Andrus Ave.) that has been demolished.

Michael Webb was in attendance to share updated plans and updates. The applicants wish to place the shed on a gravel pad rather than a concrete slab and the shed size will be 14' x 16' (rather than the original request for an 18' x 20')

It was clarified that the requested variance is for the location of the structure concerning the required distances from the rear and side property lines (rear setback requires 30'; side setback requires 10'). No variance is required for the slab. The Board noted that the exact dimensions of the shed and its distance from the property lines will need to be established. Although the shed is movable, it will still require a fireproof rating if located within 5 feet of the property line.

To avoid the need for the additional fire rating, the applicant requests a 5½ foot setback from the side property line and a 5½ foot setback from the rear lot line and plans to keep the shed centered. Measurements are to be taken from the furthest projection of the structure. Chairperson Kowasz stated that the application will need to be referred to the County and that the applicant will need to provide a revised plan showing the dimensions and proposed setbacks for the variance request.

George Smith made a motion to refer the application to the Wyoming County Planning Board which was seconded by Joe Rebisz and carried with all voting aye.

Meggan Quartz followed up with a motion to schedule the public hearing for 10/6/2026, the next regular meeting. This motion was seconded by George Smith and carried with all in favor.

Required notification to the neighbors must be completed by next Friday, 9/25/2026.

OTHER BUSINESS

The Trailside Camping law was passed by the Village Board on 9/8/2026.

With no further business, motion to adjourn was made by Meggan Quartz at 7:34 pm which was seconded by George Smith and carried.

Respectfully submitted,
Christina Slusser, Village Clerk/Zoning Secretary