TOWN OF LOCKPORT
ZONING BOARD OF APPEALS
September 22, 2009

PRESENT: Charles Dahlquist
Donald Jablonski
Tim Lederhaus, Chairman
Frank Loiars
Michael Bartus
Kevin Roth, Alternate

ALSO PRESENT: Brian Belson, Senior Building Inspector
Daniel Seaman, Town Attorney
Jane Trombley, Secretary

The September 22, 2009 Zoning Board of Appeals meeting was called to order at 7:00 pm by Chairman Lederhaus, who then led the Pledge of Allegiance. Chairman Lederhaus noted all members are present.

MOTION made by Member Loiars, seconded by Member Jablonski to approve the August 25, 2009 minutes as received. 5 Ayes, 0 Nays, Carried.

CASE #1 **5477 Upper Mountain Road – SBL #108.01-3-87 – Mark B. Erickson -** Requesting area variance to erect a pole barn to be used as a primary garage 22' x 32'. Mr. Erickson presenting. Mr. Erickson stated he would like to erect a pole barn and when he checked with the utility companies, they suggested to him where it would be best placed to stay away from the underground utilities. Mr. Erickson stated he will have to have an L-shape in his driveway to make it work, but this is where they suggested.

Chairman Lederhaus opened the Public Hearing.

Chairman Lederhaus asked if there will be any business conducted in the garage. Mr. Erickson stated no, mostly to store his antique car and other vehicles.

Chairman Lederhaus asked about the siding on the garage. Mr. Erickson stated the vinyl siding on the house and garage will basically match as well as the roofs.

Member Jablonski asked if the floor will be concrete. Mr. Erickson stated no, gravel for now with a steel roof.

Chairman Lederhaus asked if the garage will have plumbing. Mr. Erickson stated not this year.

Member Jablonski stated the house is approximately 1136 square feet and the garage will be approximately 704 square feet and questioned Mr. Erickson if he has spoken with the neighbors. Mr. Erickson stated not any on Mt. View Drive, but he has spoken to the girl next door and explained it to her. Mr. Erickson stated there is a Cerebral Palsy Home on Mt. View Drive.

Member Loiars asked if there will be gutters. Mr. Erickson stated yes, and an overhead, insulated door.

Member Loiars asked in the structure in front will be coming down. Mr. Erickson stated yes, and there is also an old trailer that he uses for storage that he will be getting rid of.

Member Loiars asked if the electric will be underground. Mr. Erickson stated he would prefer it to be underground but he isn't sure, it is the gas and telephone lines that are underground.

Senior Building Inspector Belson noted that if the garage was attached to the home, there wouldn't be a need for a variance.

Member Loiars asked if the driveway will be blacktopped. Mr. Erickson stated yes, but it may be concrete when he puts the concrete pad in, but right now he has a low budget.

Chairman Lederhaus asked for Public Comment. Hearing none, Chairman Lederhaus closed the Public Hearing.

MOTION made by Member Loiars, seconded by Member Bartus to grant an area variance to Mark Erickson of 5477 Upper Mountain Road, to erect a pole barn to be used as a primary garage on the condition that he will eventually put in a concrete floor and that gutters will control the water runoff, under Town Law 267b based upon the following findings:

1. the requested variance will not create an undesirable change in the character of the neighborhood;
2. the benefit sought by the applicant cannot be achieved by any other feasible method;
3. the requested area variance is not substantial;
4. the proposed variance will not have an adverse effect on the environmental conditions in the neighborhood; and
5. the difficulty was not self created.

5 Ayes, 0 Nays, Carried.

The next Zoning Board of Appeals meeting will be October 27, 2009 at 7:00 pm.

MOTION made by Member Jablonski, seconded by Member Dahlquist to adjourn. 5 Ayes, 0 Nays, Carried.

BY ORDER OF THE TOWN OF LOCKPORT

ZONING BOARD OF APPEALS