Zoning Board of Appeals
Regular Meeting and Public Hearing
May 7, 2019

Chairman Gary Daum called the Regular Meeting to order at 7:08 pm, at the Yates Town Hall, 8 South Main Street, Lyndonville, New York 14098.

Those Present: Gary Daum, ZBA Chairman
Pat O'Brien, ZBA Member
Mike Boring, ZBA Member
Dawn Metty, Deputy Clerk
Larry Wolfe, Resident

Those Absent: Don Melfi, ZBA Member
Jim Taylor, ZBA Member

MINUTES:

Chairman Gary Daum – Dan Wolfe has been in touch with Henry Costello over the past year. Henry has been cleaning up his property. Dan is in favor of the variance.

Chairman Gary Daum entertained a motion to accept the minutes from the February 7, 2019 joint planning & zoning board meeting.

RESOLUTION NO. 2-5/19

RESOLUTION TO ACCEPT THE MINUTES FROM THE FEBRUARY 7, 2019 JOINT PLANNING & ZONING BOARD MEETING.

RESOLVED, to accept the minutes from the February 7, 2019 joint planning & zoning board meeting as presented to each board member.

Offered: Pat O'Brien
Seconded: Mike Boring

Votes: 3 Ayes (O'Brien, Boring, Daum); 0 Nays (2 absent Melfi & Taylor)

Chairman Gary Daum entertained a motion to adjourn the regular meeting.

Offered: Mike Boring
Seconded: Pat O'Brien

Votes: 3 Ayes (Boring, O'Brien, Daum); 0 Nays (2 absent Melfi & Taylor)

Chairman Gary Daum called the Public Hearing to order at 7:15 pm, at the Yates Town Hall, 8 South Main Street, Lyndonville, NY 14098

Those Present: Gary Daum, ZBA Chairman
Pat O'Brien, ZBA Member
Mike Boring, ZBA Member
Dawn Metty, Deputy Clerk
Henry Costello, Applicant
Larry Wolfe, Resident
Paul Lauze, Resident

Those Absent: Don Melfi, ZBA Member
Jim Taylor, ZBA Member

The following notice was placed in the Batavia Daily News on April 29, 2019.

PLEASE TAKE NOTICE; there will be a Public Hearing held on May 7, 2019 at 7:15 pm at the Yates Town Hall, 8 South Main Street, Lyndonville, New York 14098. The purpose of the public hearing is for an Area Variance, Application # 01-19, submitted by Henry Costello at 11818 Lakeshore Rd., Lyndonville, New York 14098 for a 73' front setback variance measured from center of county road. This application may be reviewed at the Office of the Town Clerk, 8 South Main Street, Lyndonville, NY 14098 during regular business hours.

All persons wishing to be heard shall be heard at this time. Correspondence may be made in person at the Public Hearing or by letter to the Town of Yates Zoning Board of Appeals.

Public hearing was called to order at 7:15 pm.

Chairman Gary Daum – On the agenda tonight is an area variance submitted by Henry Costello at 11818 Lakeshore Rd. He is asking for a 73' front setback variance measured from center of county road. He would like to improve by adding a deck.

Chairman Gary Daum also went over the SEQR form that is with the application.

Paul Lauze is in favor of the variance.

Chairman Gary Daum asked if Henry wanted to get started right away.

Henry Costello – Yes but want to clean up property more, remove vehicles. Maybe start by July.

Chairman Gary Daum – no neighbors close by?

Henry Costello – No

Chairman Gary Daum asked if he could see the lake.

Henry Costello – that's why I'm building the double deck.

There were no other questions.

Chairman Gary Daum thanked Henry for coming and let him know that the board will probably vote that night and that Dan Wolfe will be in touch with him.

Motion to close Public Hearing.

Offered: Pat O'Brien
Seconded: Mike Boring

Votes: 3 Ayes (O'Brien, Boring, Daum); 0 Nays (2 absent Melfi & Taylor)

Reconvene to the regular meeting.

Chairman Gary Daum went over the Area Variance Findings & Decision Sheet.

Pat O'Brien entertained a motion to approve Henry Costello's area variance application.

RESOLUTION NO. 3-5/19

RESOLUTION TO APPROVE HENRY COSTELLO'S AREA VARIANCE APPLICATION.

RESOLVED, to approve Henry Costello's area variance application as presented to each board member.

Seconded by: Mike Boring

Votes: 3 Ayes (Boring, O'Brien, Daum); 0 Nays (2 absent Melfi & Taylor)

Chairman Gary Daum gave a quick update on the Medina Window business on Millers Rd.

NO FURTHER BUSINESS WAS DISCUSSED

Motion to adjourn meeting.

Offered: Pat O'Brien
Seconded: Mike Boring

Votes: 3 Ayes (O'Brien, Boring, Daum); 0 Nays (2 absent Melfi & Taylor)