

ZONING BOARD OF APPEALS

This hearing on Tuesday November 4, 2025 called to order by acting chairman,
Greg Kalinowski at 7:00PM.

Members Present:

John Jimenez
Ron Carey
Greg Kalinowski
Shawn Pralow
Robert Schaefer, Alternate

Also Present:

Phyllis Todoro, Town Attorney
Ray Balcerzak, Dep Bldg. Insp
Jennifer Khan, Secretary

Members Absent:

Harry Kwiek
James Lembke, Alternate

Appeals Case #1495 for Matt Hasselback of 690 Northrup Rd Elma, NY for vacant land south of 1331 Bowen Rd Elma, NY who is requesting an area variance to have a common driveway for two parcels. (144-33) Residential C.

Matt Hasselback is asking for a common driveway easement was filed with Erie County. One lot was sold and there is a contingency for sale on the second lot. The driveway is on the vacate lot.

Mr. Jimenez: When did you buy the house

Mr. Hasselback: 2014 prior approved 2 lots the lines have to stay the same.

Easement was filed to use the land for a driveway.

Mr. Jimenez: who are you filling this for? Who is the current owner and the new owner. There is no one listed other than part 2.

Daniel Flattery real-estate broker

Hasselback sold his home and subdivided the lot and retained the other lot where the driveway is on. Mr. Hasselback filed and ingress and egress for the 1331 Bowen and talked to building inspector. To ask for an area variance to for the new owner to expire this week. There is no address yet.

All agreements go forward to current and future owners.

Mr. Jimenez: Part of the driveway crosses over onto a part of lot A. A 2-foot clearance between the driveway and the lot line is what you're asking for.

Utilities run back on the left of the driveway. The new owner will run water back and electric will be on a pedestal.

There is no code for a common driveway.

The variance asked for is 2-foot variance.

There is no plan to build yet. They are just here for common driveway. Only issue is 2 feet. Property line was established 2006.

The hardship would be a whole new driveway.

Mr. Mrs. Holz of 801 Jamison Rd. Asked if there was any where to put another driveway.

Yes, very narrow driveway but the placement of utility has to be taken in.

Mr. Holz asked when this lot was approved. This lot was approved 2009 flag lot.

Mr. & Mrs. Holz have lived for 14 years in the area. They like the rural atmosphere. They own 4 horses that live in a paddock with in 10 feet on this land.

Mr. Holz Would rather have one driveway then 2.

Mr. Daily 1351 Bowen Rd would rather have one driveway then 2.

Mr. Jimenez: motion to approve the variance.

Less than 2-foot side set back requesting relief variance.

The benefit can be achieved by another means. You could put a very narrow second driveway beside the current one. There would be a significant cost to do so.

The request not significant.

The request would not have any adverse physical or environmental changes to the neighborhood.

The hardship is self-created.

Mr. Carey Seconded the motion.

The variance is approved.

5 Yes 0 Nays

Mr. Carey: seconded the motion.

Appeals case #1496 for Tom Janosz of 61 Winona Rd Elma, NY. Who is requesting an area variance for a house that has been built with less than the required setback from the road line of 50 feet (144-99 C4 Residential C, Agriculture.

Sydney Wheeler: bought the land from her soon to be father-in-law owner asking for variance due to a part of the garage being built 4 feet to close to the street.

The builder Mr. Hurry accepts that it fell through the cracks. ROW from the road.

Mr. Parlow: right 35 feet back left maybe 20 from street

Mr., Schafer: motioned for approval

The benefits cannot be achieved by any other means can't move the garage.

The request is not significant. Because the other houses in the area have similar set back.

Not a deterrent to the neighborhood it approves the

It is a self-created problem. Not measuring correct

Mr. Parlow seconded the motion.

The variance is approved

5yes 0 nays

Appeals Case #1497 for Sophia Koutsandreas 1791 Bullis Rd Elma, NY. Who is requesting an area variance to split a lot into two lots creating the lot with existing house becoming a non-conforming lot (144-97 C 1, Residential A.

Sophia Koutsanderas: owns a single lot wishing to split the lot in 2 for family members.

Variance is for 25ft frontage

Mr. Carey: The hardship can't be self-created. The desire to split the lot for family members is not the hard ship. The request is for a flag lot. Flag lots are no longer permitted.

Mr. Jimenez: Asked is there any other way to get the 25 feet that is needed for the lot to be in compliance.

Mr. Koutsandreas: Yes, a family member does own the lot beside theirs.

Mr. Jimenez: we will file a continuance for Mr. Kousanderas to reach out to his family members