

**TOWN OF PARMA
ZONING BOARD OF APPEALS**

Parma Town Zoning Board of Appeals Meeting held on Wednesday, June 12, 2024, at the Parma
Town Hall, 1300 Hilton Parma Corners Road, Hilton, New York

Members Present: Stephen Shelley, Veronica Robillard, Spencer Wren, Don Wells
(Alternate)

Members Excused: Dan Melville, Ann Williams

Others Present: Arthur Fritz, ZEO
Maureen Werner, Town Attorney
Dave Ciufu, Town Board Liaison

Public Present: Margaret Gutmann, Eric Reimer, Paul Eckert

The meeting was called to Order by Chairperson Robillard at 7:00 p.m. Chairperson Robillard explained the function and decision-making process of the Zoning Board of Appeals. This is a five-member board with four members present. A quorum of three is required to pass a motion.

MINUTES OF MAY 15, 2024

1. Review Minutes from the May 15, 2024, Zoning Board Meeting

The ZBOA minutes of May 15, 2024, were reviewed. A **Motion** was made by Stephen Shelley to **approve** the May 15, 2024, minutes as amended.

Seconded by Spencer Wren.

Motion carried to approved (4-0)

Ayes: Stephen Shelley, Veronica Robillard, Spencer Wren, Don Wells

Excused: Dan Melville, Ann Williams

NEW BUSINESS ITEMS

2. PAUL AND MICHELLE ECKERT, OWNER, 37 WALNUT HILL DRIVE

The applicant is requesting an area variance to grant relief from Town Zoning Article V, subsection 165-33(C), (2), for the proposed construction of 336 sq. ft. accessory structure (pool house) on the east side of the property in the rear yard, for a total of 792 sq. ft. in accessory structures. The Town Code limits accessory structures to 600 sq. ft. This property is zoned Medium Density Residential (MD).

Paul Eckert, the owner, said he is replacing the above ground pool with an inground pool and fencing. He wants to add this structure to store equipment and toys for the pool and to house the heater and pump. The structure will also have a small changing area. The other structure has equipment used to maintain the property inside and is far from the pool.

Board Discussion: Arthur Fritz reported notifications were in order. There were comments from Monroe County. This is a Type II action; no further review required. There are no letters in the file. There are no comments from the Building Department.

Don Wells asked if the overhang was included in the square footage. Art Fritz said yes. It was asked if there would be kitchen, bathroom or living space included in the structure. The applicant said no; it will have electricity. It will be built on a concrete slab.

Public Comment: *NONE*

Public Hearing: Closed

A motion was made by Don Wells to **approve** the application of Paul and Michelle Eckert, owners of 37 Walnut Hill Drive, requesting an area variance to grant relief from Town Zoning Article V, subsection 165-33(C), (2), for the proposed construction of 336 sq. ft. accessory structure (pool house) on the east side of the property in the rear yard, for a total of 792 sq. ft. in accessory structures. The Town Code limits accessory structures to 600 sq. ft. This property is zoned Medium Density Residential (MD).

Considering the balancing test, the Board finds the following:

- The benefit cannot be achieved by other means feasible to the applicant. The applicant explained why the location of the pool is important, including the storage of the pump and heater for the pool.
- There will be no undesirable change in the neighborhood character or to nearby properties.
- The request *is* substantial, but this will fit into the area.
- There will be *no* adverse physical or environmental effects.
- The alleged difficulty is not self-created. Using the balancing test, the benefit to the applicant outweighs any detriment to the health, safety, and welfare of the community. This is the minimum variance the Board can grant.

The application is approved with the condition that no living quarters shall be added to the structure.

Seconded by Stephen Shelley

Motion carried to approved (4-0)

Ayes: Stephen Shelley, Veronica Robillard, Spencer Wren, Don Wells

Excused: Dan Melville, Ann Williams

3. BRYAN AND KATRINA WETZEL, OWNER, 61 COUNTRY VILLAGE LANE

The applicant is requesting a special permit for an Accessory Apartment under Town Zoning, Article IX, subsection 165-76 for the proposed construction of a 546 sq. ft. in-law apartment on the southwest corner of the house in the rear yard. The property is zoned High Density Residential (HD).

Eric Reimer, contractor for the applicant said this addition will be on the rear of the garage where the laundry room connects to the house. The addition will include a kitchen, bed, bathroom and will be built to match the house.

Board Discussion: Arthur Fritz reported notifications were in order. There were no comments from Monroe County. This is a Type II action; no further review required. There are no letters in the file. There are no comments from the Building Department.

Public Comment: NONE

Public Hearing: Closed

The applicant is not here for a variance for size, only for the Special Permit to use as an accessory apartment. The person living in the addition is Margaret Gutmann. Art Fritz explained when the accessory apartment is no longer needed the space has to be opened up to the remainder of the house and the kitchen removed. The Special Permit will need to be renewed every two years; the Building Department will send a notice, but the applicant should make sure to follow up with that, so it does not lapse.

A motion was made by Stephen Shelley to **approve** a special permit to Bryan and Katrina Wetzell for an Accessory Apartment subject to Town Zoning, Article IX, subsection 165-76 for the proposed construction of a 546 sq. ft. in-law apartment on the southwest corner of the house in the rear yard. The property is zoned High Density Residential (HD). The occupant will be Margaret Gutmann. The Special Permit will be renewable two years from the issuance of the C of O.

Seconded by Spencer Wren

Motion carried to approved (4-0)

Ayes: Stephen Shelley, Veronica Robillard, Spencer Wren, Don Wells

Excused: Dan Melville, Ann Williams

OTHER INFORMATION

Art Fritz asked if the Board is ok with him renewing a Special Permit for farm worker housing that was approved by the Board in 2021 or does the Board want this to be put on the agenda for next month. The property has been inspected. There was discussion among the Board, and they would like to keep consistent with how these were handled in the past. Art Fritz was going to check the minutes to see if there was a decision made about how to handle these moving forward because there was previous discussion at some meetings.

ADJOURNMENT

There being no further business, a **Motion** was made by Spencer Wren to adjourn the meeting at 7:34 p.m.

Seconded by Don Wells

Motion carried to approved (4-0)

Ayes: Stephen Shelley, Veronica Robillard, Spencer Wren, Don Wells

Excused: Dan Melville, Ann Williams

Respectfully submitted,

Carrie Fracassi

Town of Parma Zoning Board of Appeal
JUNE 12, 2024

Recording Secretary