Zoning Board of Appeals
Regular Meeting and Public Hearing
September 9, 2020

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
Toby Williams & Heidi Lyndaker, Applicants

MINUTES:

Chairman Gary Daum entertained a motion to accept the minutes from the March 5, 2020 meeting.

RESOLUTION NO. 05-9/20

RESOLUTION TO ACCEPT THE MINUTES FROM THE MARCH 5, 2020 MEETING AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to accept the minutes from the March 5, 2020 meeting as presented to each board member.

Offered: Pat O'Brien
Seconded: Don Melfi

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

Regular meeting was adjourned for the public hearing.

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
Jim Taylor, ZBA Member

Mike Boring, ZBA Member
Pat O'Brien, ZBA Member
Dan Wolfe, Code Enforcement Officer
Dawn Metty, Deputy Clerk
Toby Williams & Heidi Lyndaker

The following notice was placed in the Batavia Daily News on September 1, 2020.

PLEASE TAKE NOTICE; there will be a Public Hearing held on September 9, 2020 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 # 02-20, submitted by Toby Williams at 11399 Wescott Lane, Lyndonville, New York 14098 for a 14' North side setback variance and a 17' East side 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.

Chairman Gary Daum – Here for a variance at 11399 Wescott Lane submitted by Toby Williams. He wants to build a garage but building permit was denied because of Section 570 Paragraph E, specifications, 20' setback from private lane required. He is asking for a 14' north side setback variance and a 17' east side variance.

Chairman Gary Daum went over site plan and the short environmental assessment form and then welcomed Toby Williams and Heidi Lyndaker.

Dan Wolfe recommends granting the area variance because it's the last house on the left and owns right of way. Will not see it from the east side as well.

Chairman Gary Daum asked the board if they had any concerns.

There were no concerns.

Toby Williams explained the site plan/area around the property to the board.

Chairman Gary Daum read a note from Paul Mullane and is in favor of the variance. He was the only one to respond.

Toby Williams mentioned that Paul Mullane owns Wescott Lane and that he did talk to everyone on the lane to make sure there would be no problems.

There were no other questions.

Motion to close Public Hearing.

Offered: Mike Boring
Seconded: Jim Taylor

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

Reconvene to the regular meeting.

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

Chairman Gary Daum entertained a motion to approve area variance for a 14' North side setback variance and a 17' East side variance.

RESOLUTION NO. 6-9/20

RESOLUTION TO APPROVE AREA VARIANCE FOR A 14' NORTH SIDE SETBACK VARIANCE AND A 17' EAST SIDE VARIANCE AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to approve area variance for a 14' North side setback variance and a 17' East side variance as presented to each board member.

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

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

Dan Wolfe gave a brief update on the cell tower going up on the corner of Roosevelt Hwy. and Countyline Rd.

NO FURTHER BUSINESS WAS DISCUSSED

Motion to adjourn meeting.

Offered: Pat O'Brien
Seconded: Mike Boring

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