Zoning Board of Appeals
Regular Meeting and Public Hearing
November 26, 2019

Chairman Gary Daum called the Regular Meeting to order at 7:00 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
Pat O'Brien, ZBA Member
Dan Wolfe, Code Enforcement Officer
Dawn Metty, Deputy Clerk
Larry Wolfe, Resident

MINUTES:

Chairman Gary Daum entertained a motion to accept the minutes from the September 24, 2019 meeting.

RESOLUTION NO. 15-11/19

RESOLUTION TO ACCEPT THE MINUTES FROM THE SEPTEMBER 24, 2019 MEETING AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to accept the minutes from the September 24, 2019 meeting as presented to each Board Member.

Offered by: Pat O'Brien
Seconded by: Mike Boring

Votes: 5 Ayes (O'Brien, Boring, Taylor, Daum, Melfi,); 0 Nays

Dan Wolfe – Explained the reason for tonight's area variance. The lay of the land and curve of the road, its ok on one side but not on the other. The congregation is getting bigger (more people) and need more room for horses. Would like to build a barn for the horses.

Next Chairman Gary Daum asked if there was any news on the court issue for the Airbnb.

Dan Wolfe – Yes, next week.

Dan Wolfe also let the board know about the new area variance that came in and explained that it will not be until April.

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

Offered by: Mike Boring
Seconded by: Don Melfi

Votes: 5 Ayes (Boring, Melfi, O'Brien, Taylor, Daum); 0 Nays

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
Pat O'Brien, ZBA Member
Dan Wolfe, Code Enforcement Officer
Dawn Metty, Deputy Clerk
Ervin Stauffer, Applicant
Larry Wolfe, Resident
Daniel Auker

The following notice was placed in the Batavia Daily News on November 19, 2019.

PLEASE TAKE NOTICE; there will be a Public Hearing held on November 26, 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 # 07-19, submitted by Levi Stauffer at 12287 E. Yates Center Rd., Lyndonville, New York 14098 for a 14' front setback variance. 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.

Chairman Gary Daum – reviewed the area variance submitted by Levi Stauffer and explained that he is asking for a 14' front setback variance to build a horse barn. The application was denied because of a violation/conflict with the Zoning Code Section 510 Paragraph E. The SEQR form was reviewed along with the site plan.

With no others in attendance he asked the board if they had any questions.

Dan Wolfe asked if used on church day only.

Dan Auker - yes.

Dan Wolfe asked when he planned on building.

Dan Auker – in a couple of weeks.

There were no other questions

Motion to close Public Hearing.

Offered by: Mike Boring
Seconded by: Jim Taylor

Votes: 5 Ayes (Boring, Taylor, Daum, Melfi, O'Brien); 0 Nays

Chairman Gary Daum called the regular meeting to order.

Findings & Decision sheet was filled out

Chairman Gary Daum entertained a motion to approve Levi Stauffer's area variance application.

RESOLUTION NO. 16-11/19

RESOLUTION TO APPROVE LEVI STAUFFER'S AREA VARIANCE APPLICATION AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to approve Levi Stauffer's area variance application as presented to each board member.

Offered by: Pat O'Brien
Seconded by: Mike Boring

Votes: 5 Ayes (O'Brien, Boring, Taylor, Melfi, Daum); 0 Nays

A brief discussion more on the Airbnb.

NO FURTHER BUSINESS WAS DISCUSSED

Chairman Gary Daum entertained a motion to adjourn meeting.

Offered by: Don Melfi
Seconded by: Mike Boring

Votes: 5 Ayes (Melfi, Boring, O'Brien, Taylor, Daum); 0 Nays