

**ZONING BOARD OF APPEALS MEETING
JULY 2, 2019**

Present: John Czyryca
Zach Kowasz
Tim Cipolla
Don Roberts
Heather Bellinger
Dennis Murphy

Absent: Bethany Zerbe
Melissa Henchen
Joe Rebisz

Chairman Czyryca led in the pledge to the flag

Chairman Czyryca called the meeting to order at 6:36 PM

Approval of Previous Minutes:

May 7, 2019: Motion to Approve by Zach Kowasz and seconded by Dennis Murphy, Motion to Approve with All in Favor.

Area Variance

Pursuant to Article VIII, Section 490-78 of the Zoning Law, notice is hereby given that the Board of Appeals of the Village of Perry will hold a public hearing on: Tuesday, July 2, 2019 at 6:30 PM in the Village Hall, 46 North Main Street in the Village of Perry, County of Wyoming and the State of New York to consider the following:

Application was made by: Dave Shearing for the following area variance of Article III Section 490-32 for the following: Proposal for the construction of a: new Deck to replace the current Deck. Applicant is asking relief from the 10' minimum distance to property line. The property is located at: 13 Stainton Place, Perry, NY.

John Czyryca opened review for area variance at 6:36 pm

Shearing – 13 Stainton Place – Deck

- Applicant requesting to tear down an existing deck and rebuild in the same place.
 - Current deck requires an Area Variance from the 10' requirement from house to property line to 6' from property line. (Primary structure attachments 10' to property line, accessory buildings not attached 5' to property line).
 - Applicant sent out and returned proof of 200' mailing list sent to neighbors.
 - Applicant is keeping the deck size but not adding a roof.
 - Applicant is replacing due to age of current deck 40+ years.
 - Applicant to obtain a building permit from the County

Motion was made by Dennis Murphy and seconded by Zach Kowasz to rebuild a new deck in the same footprint with the 10' minimum setback reduced to 6' from property line.

John Cyzryca abstained

Motion was carried with all voting Aye.

Future Business

- Creative Foods
 - Applicant looking to complete parking area
 - Never finished parking area – no lines, all gravel.
 - Potentially looking to purchase Lincoln Ave.
 - ZBA will be looking for suggestions from the Village Board if Creative is going to pursue the feasibility of purchasing the Lincoln Avenue road – Write letter to Village Board
- New Site between Perry Vet clinic and Sweet Sarah's
 - Moving old structure to this location; potential usage:
 - Mercantile retail
 - Carriage house – rooms for rent
 - Will need a height variance from 32' requirement to 42'
- Heather to make copies of new Zoning laws for each member

Future Considerations

In the future when we have conditions to vote on they will need to vote on them separately.

Motion was made by Dennis Murphy and seconded by Tim Cipolla to adjourn meeting at 7:40pm. Motion was carried with all voting aye.

Respectfully submitted,

Heather Bellinger
Zoning Secretary