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July 10th 2024

TOWN OF EVANS

RECEIVED
SEP 12 2024
Lynn M. Krajacic
Town Clerk
Town of Evans

REGULAR MEETING OF THE ZONING BOARD OF APPEALS

Members Present: T. Spada, J. Kennedy, D. Maglich

Members Absent: H. Martin, Jr., C.LaRusso,

Also Present: J. Flading Code Enforcement Officer, B. Penberthy, Esq.

Mr. Maglich opened the meeting with a quorum at 6:00pm. The meeting was held in the Municipal Building Court room, 8787 Erie Road, Angola, New York 14006.

New Business:

Ms. Spada moves to approve the minuets from the June 12th 2024 meeting Mr. Kennedy seconds the motion.

All in favor:
Mr. Martin, Jr., abs **Mr. Maglich, aye**
Ms. Spada, aye **Mr. Kennedy, aye**
Mr. LaRusso, abs

Ken Campbell 6626A Lakeshore Rd, Derby, NY 14047, is requesting to put an addition at 6626 B Lakeshore Rd, Derby, NY 14047 on the southeast side of property, in violation of the Town of Evans Zoning Law Sections 200-11(C)(1)(c)(2) minimum side setback of 20 ft.

The applicant was present for the appeal.

Mr. Campbell advises that there is nothing really around his house and that his neighbors have no objections to him building.

No one spoke in favor or against the appeal.

Mr. Maglich. closed the public discussion and opened the board for discussion.

Ms. Spada makes a motion approve Mr. Kennedy seconds.

All in favor:

Mr. Martin, Jr., abs	Mr. Maglich, aye
Ms. Spada, aye	Mr. Kennedy, aye
Mr. LaRusso, abs	

Kathy Verrastro , 900 Sturgeon Point Rd, Derby, NY 14047 is wanting to construct an accessory structure in violation of the Town of Evans Zoning Law Section 200-9(C)(3)(b)(3) maximum allowed accessory structure of 1200 Sq Ft

The applicant was present for the appeal.

Mrs. Verrastro explained that she is requesting the larger structed with the carport off the side to make a patio off that side.

Mr. Kennedy asks how many acers the parcel is. Mrs. Verrastro answers with 2.7.

Mr. Maglich advises that the total roofed structure would be 2,288sqft which is a large increase from the 1200sqft that is allowed. Mr. Maglich suggest that they try to lower the overall footprint to a more manageable increase.

Mr. Fladding advises that the purposed area of construction is under DEC wetlands that they would have to go through a process before seeking this variance.

Mrs. Verrastro requests an adjournment until they can figure out if they can build on the back part of the lot or not.

Ronald Comstock 9046 Iroquois St, Angola, NY 14006, was stricken from the docket due to the changes they made not requiring a variance anymore.

Doug Pierce 9067 Southwestern Blvd, Angola, NY 14006, is wanting to construct a is wanting to construct an accessory structure in violation of the Town of Evans Zoning Law Section 200-8.2(C)(8)(b)(3) maximum allowed accessory structure of 1200 Sq Ft

The applicant was present for the appeal.

Mr. Pierce stated that he is putting the carport on the side to store his equipment in, tractor, tools, etc.

Mr. Fladding advises the board that the pole barn is already built, and this is just going to be for the carport that overhangs off the side.

No one spoke in favor or against the appeal.

Mr. Maglich closed the public discussion and opened the board for discussion.

Mr. Kennedy makes a motion approve the variance, Ms. Spada seconds.

All in favor:
Mr. Martin, Jr., abs — Mr. Maglich, aye
Ms. Spada, aye — Mr. Kennedy, aye
Mr. LaRusso, abs

Zola Borosky 7084 Versailles Plank Rd, Derby, NY 14047, is wanting to construct a deck to the north east side of property in violation of the Town of Evans Zoning Law Section 200-12(C)(1)(f)(3) minimum one side of 5 ft.

The applicant was present for the appeal. Also, her nephew Randy Borosky 255 Hoyt St Buffalo, NY 14213.

Mr. Borosky states that the applicant is replacing an existing deck on the side of the house.

Mr. Flading advises the board that this project is already built.

The board asks if the deck could have been moved to the other side of the house.

The applicant and Mr. Fladding advise that there is already a door on this side of the house that is 4ft off grade requiring something to be built to use for egress.

No one spoke in favor or against the appeal.

Ms. Spada makes a motion approve the variance, Mr. Kennedy seconds.

All in favor:
Mr. Martin, Jr., abs — Mr. Maglich, aye
Ms. Spada, aye — Mr. Kennedy, aye
Mr. LaRusso, abs

Mr. Maglich make a motion to adjourn seconded by Ms. Spada.

All in favor:
Mr. Martin, Jr., abs — Mr. Maglich, aye
Ms. Spada, aye — Mr. Kennedy, aye
Mr. LaRusso, abs

Respectfully Submitted,

Alex Haley