Zoning Board of Appeals
Regular Meeting and Public Hearing
June 4, 2019

Chairman Gary Daum called the Regular Meeting to order at 7:04 pm, at the Yates Town Hall, 8 South Main Street, Lyndonville, New York 14098.

Those Present: Gary Daum, ZBA Chairman
Don Melfi, ZBA Member
Mike Boring, ZBA Member
Jim Taylor, ZBA Member
Dan Wolfe, Code Enforcement Officer
Dawn Metty, Deputy Clerk
Larry Wolfe, Resident
Paul Mullane, Applicant

Those Absent: Pat O'Brien, ZBA Member

MINUTES:

Chairman Gary Daum – Have 2 public hearings tonight and have been briefed by Dan Wolfe in regards to these applications and is in favor.

Paul Mullane one of the applicants sat in on the regular meeting. Chairman Gary Daum asked how high (tall) the storage building is going to be.

Paul Mullane – Not exactly sure, have not seen the plans, they are supposed to be sent over.

Chairman Gary Daum asked if everyone had a chance to look over the applications and if there were any questions.

There were no questions.

Closed the regular meeting.

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
Don Melfi, ZBA Member
Mike Boring, ZBA Member
Jim Taylor, ZBA Member
Dawn Metty, Deputy Clerk
Paul Mullane, Applicant

Susan Keller-Mathers & Patrick Trinkley Applicants
Larry Wolfe, Resident

Those Absent: Pat O'Brien, ZBA Member

The following notice was placed in the Batavia Daily News on May 28, 2019.

PLEASE TAKE NOTICE; there will be 2 Public Hearings held on June 4, 2019 starting at 7:15 pm at the Yates Town Hall, 8 South Main Street, Lyndonville, New York 14098. The purpose of the public hearings is for Area Variances. The first is Application # 02-19, submitted by Paul Mullane at 829 N. Lyndonville Rd., Lyndonville, New York 14098 for a 15' front property line setback variance. The Second is Application # 03-19, submitted by Susan Keller-Mathers & Patrick Trinkley at 10501 Fanta Lane FL 57B, Lyndonville, New York 14098 for a 5' side setback variance. These applications 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 – We have two hearings tonight. The first is from Paul Mullane at 829 N. Lyndonville Rd to build a 50 x 70 barn. Denial was made because of a violation/conflict with the Zoning Code. He is asking for a 15' front property line setback.

Chairman Gary Daum went over the SEQR Form and site plan.

Chairman Gary Daum mentioned that the old garage is gone and asked what the new garage was going to be used for.

Paul Mullane – Storage only

There were no other questions.

Chairman Gary Daum thanked Paul Mullane for coming and let him know that Dan Wolfe will be in touch with him.

Chairman Gary Daum – The next application is on 10501Fanta Lane from Patrick Trinkley & Susan Keller-Mathers. They are asking for a 5' side setback variance.

The application and SEQR Form were both reviewed.

Patrick Trinkley – Live there full time and need more room. Would like to have it back from play house. It's been there a long time. Also putting in a new septic but in a new place.

Chairman Gary Daum – Lot size works, we looked it up and have not had anyone write or come in with concerns.

Chairman Gary Daum explained the different concerns that neighbors may have. For example; blocking the site. Then mentioned the site plan and how they should be drawn up.

Mike Boring asked if it was going to be a pole barn.

Patrick Trinkley – Yes but would like to use it for a wood shop and storage for his personal stuff.

There were no more questions

Motion to close Public Hearing.

Offered by: Don Melfi
Seconded by: Mike Boring

Votes: 4 Ayes (Melfi, Boring, Taylor, Daum); 0 Nays (1 absent O'Brien)

Reconvene to the regular meeting.

Chairman Gary Daum entertained a motion to accept the minutes from the May 7, 2019 meeting.

RESOLUTION NO. 4-6/19

RESOLUTION TO ACCEPT THE MINUTES FROM THE MAY 7, 2019 MEETING.

RESOLVED, to accept the minutes from the May 7, 2019 meeting as presented to each board member.

Offered by: Mike Boring
Seconded by: Jim Taylor

Votes: 4 Ayes (Boring, Taylor, Melfi, Daum); 0 Nays (1 absent O'Brien)

Chairman Gary Daum asked if the board had anything for the round table and then mentioned the Site Plan Review from Medina Window that went to the County Planning Board. The County did approve it and will be discussed at the Yates Planning Board meeting Thursday night.

The board went over the Findings & Decision sheets for both applications.

Chairman Gary Daum entertained a motion to approve Paul Mullane's area variance application.

RESOLUTION NO. 5-6/19

RESOLUTION TO APPROVE PAUL MULLANE'S AREA VARIANCE APPLICATION.

RESOLVED, to approve Paul Mullane's area variance application as presented to each board member.

Offered by: Mike Boring
Seconded by: Don Melfi

Votes: 4 Ayes (Boring, Melfi, Taylor, Daum); 0 Nays (1 absent O'Brien)

Chairman Gary Daum entertained a motion to approve Patrick Trinkley & Susan Keller-Mathers area variance application.

RESOLUTION NO. 6-6/19

RESOLVED, to approve Patrick Trinkley & Susan Keller-Mathers area variance application as presented to each board member.

Offered by: Don Melfi
Seconded by: Jim Taylor

Votes: 4 Ayes (Melfi, Taylor, Boring, Daum); 0 Nays (1 absent O'Brien)

NO FURTHER BUSINESS WAS DISCUSSED

Chairman Gary Daum entertained a motion to adjourn meeting.

Offered by: Jim Taylor
Seconded by: Mike Boring

Votes: 4 Ayes (Taylor, Boring, Melfi, Daum); 0 Nays (1 absent O'Brien)