

## ZONING BOARD OF APPEALS MEETING

August 18, 2016

The meeting was called to order by Chairman Bill Gabak at 6:18PM, waiting for a Board Member to arrive. Roll call by Clerk, Cindy Schiminske, found the following Board Members present:

Neal VanLiew  
Kathy Taylor  
Fritz Allen  
William Gabak, Jr., Chairman  
Phil DelloStritto, absent

Also in attendance: Leon and Elizabeth Cronce  
Attorney Jonathan Pollack  
Andrew Leja, Planning/Zoning Special Counsel  
Don Bowen, Zoning Officer

Chairman Gabak made a motion to approve the minutes of July 21, 2016 as presented by ZBA Clerk, Cindy Schiminske. Approved AYES 4-0.

The purpose of this meeting was to continue the Cronce variance application

Jonathan Pollack, attorney for the Cronces, spoke on behalf of the applicants. He indicated that the Cronces have been in contact with Bill Boyd from Boyd & Sons, who have put in a proposal to remove 7ft from the back of the building. That would shave off about 140 sqft, so the square footage of the building would be roughly 342 sqft which is significantly smaller than what is already on the premises. It would still require a variance for the square footage. In terms of the side yard variances, there were letters submitted by the neighbors, Keough and Chernago, in support of that.

Chairman Gabak asked if they were not selling the building now. Mr. Cronce explained that he has been trying to work on this and they called eight different contractors trying to get some kind of resolution. Only yesterday did they find out that this new proposal was a possibility which would meet the criteria set forth in the zoning code. Mr. Boyd from Boyd & Sons proposes to remove 7 ft from the rear of the building which will reduce the square footage by 140, which brings it down to 342 sqft. They are 12sqft over. The Board indicated that they felt comfortable with that number.

Mr. Cronce stated that he has been in contact with the company that manufactured the building and they stated it would not affect the integrity and they could still maintain the 50lbs per sq foot of snow load and 130 mph wind. Also, the reason the reduction is at 7ft is because that is where the joists are. They need to stay at 7' as that is where the next rib is. They are only 42" or so on center and that is where they will maintain the strength. The Cronces were advised that because they were removing some of the building, they would need something in writing from the company that manufactures the building, on their letterhead, signed by a company official, stating that it wouldn't compromise the integrity of the building.

Chairman Gabak confirmed with the Cronces that the materials were water resistant and that the building was properly anchored.

Attorney Leja stated that, in the past, alleged property lines didn't quite match up where they were supposed to be and suggested that Don Bowen be allowed to verify the measurements of the building and the proposed setbacks. He reviewed that the Cronces will be cutting off the 7 most westerly feet of the building because that is the most convenient place for the cut to occur structurally. As they are still beyond the maximum coverage allowed, what would be the next cutback they could go to further reduce the size of the building to eliminate the need for a variance? Mr. Cronce stated 42" to the next truss and then they would have difficulty getting some of their belongings in. They reviewed with the Board why 280 sqft wouldn't work and 340 sqft would, by detailing what items would be stored within the structure. Attorney Leja asked if this proposal also includes the removal of the small shed that already exists on the property. Mr. Cronce indicated that he offered that last month as a remedy. He confirmed that the removal of the shed still stands.

Attorney Leja stated that in terms of stormwater handling, it's a fairly large garage now, an impermeable surface being added. He asked the Cronces if there has there been any consideration as to what they were going to do to direct the water flow coming off the roof or did they plan to use drains. They indicated they did not intend to use any drains. Chairman Gabak advised that they need to be sure that they are not pushing any water onto their neighbors' properties.

There was discussion that Mr. Bowen will do measurements, conduct his review and get the information from the company and he can report back to the Board and then the ZBA can reconvene.

Chairman Gabak made a motion to table this request until August 25, 2016, to give the applicant time to get all the criteria information to Mr. Bowen, seconded by Neal VanLiew.

Motion to adjourn made by Chairman Gabak. All in favor. Time was 7:53 PM.

Respectfully submitted,

Cindy Schiminske, Clerk, Zoning Board of Appeals