

**Town of Hamburg
Board of Zoning Appeals
Meeting - January 8, 2008**

The Town of Hamburg Zoning Board met for a regular meeting on Tuesday January 8, 2008 at 7:00 p.m. in Room 7B to discuss the following applications. Those attending included:

Chairman Peter Blaauboer
Vice-Chairman Michael Chiacchia
Secretary Jack Rahill **Excused**
Commissioner Shawn Connolly **Excused**
Commissioner Vincent Gugliuzza
Commissioner Brad Rybczynski **Excused**
Commissioner Jim Sortisio
Attorney Joseph Shaw
Attorney Tim Quinlivan **Excused**
Building Inspector Roger Gibson
Recording Secretary Laurie Wutz

Commissioner Vincent Gugliuzza read the following Legal Notice of Public Hearing:

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Tabled Application #5120 - Pegagus Restaurant for an extension of an electronic message sign located at 5748 South Park Avenue.

Tabled Application # 5155 - Peter Duchmann for a detached electronic message board sign/oversized detached sign at 4207 Southwestern Blvd. Violates 280-252, code-sign not allowed. Variance needed to allow sign. Violates 280-261 F(2), code 40 s.f., actual 50 s.f., variance needed 10 s.f. Applicant requested application to remain tabled.

Application # 5120 and Application # 5155 will remain tabled until the Town Board modifies the code that controls electronic signage. A public hearing is planned in early 2008.

Application # 5178 - Clover Communities Southwestern for a front yard setback at 4600 Southwestern Blvd., Southwestern Senior Apartments. Violates Code 280-48D front yard setback. Code 50 ft., actual 41.85 ft., variance needed 8.15 ft.

Michael Connors from Clover Construction Management Inc. addressed the Board. Construction on the Southwestern Senior Apartments located at 4600 Southwestern Blvd. has already begun. The original approved plans did not take into account the 10' take back by the New York State Department of Transportation, making it necessary for a front yard setback variance of 8.15'. Alternatives to the building were discussed, but not found to be practical.

Findings: Mr. Blaauboer stated that the hardship was not self imposed, but caused by the action of another agency, the NYSDOT. The project can not be completed without the variance, and there would be no undesirable effect on the neighborhood.

Mr. Chiacchia made a MOTION to approve Application #5178 for a 8.15' front yard variance, contingent on the approval or no comment from the County Planning Dept. Mr. Sortisio seconded the motion, all voted in favor. **Granted**

Extensions:

A six month extension was granted for Application No. 5007 at 5128 Lakeshore Rd.

A six month extension was granted for Application No5146 at 5447 Maelou Dr.

Minutes from the December 4, 2007 meeting were approved on MOTION by Mr. Chiacchia, seconded by Mr. Sortisio. Motion carried.

MOTION to ADJOURN was made by Mr. Gugliuzza, seconded by Mr. Blaauboer. Motion carried. Meeting adjourned at 7:30 p.m. The next Zoning Board meeting will be held Tuesday, February 5, 2008 at 7:00 pm.

Respectfully Submitted,

Jack Rahill, Secretary
Board of Zoning Appeals

Date: 1/9/08

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