

## **ZONING BOARD OF APPEALS MEETING**

**WEDNESDAY, September 17, 2025**

James Falvo, Chairman of the Town of Peru Zoning Board of Appeals, called the meeting to order.

### **PLEDGE OF ALLEGIANCE.**

### **ROLL CALL:**

JAMES AKEY	:PRESENT
TERRY AUBIN JR.	:PRESENT
LUCAS TOOKER	:PRESENT
JAMES FRANCESCONI	:PRESENT
JAMES FALVO, CHAIR	:PRESENT
BOB GUYNUP, CEO	:PRESENT

APPROVAL of August minutes

**MOTION:** Mr Aubin makes the motion to accept the August 2025 minutes **SECOND:** Mr Francesconi

**ROLL CALL:**Mr Akey~y,Mr Aubin~y, Mr Tooker~y, Mr Francesconi~y,Mr Falvo~y

### **MOTION CARRIED**

### **PUBLIC HEARING:**

Mr. Falvo opens the floor to public hearing, he informs everyone that all members are present.

A few neighbors speak about the shed involved in agenda item #2. The neighbor states the shed placement makes his own driveway unsafe since it blocks his view to the road. A couple of people from the neighborhood think the shed is an improvement over the temporary shelter that was there previously.

### **Applications:**

#### **1. Z2025-015 Area Variance**

**Erich Lutz**  
**Matthew Ingram**  
**280.1-3-12**  
**3019 Main St**

Applicants are present

Jeff Burns is here

Mr Guynup explains the application. The applicants are asking for a variance so that their parcel can be subdivided. This was tabled in August so that more information could be provided. There is much discussion between Zoning Board members, Jeff Burns, Mr Guynup and the applicants. Questions are asked and answered about measurements and projects. Mr Burns has chosen to show a potential building, but this is not the actual planned development. He explains that with this variance, even a single family home could go in. A 5 unit townhouse could also go

in. This is an opportunity to get a new customer on the Town of Peru water and sewer. A few neighboring landowners are upset about the townhouse prospect. It is determined that the existing house on the lot is not Historic. This is a unique variance request, but the amount is significant. No further questions

**MOTION:** Mr Aubin makes the motion to approve the application as submitted  
**SECOND:** Mr Francisconi. Chairman Falvo requests each member state reason for any NO vote

**ROLL CALL:**Mr Akey~y,Mr Aubin~n-variance is substantial, Mr Tooker~n-70% is too much, Mr Francesconi~n-70% is substantial,Mr Falvo~n-applicant is asking for too large a percentage variance.

**MOTION DENIED**

## **2. Z2025-017 Area Variance**

**Leonard Jozwiak II**  
**768 Bear Swamp Rd**  
**280.1-6-32**

Applicant is present

Mr Guynup explains the application. A shed was placed without a permit and the front and side setbacks are encroached: 55 feet in the front and 15 on the side. Mr Jozwiak explains that he had a shelter logic tent garage for 11 years in the same spot he recently put the shed. The size and shape of Mr Jozwiak's lot makes finding a different spot for the shed a challenge. This is also a corner lot. There is also a gazebo in the front yard and another shed in the backyard. The Board, along with Mr Jozwiak try to brainstorm a better solution. Moving the shed back behind the driveway and fence could be an option Mr LePage owns the property next door. He does not believe there is enough room for this. It is finally decided that the applicant will ask for a 7 foot variance on the West side of the property. The Board requires that a shrub line be planted and no items be hung or stored on that side of the shed. Mr LePage is almost certain that the drawing has wrong measurements and there is no way the shed will fit there. Mr Falvo states that if it cannot fit within the 7 foot variance, it will not be able to be moved there. It can also not remain where it is in the driveway. A building permit still needs to be applied for as well.

**MOTION:** Mr Falvo makes the motion to approve a 7 foot sideyard setback variance on the West side of the house to accommodate the 10x20 shed ONLY, with the following stipulations:1. A shrubline 20 feet long will be installed on the west side of the shed, and no items may be stored or hung on that side. 2. A completion date of November 1, 2025.

**SECOND:** Mr Aubin  
**ROLL CALL:**Mr Akey~y,Mr Aubin~y, Mr Tooker~y, Mr Francesconi~y,Mr Falvo~y

**MOTION CARRIED**

## **FURTHER BUSINESS**

The Board accepts the CEO reports for August

This is Mr Guynup's final meeting of the Zoning Board.

**Meeting adjourned at 8:10pm** Motion Mr Falvo, all aye