Zoning Board of Appeals
Regular Meeting and Public Hearing
August 9, 2022

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
Jim Taylor, ZBA Member
Pat O'Brien, ZBA Member
Jason Raduns, Code Enforcement Officer
Dawn Metty, Deputy Clerk
Sam Martin, Applicant
Don Lamay
Larry Wolfe

Those Absent: Mike Boring, ZBA Member

MINUTES:

Chairman Gary Daum entertained a motion to accept the minutes from the July 5, 2022 meeting.

RESOLUTION NO. 05-8/22

RESOLUTION TO ACCEPT THE MINUTES FROM THE JULY 5, 2022 MEETING AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to accept the minutes from the July 5, 2022 meeting as presented to each Board Member.

Offered by: Pat O'Brien
Seconded by: Jim Taylor

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

Chairman Gary Daum – Have an area variance for property at 12551 Roosevelt Hwy. Did have a brief discussion at the last meeting. Does the board have any other questions/concerns and Jason do you have anything to add.

The board had no questions or concerns.

Jason Raduns – Not really, everything looks good and it did not have to go to the County. An email was sent from a neighbor in favor of the variance.

With a few minutes left before the public hearing Chairman Gary Daum discussed another area variance that came in for the property located at 10345 Chaffee Lane submitted by Eric Watson for Mark Gates. The request is for a side variance of 7' or 8'.

Jason Raduns – Came in a while ago with a site plan however the lines were much bigger than what they really are. It's one lot not three and does need a variance to build what he wants to build.

Chairman Gary Daum – It's a narrow lot but its long. We've had one like this before. Do need to take into consideration of neighbors.

Jason Raduns – There will be enough room to move with vehicles behind the building if needed. They're going to use the building mostly as a summer hang out. It will look nice as well and have a nice man door not a garage door.

Chairman Gary Daum – Does have a good overhead view print out and paperwork is complete.

Dawn Metty – Could set a public hearing for Tuesday September 6th if that works for everyone.

Jason Raduns – Already have meeting that night in Ridgeway.

Chairman Gary Daum asked Jason to provide any more information to Dawn if it should come up before the meeting next month.

There was no other business.

Adjourned regular meeting for the public hearing.

Chairman Gary Daum called the Public Hearing to order at 7:15pm, 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
Pat O'Brien, ZBA Member
Jason Raduns, Code Enforcement Officer
Dawn Metty, Deputy Clerk
Sam Martin, Applicant
Don Lamay
Larry Wolfe

Those Absent: Mike Boring, ZBA Member

The following notice was placed in the Batavia Daily News on July 30, 2022.

LEGAL NOTICE:

PLEASE TAKE NOTICE; there will be a Public Hearing held on August 9, 2022 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 # 03-22, submitted by Samuel Martin at 12551 Roosevelt Hwy., Lyndonville, New York 14098 for a 2 ft. front variance on a pre-existing, non-conforming structure. 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 – We have an area variance application submitted by Sam Martin at 12551 Roosevelt Hwy. He would like to remove deck and north side addition and rebuild larger. Denial was made because of nonconforming structures/alterations. He is requesting a 2 ft. front variance on a pre-existing, non-conforming structure. Does have all of the paperwork complete along with a diagram.

Jason Raduns – What Sam submitted does comply and looks good.

Sam Martin – Do need more room but one of the additions does need attention, there's a foundation under it and rather than redoing that, will take that away and make it more usable and build over the foundation.

Don Lamay spoke in favor saying that it will be good and will comply with everything. The addition will be nice.

Chairman Gary Daum entertained a motion to close public hearing.

Offered by: Don Melfi
Seconded by: Pat O'Brien

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

Reconvened to the regular meeting.

Chairman Gary Daum thanked Sam Martin and Don Lamay for coming.

Area Variance Findings & Decision sheet was filled out.

Chairman Gary Daum entertained a motion to grant Sam Martins area variance.

RESOLUTION NO. 06-8/22

RESOLUTION TO GRANT SAM MARTINS AREA VARIANCE AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to grant Sam Martins area variance as presented to each Board Member.

Offered by: Pat O'Brien
Seconded by: Don Melfi

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

NO FURTHER BUSINESS WAS DISCUSSED

The meeting was adjourned.