

Town of Clarence
One Town Place, Clarence, NY
Zoning Board of Appeals Minutes
Tuesday October 10, 2017
7:00 p.m.

Chairman Daniel Michnik called the meeting to order at 7:00 p.m.

Zoning Board of Appeals members present:

Chairman Daniel Michnik	Vice-Chairman Ryan Mills
David D'Amato	Patricia Burkard
Richard McNamara	Jonathan Hickey

Town Officials present:

Director of Community Development James Callahan
Deputy Town Attorney Steven Bengart
Councilman Paul Shear

Motion by David D'Amato, seconded by Ryan Mills, to **approve** the minutes of the meeting held on September 12, 2017, as written.

Jonathan Hickey	Aye	Richard McNamara	Aye
Patricia Burkard	Aye	David D'Amato	Aye
Ryan Mills	Aye	Daniel Michnik	Aye

MOTION CARRIED.

The Zoning Board of Appeals Committee entered into executive session and Attorney/Client Privilege session at 7:01 p.m. The session ended at 7:08 p.m. and the Zoning Board of Appeals meeting opened.

Other interested parties present:

Linda Clark	David Ganschow	Sandra Baker	Dorothy Ganschow
Paula Wolter	Michael Wolter	George Weckerle	Randa Wright
Annette Peceno	Penny Armitage	Isaac Ludwick	Pat Vitthuhn
Joseph Vitthuhn			

Old Business

Appeal No. 4 (from Sept 2017)

Linda Clark
Restricted Business Zone

Requests the Board of Appeals approve and grant a 3' variance to allow a 9' fence in the rear yard of 8185 Sheridan Drive.

Appeal No. 4 is in variance to §101-3(B).

DISCUSSION:

Linda Clark is present. Deputy Town Attorney Steve Bengart said he contacted Steve Kiefer, owner of the adjacent property. Mr. Kieffer was not opposed to putting something on top of the existing fence and he suggested the Deputy Town Attorney reach out to Picket Fence who installed the fence. Charlie Reed, the representative at the fence company, said there is nothing to support any sort of façade above the fence, it would swing. The post is only 6" above the fence panel and a good wind would knock it out. Deputy Town Attorney Bengart advised Ms. Clark and told her she can proceed as she chooses.

Mrs. Burkard asked for clarification on the size of the fence. Ms. Clark said it will be a 6' fence with a 3' gap underneath, so the panels will be 9' high. Mrs. Burkard is concerned with how that will look. Ms. Clark said the look will not bother her because she will put low bushes in there to hide the gap. The fence material will match the existing fence.

Mr. D'Amato asked if the applicant has a price on what this will cost. Ms. Clark said yes. Mr. D'Amato asked if it is definitely cheaper than putting in larger landscaping and went on to ask if Ms. Clark is trying to screen the people back there during business hours only. He asked what the business hours are. She said they are open on Saturday nights until 9:30pm, and the front of the building keeps regular business hours, no one is there on Sunday.

In response to Mr. McNamara's question regarding the existing pine trees, Ms. Clark said they are on her property and they were installed just last year. She thinks the existing fence is 1' in on Mr. Kieffer's property. She wants enough space in between the fences so the property can be mowed.

Ms. Clark clarified that the posts will be 12' long with 3' in the ground and 9' exposed. The fence panel will be 6' high and will be at the top of the posts, there will be a 3' exposed gap at the bottom of the posts/panels. She said the price she received does not match the existing fence, it would be more expensive because what Mr. Kieffer has is more expensive. She is willing to plant 3' bushes to cover the 3' gap at the bottom of the fence.

Mrs. Burkard asked if the Mr. Kieffer is aware of what the fence will look like from his property. Ms. Clark said he is and he does not have a problem with it. Ms. Burkard asked what the cost difference is between a 9' fence and installing shrubbery to cover the gap of a 6' fence. Ms. Clark does not know.

Mr. Mills asked why the fences are not abutting each other. Ms. Clark said is good either way but it was stated at the last meeting that weeds would grow between the fences. Mr. Mills said if they abut each other there is the perception that there is one thick fence. If the fences abut each other, Mr. Kieffer will need to consent, because his fence is about one foot in on his property. The Deputy Town Attorney would need to approach Mr. Kieffer again. Mr. Mills is concerned with the aesthetics and said it makes more sense to have one fence or two fences up against each other instead of a 3' gap.

ACTION:

Motion by Daniel Michnik, seconded by Ryan Mills, to **approve** Appeal No. 4 under Old Business extending the fence to 9' high with a 6' section that is 3' off the ground. The 3' opening below will be covered with shrubbery. The shrubbery must be 2 ½-3' in height and evenly spaced within reason to have the shrubbery grow. It will be left up to the home owner to pick, but it must cover the bottom part of the exposed fence. The fence is to match the style of the existing fence at 8175 Sheridan Drive.

ON THE QUESTION:

Ms. Clark said she understands the motion.

Richard McNamara	Aye	Patricia Burkard	Nay
David D'Amato	Aye	Ryan Mills	Aye
Daniel Michnik	Aye		

MOTION CARRIED.

Councilman Paul Shear leaves the meeting room.

Appeal No. 5 (from Sept 2017)

David Ganschow
Traditional Neighborhood District

Requests the Board of Appeals approve and grant a 624' variance to allow a 1,344 square foot detached accessory structure located at 6055 Railroad Street.

Appeal No. 5 is in variance to §229-55(D).

DISCUSSION:

David Ganschow is present and said we was planning on putting a lean-to on the south side of the structure, a representative of the Building Department said that the lean-to has to be a part of the total square footage. Mr. Ganschow was unaware of this. He is proposing a 16' x 12' lean-to, this adds 192 square feet to the request. The lean-to will never be enclosed. The overall structure would then be 1,536 square feet.

Mr. Mills clarified that the applicant is now requesting the Board of Appeals approve and grant an 816 square foot variance to allow a 1,536 square foot detached accessory structure located at 6055 Railroad Street.

Mr. Ganschow submitted photos of the proposed structure.

Deputy Town Attorney Steve Bengart said he is uncomfortable with this going forward with that substantial of a change. The neighbors are unaware of the changes to this request which is adding 200 square feet. The Town opens itself up for a potential liability by approving something that was not noticed properly to the neighbors. Mr. Ganschow decided to leave the request at a 624' variance to allow for a 1344 square foot detached accessory structure and pursue the lean-to at a later date. He understands there is no guarantee.

Mr. Ganschow explained that there is an identical structure three blocks from his house on Goodrich Road which can be seen from the road; his would look similar from Railroad Street. Mr. Ganschow explored the cost of vinyl and said he found it would be \$7647 more, he cannot justify spending that. He noted that the structure at 6471 Goodrich Road is 1200 square foot metal pole barn on a property almost identical to his. He feels he is being penalized because he is on a corner lot. The Goodrich Road property is in a Hamlet zone as indicated on the maps in the hall.

Mrs. Burkard asked if the color of accessory structure and the roof will match the house. Mr. Ganschow said yes, it would be a two-tone on the bottom of the proposed structure.

Mr. D'Amato asked if cost he was given for the vinyl was a complete estimate of project. Mr. Ganschow said yes. Mr. D'Amato asks if he considered a wood structure. Mr. Ganschow explained he would then need a foundation and that would increase the cost. He did not explore it but everyone he has talked to said a pole barn construction would be less expensive than a foundation. Mr. Ganschow has lived in the house his whole life but has owned it since 2008, he is not going anywhere. His family heritage goes back to 1860's in this Town and he really appreciates this Town. Mr. D'Amato asked why the applicant did not explore other options to get a comparison, he went on to say a really nice wood frame garage can be built for a reasonable price. Mr. D'Amato voiced his concern saying the proposed structure doesn't fit in that area.

Mr. Mills is troubled by the size and the aesthetics of the proposal. It is a large variance request. The Board is asked to look at if the request will create an undesirable change in the neighborhood character or to nearby properties. The example Mr. Ganschow cited on Goodrich Road is not in the exact location where this request is. Mr. Mills is looking for consideration to the aesthetics and/or a reduction in size to help it fit in better with the character of the neighborhood.

Chairman Michnik voiced his concern saying he would be changing the style of the hamlet that he lives in. It is important that Mr. Ganschow should want something to compliment and tie into his home. The structure on Goodrich Road is over 60 years old, the regulations and laws have changed since then. He is concerned with the height and this being a steel building, he is not in favor of this

Dorothy Ganschow explained the she and Mr. Ganschow have thought about this for many years. The garage foundation is falling apart, it is a chicken house on the back of the garage and floods all the time. If they put in what they are asking for they will make it look nice, they want it to look nice. The hamlet area was farmland so a barn is appropriate. They want a quaint pole barn with a nice color looking like the house. They were told by their insurance company that they have to fix the roof of the garage and the house. So they don't have time to accumulate the money to put up a regular garage, a garage is more expensive. She spoke with someone in the pole barn business and was told that a garage would be more expensive because of the materials. Mrs. Ganschow said if this gets denied they will put up a pole barn of allowed size and then another behind it, this does not require a variance. They don't like the two (2) structure idea because they don't think it will look good. They need to store things like their pool supplies. Mrs. Ganschow said that they asked for a variance for this structure so that it will look nice and more quaint.

Sandra Baker, a neighbor who lives down the street, agreed that the proposed structure would look nice.

Mr. McNamara asked if the applicant considered wood siding. Mr. Ganschow said yes but he wants the color scheme to match the house and is concerned with the maintenance of having to stain it every couple of years. Mr. McNamara said board and batten is an option and only needs to be stained every seven (7) years. Mr. Ganschow is willing to explore that option. It is clarified that board and batten would be on all four (4) sides of the proposed structure. It is also clarified that two (2) additional structures of 200 square feet are allowed as long as they are 10' apart.

Chairman Michnik voiced his concern regarding the size and the height of the building, he does not think the proposed structure fits the character of the neighborhood.

Mr. Ganschow said the height will be close to that of his neighbor's (Paul Shear) house. Chairman Michnik said it can only be 16' high. Mr. Ganschow said his neighbor's is taller than 16' and when he went to the Engineering Department he was told the height could be 40', he spoke with Dave Burke. Chairman Michnik

clarified that 40' could be in the agricultural zone. Mr. Ganschow said Dave Burke said since the property is zoned Traditional Neighborhood District (TND), 40' was allowed. Jim Callahan said he thinks the property is in the Residential Single Family zone. Mr. Ganschow said he was told it was in the TND, he is proposing a 22' high structure. He has no formal plans as of yet.

ACTION:

Motion by Patricia Burkard, seconded by Richard McNamara, to **approve** Appeal No. 5 with the stipulation that they use wood board and batten siding to match the existing color scheme of the home. The height must be in accordance with the Town Code and not to exceed 24 feet in height.

ON THE QUESTION:

Richard McNamara	Aye	Patricia Burkard	Aye
David D'Amato	Aye	Ryan Mills	Aye
Daniel Michnik	Nay		

MOTION CARRIED.

Councilman Paul Shear returned to the meeting room.

New Business

Appeal No. 1

Michael Wolter
Agricultural Rural-Residential

Requests the Board of Appeals approve and grant a 155' variance to allow a 200' front yard setback for the construction of a single-family home located at 10655 Stage Road

Appeal No.1 is in variance to §229-41(A) *established front yard setback of 45'*.

DISCUSSION:

Chairman Michnik said there are two (2) neighbor notification forms on file.

Michael Wolter is present and is looking to build new construction. The property slopes down about midway through the back of the property so they are planning a walk-out basement and in order to have a septic it must go towards the front where it is level. They are asking for the 200' setback to accommodate the septic system. There is a property across the street that is setback 200', there is another down the street setback at 150' and another setback at 400'. He is staying consistent with the other homes on the street. Without this setback it would be nearly impossible to build on the property given the topography.

Mr. D'Amato asked if Mr. Wolter owns the property. Mr. Wolter explained he does not own it yet but the closing is contingent on obtaining this variance. The house will be approximately 2300 square feet in size. Mr. Wolter submitted plans for the house.

Mr. Mills asked for something showing the topography to provide some testimony to the nature of the site and why the setback is needed. Mr. Wolter submitted an aerial photograph that shows the topography. He explained that the driveway will come in about half way through the property which is about 180' and will go off to the west side. Mr. Wolter said he could not go further back because the property drops off and the

water table it too high in the back. His plan is for a 4 car garage, but with the option to build up to a 5 car garage.

Mr. McNamara asked how far the property drops down from the front of the house to the back of the house. Mr. Wolter said about 10'. The basement would be a walk-out. The property is mainly sand and small rocks which Mr. Wolter will have tested.

Mr. Cimato owns the property to the south of the project site, which is 80 acres behind the site. Mr. Wolter would like to start construction in six (6) months. Chairman Michnik voiced his concern noting that the lot to the east would be up for sale at this point as well. Mr. Wolter said there are two 2.5 acre lots to his east owned by Kelly Schultz.

ACTION:

Motion by Ryan Mills, seconded by Patricia Burkard, to **approve** appeal No. 1 as written. The applicant has provided evidence by way of testimony and an aerial photograph and survey. The aerial photograph does show where the area drops off. The proposed location seems to be the only suitable area for a home to be built. The placement of the home, walk-out basement and septic system have been shown. He received written consent from nearby property owners. It is a larger parcel with a lot of foliage.

Richard McNamara	Aye	Patricia Burkard	Aye
David D'Amato	Aye	Ryan Mills	Aye
Daniel Michnik	Aye		

MOTION CARRIED.

Mr. McNamara has stepped out of the meeting room. Mr. Hickey will participate in the discussion and have voting privileges.

Appeal No. 2

George Weckerle
Residential Single-Family

Requests the Board of Appeals approve and grant a 1,396 square foot variance to allow for a 2,356 square foot attached garage, carport and porch addition located at 4884 Pineledge Drive West.

Appeal No. 2 is in variance to §229-55(D).

DISCUSSION:

There are two (2) neighbor notification forms on file.

George Weckerle is present said would like a neat and clean look of his property from the street view. He has two (2) vehicles now and will have three (3) as of next year. He would like to get the vehicles in the garage. It looks untidy now and he would like to clean it up. He would also like to store his covered trailer behind the proposed garage so it will not be seen by the road. The old garage will be demolished. The additional space in the garage will give them extra storage space. This would also provide safe access to the house during the winter months. The area next to the garage slopes down which collects water making it icy and dangerous. It drops an inch and a half in four (4) feet. He would like to change the walkway which currently measures 32" to a six (6) foot covered walkway, this would make it safer for people entering the

house. He wants to reduce the vehicle emissions during the winter by having the cars parked in the garage. Mr. Weckerle referenced the Town Law 267(b) in which it talks about the permitted action by the Board of Appeals. The Law reads that in making a determination the Board will take into consideration the benefit to the applicant if the variance is granted as weighted against the detriment to the health safety and welfare of the neighborhood or community by granting such a variance. He feels his case is just the opposite and went on to say that his home right now is a detriment to the neighborhood in comparison to the other properties within the neighborhood. His house is in disrepair, there have been decades of deferred maintenance that has not been addressed. He has worked on the interior of the house and he is starting to work on the exterior now and would like to continue to do that. Mr. Weckerle believes this will be an improvement to the neighborhood, the changes to the house will reflect an architectural style that is in keeping with the character of the neighborhood. He went on to say that by the numbers, this request appears to be substantial. The proposed covered walkway which is 192 square feet is included in the square footage, also included is a covered walkway in front of the garage that measures 372 square feet. The carport area where the trailer is going to go is a 384 square foot area. These areas are just covered space not walled-in areas and they total 948 square feet. The request is for 1396 square feet but if 948 is deducted that leaves 448 of actual square footage for the additional garage area, Mr. Weckerle does not believe that this is a substantial number, he feels this is a reasonable request. The square footage of his home is about 2000. He went on to say that he is not infringing on any property lines or easements. He does not think it will have an adverse effect on the physical or environmental conditions of the neighborhood. This hardship was not self-created, it is just outdated construction. His 90 year old father-in-law will be moving in with him next Spring and he wants the house to be safe and accessible for him. If the variance is granted the garbage can that is currently visible can be placed around back and out of sight.

Mr. Mills voiced his concern with the size of the request especially in comparison with the size of the house. He asked if the applicant can get away with any less square footage on the garage structure and still achieve his desired result. Mr. Weckerle said he really won't have 448 square feet, he is upgrading from 2' x 4' exterior walls to 2' x 6' which will take up some footage. He could really use the square footage he is requesting to make it safe and energy efficient. Mr. Mills asked if there will be square footage added to the house. Mr. Weckerle said maybe in the future but he can't commit to that right now. It is clarified that he is not adding square footage to the living portion of the house with this project. The lot is approximately 1.49 acres in size.

Mr. Weckerle has lived in the home just over four (4) years. The increase in the size of the home with this proposal, end to end, would be 12'. There will be one (1) tree removed but he will add other trees and landscaping to the area.

Mr. Hickey asked if there are other feasible ways to achieve the goal or if Mr. Weckerle explored other options to get closer to code. Mr. Hickey also asked what the estimated cost is for the proposal. Mr. Weckerle said the estimated cost ranged from a minimum of \$40,000 to over \$100,000. Variables included are gradient floor heat, 2' x 6' construction, oversized garage doors, scissor trusses. He has a full-sized truck and would like to park inside. He looked at building a separate structure, but he thinks it looks like a commercial area to have two (2) garages, he thinks his proposal will look nicer.

The neighbor at 4878 Pineledge Drive is present said they were concerned about the property lines but from the picture it seems to be ok. It is clarified that the size of the structure is what this meeting is about, not the property lines.

Chairman Michnik asked why the applicant is proposing a carport. Mr. Weckerle said he could close it in but then the cost increases. He is OK if there is a stipulation on the approval that states the carport can never be closed in. The back and end of the house has been resided.

Mr. Mills asked if the applicant contemplated any brick on the front façade. Mr. Weckerle said yes but he is doing vinyl to keep it in budget, he may do brick or stone in the future. Mr. Mills suggested the brick go up to the windows, Mr. Weckerle agreed.

ACTION:

Motion by Ryan Mills, seconded by Daniel Michnik, to **approve** appeal No. 2 as written with the condition that the applicant construct it in accordance with the elevation noted as Exhibit A in the file. Stone or brick is to be used on the front façade, facing the street, at least up to the edge of the window.

ON THE QUESTION:

The applicant has provided evidence and testimony that there are larger lots in this neighborhood. This will help the aesthetics based upon the elevation provided. The larger size of the garage appears to be mitigated by the architectural details the applicant has provided. The applicant also testified that some of the square footage he is requesting encompasses a covered porch and a carport which would not be seen by the neighbors. Mr. Weckerle broke down the square footage to show how it is a unique circumstance.

Jonathan Hickey	Aye	Patricia Burkard	Aye
David D'Amato	Aye	Ryan Mills	Aye
Daniel Michnik	Aye		

MOTION CARRIED.

Appeal No. 3

David and Annette Pecenco
Residential Single-Family

Requests the Board of Appeals approve and grant a 280 square foot variance to allow for a 480 square foot secondary detached garage located at 4910 Thompson Road.

Appeal No. 3 is in variance to §229-55(H).

DISCUSSION:

Annette Pecenco is present.

There are two (2) neighbor notification forms on file. There is also a copy of an e-mail that was sent to the Planning office on September 27, 2017 from the property owners at 4920 Thompson Road regarding the requested variance. Mr. Mills noted the content of the e-mail explain that those neighbors are out of town and "We do not agree to the proposed construction for a two car detached garage at the previously mentioned address. We feel that the size of this structure as well as its proximity to our property line will severely decrease our property value.

We bought our land and built our home in 1994 because of the spacious appeal provided by our neighborhood. This structure is more than twice the allowable square footage according to the Clarence building codes. We use our back yard for entertaining and personal enjoyment. This structure will severely inhibit the sight lines we have come to enjoy. The proposed structure also does not fit in with the current dynamics of the neighborhood. We are also concerned with an increase in noise level as well as exhaust fumes being closer to our home. David and Annette are wonderful people and neighbors, but we vehemently disagree with the building of this 2 car detached garage. As we are out of town, would it be possible to be conference in via telephone for the October 10th meeting? Sincerely, Joseph & Victoria Gawlak, 4920 Thompson Road.” Deputy Town Attorney Steve Bengart said the conference call would not be allowed.

Ms. Pecenco said she does not feel the size is too large, as there are other structures that are similar in size throughout the neighborhood, she submitted photos of 5 (five) other homes in the area that have similar structures on their property. As far as additional noise, the cars will be at the top of the existing driveway, just as they are now, that will not change, so there will be no additional noise. At least a third of the garage will not be seen from the neighbor’s property. The only view the proposed structure will obstruct is the applicant’s patio, she is not sure what the neighbor’s concern is.

Mr. McNamara has returned to the dais, Mr. Hickey will not have voting privileges on the remaining agenda items.

Penny Armitage, architect, said there is a mature tree on the property that is the driving force behind the proposed location, they did not want to jeopardize the other structure or the tree.

Ms. Pecenco said currently they have a side-load garage. She submitted photos of where the garage is proposed. The photos are on file. The siding on the proposed garage would match the house.

Ms. Armitage submitted elevations and explained this is a simple garage structure with an overhead door. It will be one hour rated due to the setback distance off the property line and off the house. The shingles will also match the house.

Isaac Ludwick said the size and style of the garage is standard. It lines up with the corner of the house and the trees.

Mrs. Burkard asked if the applicant would be willing to brick the bottom of the garage to match the house. Mr. Pecenco said sure. Mrs. Burkard asked if it will be attached to the house in anyway. Mr. Ludwick said there is no plan for that at this time. Ms. Armitage said they looked at an attached roof but it did not fit with the style.

Mr. D’Amato asked what the applicant needs the extra space for. Ms. Pecenco said they will have two (2) more drivers soon and they do not have another outbuilding for lawn maintenance equipment. They have lived in the home for 12 years. They do no plan on moving soon. They looked at other options and this is the best setup and style.

Mr. Mills said if the garage was attached the applicant would not need a variance. He mentioned a breezeway which counts as attaching the garage, he suggested they consider that. There are no windows proposed and there are not utilities on that side of the house so it seems like the applicant could achieve a breezeway. He asked why a breezeway is not being considered. Ms. Armitage said they presented a couple

of options and the applicant did not care for the way it looked. Mr. Mills suggested running the breezeway along the back of the house so it would be functional. Mr. Ludwick said it would be a difficult transition, although it could be explored.

Mr. McNamara asked if the architect is doing a launch pad or a footer. Ms. Armitage said a footer.

Chairman Michnik asked why the proposed garage roof line doesn't match the existing garage roof line. Ms. Armitage said they typically go with the narrowest width for the roof structure and this is the direction that is the narrowest. Mr. McNamara said the pitch should match the existing garage, Ms. Armitage said they can match the pitch. Chairman Michnik agreed with the suggestion of adding brick to the bottom of the garage to match the house. He also agreed with a breezeway suggesting perhaps using lattice.

ACTION:

Motion by David D'Amato, seconded by Patricia Burkard, to **approve** appeal No. 3 as written with the condition that brick be added to the proposed garage up to the windowsill as seen on the garage portion of the existing structure.

Richard McNamara	Aye	Patricia Burkard	Aye
David D'Amato	Aye	Ryan Mills	Aye
Daniel Michnik	Aye		

MOTION CARRIED.

Appeal No. 4

Joseph and Patricia Vitthuhn
Residential Single-Family

Requests the Board of Appeals approve and grant a 3' variance to allow for a 9.5' side yard setback for an addition to the principle structure located at 8260 Clarherst Drive.

Appeal No. 3 is in variance to §229-55(H).

DISCUSSION:

There are two (2) neighbor notification forms on file.

Joseph and Patricia Vitthuhn are present. Mr. Vitthuhn said they are looking to do a first floor master bedroom and bathroom on the west side of their house, which is the backyard. They bathroom is the part they need the variance for, they want to make it handicap accessible. Mrs. Vitthuhn said they have lived in Clarence for 30 years. They want to stay in their home and not have to climb stairs in their later years as they go through the aging process. They have discussed their plans with the neighbors and they have no objections to the plans.

Mr. McNamara asked if the applicant plans to have a whole house generator. Mr. Vitthuhn said yes, it will be installed on the same side of the house as the addition. Mr. McNamara asked if he would come back for a variance for placement of the generator. Mr. Vitthuhn was not aware that he needed a variance for the generator. The generator would be at a 45 degree angle off the front corner of the house. The electric meter would need to be relocated. Mr. McNamara wants to make sure the applicant knows he may need to come back and ask for another variance depending on the location of the generator. Mr. Vitthuhn understands

that he needs to be 10' off the lot line. The Board members suggested he make sure he considers all the requirements now needed for the installation of a generator in the future.

Mr. Mills asked if the applicant talked to the architect about going less on the side and more in the backyard. Mr. Vitthuhn said yes but that is not the design they ultimately want. What they are proposing is functional for them. They are taking the existing dining room and making it part of the closet area off the kitchen, the existing living room would become the dining room. Mr. Mills suggested the master bath be built off the back. Mr. Vitthuhn said there may be issues with the plumbing then and may cost more. The proposed plan is a direct shot into their existing sewer system. There were two (2) other plans drawn up, but the Vitthuhn's liked this one the best. The house is currently being re-sided. Mr. Vitthuhn said they are thinking about a metal roof and he estimates the total cost of the project to be at \$100,000. Mr. Mills asked about landscaping on the west side of the project. The applicant said maybe they could do a flower garden, but that side of the neighbor's house has no windows. He talked with the neighbors and they have no problem with the proposal.

ACTION:

Motion by Patricia Burkard, seconded by Richard McNamara, to **approve** appeal No. 4 as written.

Richard McNamara	Aye	Patricia Burkard	Aye
David D'Amato	Aye	Ryan Mills	Aye
Daniel Michnik	Aye		

MOTION CARRIED.

Meeting adjourned at 9:32p.m.

Carolyn Delgato
Senior Clerk Typist