

Town of Clarence
One Town Place, Clarence, NY
Zoning Board of Appeals Minutes
Tuesday February 11, 2014
7:00 p.m.

Chairman Daniel Michnik called the meeting to order at 7:02 p.m.

Zoning Board of Appeals members present:

Chairman Daniel Michnik	David D'Amato
Patricia Burkard	Gregory Thrun

Zoning Board of Appeals member(s) absent: Ryan Mills

Town Officials present:

Director of Community Development James Callahan
Junior Planner Jonathan Bleuer
Deputy Town Attorney Steven Bengart

Other interested parties present: David Sutton

Motion by David D'Amato, seconded by Patricia Burkard, to **approve** the minutes of the meeting held on January 14, 2014, as written.

Gregory Thrun	Aye	Patricia Burkard	Aye
David D'Amato	Aye	Daniel Michnik	Aye

MOTION CARRIED.

Old Business

Appeal No. 1 (from January 2014)
David M. Hillery
Residential Single Family

- Requests the Board of Appeals approve and grant:
- 1.) A variance to allow for a 528 square foot secondary detached garage.
 - 2.) A variance of 7.5 feet to allow for a 5 foot side yard setback for proposed 528 square foot detached garage.

Both requests apply to 6152 Bridlewood Drive South.

Appeal No. 1 is in variance to §229-55(H) and §229-52(B).

DISCUSSION:

David Sutton is present and representing the applicant.

Patricia Burkard reads the following e-mail correspondence dated January 15, 2014 into the record:

“Thank you for your help and guidance. I am emailing my concern relative to the Request for Action by the Appeal Board by David Hillery, owner of 6152 Bridlewood Dr S. David Hillery is requesting a variance of 7.5 feet to allow for a 5 foot side yard setback of the detached garage on his property. I have reviewed the plans and the plans do not contain any specifics to the drainage. Currently there is a significant pooling of water during the wet season along our shared property line and I am concerned about this situation worsening. There are two specific items that I think need to be addressed. First the proper grading around the garage as to not exacerbating the water pooling along the fence (shared property line). Secondly the roof runoff to the gutter and how that runoff will be handled. I believe that all of the garages in the development are attached and the gutter runoff is directed to the underground pipes that take it to the storm sewers at the street. In my discussion with the architect and David they are planning to do that but again it is not specified in the current set of plans. Please let me know if my concern is clearly explained. Do I need to do or convey these concerns to any other town authority? Thanks again for all of your help. Dennis Maciejewski, 8468 Springbrook Court.”

Mr. Sutton submitted an updated letter and an updated set of plans. He noted that he and the applicant spoke with Mr. Maciejewski and assured him that they will connect all roof leaders to the existing drainage system. The applicant will continue to work with the neighbor to make sure there is no increase or negative impact on the drainage problem there. Mr. Sutton said he hopes to correct some of the drainage problems that exist by doing some re-grading associated with the structure. There will be a minimum of eight (8) arborvitaes, 5' in height as part of the landscaping plan, there will probably be other landscaping installed. These arborvitaes will soften the structure to the two parties that are most impacted by it. Mr. Sutton said, as was suggested by the Board, he focused on the connecting element between the primary structure to the proposed structure. They further enhanced the front elevation by using a brick-like material on the front, which will match the existing structure, up to the eave height and then there will be siding up above. Mr. Sutton referred to a photo, Exhibit A, in which a connecting roof is shown. He explained that the connection would add for a problematic construction detail. In his opinion, it looks forced and clumsy. They are proposing a trellis to connect the structure with a gate; this will give it a sense of connection. See Exhibits B, C and D on file.

Mr. Sutton noted that the only difference in the list of the five (5) criteria is within #3 in which he elaborated on the landscaping portion noting that the 5' setback shall be landscaped to enhance the existing landscaping on site because that was a criteria.

Mr. Thrun asked what the width of the trellis will be. Mr. Sutton said the trellis will be about 2' wide.

Mrs. Burkard referred to Exhibit B and noted that the top will go back a minimum of 2', Mr. Sutton concurred. The applicant is looking for a more open feel so the gate would not be a closed gate. It will be wood or wood-like material. The client's preference is for a single door, however they are flexible with their design and will respect the wishes of the Board.

The landscape plan is for seven 4' arborvitae that will be plated to wrap around the structure.

The width between the two structures is 6', so the trellis will be that wide, 2' in depth. The driveway way will continue with concrete material to the apron of the new structure.

ACTION:

Motion by David D'Amato, seconded by Patricia Burkard, to **approve** Appeal No. 1 under Old Business based on the new plan submitted, including the landscaping and the depth of the start of the gate. The landscaping plan is for seven (7) four feet (4') arborvitae to be installed. The trellis is to be a minimum of two feet (2') in depth. The roof leaders from the garage will be placed into the existing drainage system.

Gregory Thrun	Aye	Patricia Burkard	Aye
David D'Amato	Aye	Daniel Michnik	Aye

MOTION CARRIED.

Meeting adjourned at 7:23 p.m.

Carolyn Delgato
Senior Clerk Typist