

Zoning Board of Appeals  
Regular Meeting and Public Hearing  
March 15, 2016

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  
Paul Lauze, ZBA Member  
Pat O'Brien, ZBA Member  
Don Melfi, Alt. ZBA Member  
Dawn Metty, Deputy Clerk  
Greg Marek, Applicant

Those Absent: Mike Boring, ZBA Member  
Keith McKinney, ZBA Member

MINUTES:

Chairman Gary Daum entertained a motion to accept the minutes from the February 23, 2016 meeting.

RESOLUTION NO. 2-3/16

RESOLUTION TO ACCEPT THE MINUTES FROM THE FEBRUARY 23, 2016 MEETING AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to accept the minutes from the February 23, 2016 meeting as presented to each Board Member.

Offered: Paul Lauze  
Seconded: Pat O'Brien

Votes: 4 Ayes (Lauze, O'Brien, Daum, Melfi); 0 Nays (2 absent Keith McKinney & Mike Boring)

The Zoning Board introduced themselves to Greg Marek; he submitted an area variance application.

Chairman Gary Daum went over the area variance application and SEQR form. He is asking for a 3' front setback from road and 8' side setback variance.

Chairman Gary Daum asked the board members if they had any questions.

Paul Lauze – There is an open pasture. Has there been any concerns expressed by the owner.

Greg Marek – It was my parents, my sister has it now. There are no concerns.

Chairman Gary Daum went over the site plan and asked where the septic is.

Greg Marek showed the board where the septic is located on the site plan.

The board members mentioned about possible different options. For example: getting more land from his sister if needed.

Chairman Gary Daum let Greg know that a public hearing will be scheduled for Tuesday April 5<sup>th</sup> at 7:30 pm here at the Town Hall.

Next Chairman Gary Daum let the board know that Jason Flores is unable to be here. His wife Yvonne is here.

Chairman Gary Daum asked the County planning board if applicants need to be at the public hearing. They said no, it's not required.

There were no other questions or concerns from the board members.

Area Variance Findings and Decision sheet was filled out.

Closed regular meeting.

Chairman Gary Daum called the Public Hearing to order at 7:40 pm, at the Yates Town Hall, 8 South Main Street, Lyndonville, NY 14098

Those Present: Gary Daum, ZBA Chairman  
Paul Lauze, ZBA Member  
Pat O'Brien, ZBA Member  
Don Melfi, Alt. ZBA Member  
Dawn Metty, Deputy Clerk  
Yvonne Flores, Applicant  
Paul Keller, Property Owner  
Kim Keil, Property Owner

Those Absent: Mike Boring, ZBA Member  
Keith McKinney, ZBA Member

The following notice was placed in the Batavia Daily News on March 7, 2016.

PLEASE TAKE NOTICE; there will be a Public Hearing held on March 15, 2016 at 7:30 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 # 01-16, submitted by Jason & Yvonne Flores at 10489 Willow Lane, Lyndonville, New York 14098 to erect a 12 x 20 addition at above address. A 3' side setback variance is requested according to Section 640 paragraph 2.a of the Town of Yates Zoning Regulations, 10' side setback required and a variance according to

Section 4.1 of the Coastal Erosion Hazard Area Law, no additions allowed in the Coastal Erosion Hazard Area. 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.

Kim Keil introduced herself. She is Jason & Yvonne's neighbor to the west on Willow Lane. Paul Keller who is another neighbor introduced himself as well.

Chairman Gary Daum – We received an Area Variance application from Jason & Yvonne Flores. The application is for a 3' side setback variance which is requested according to Section 640 paragraph 2.a of the Town of Yates Zoning Regulation, 10' side setback is required and a variance according to Section 4.1 of the Coastal Erosion Hazard Area Law, no additions allowed in the Coastal Erosion Hazard Area.

Chairman Gary Daum asked for any input from the neighbors.

Kim Keil – Think it's great and really good neighbors to have.

Paul Keller – Good to see improvements.

Chairman Gary Daum – Improvements are good it helps to bring people in. Then asked if Yvonne wanted to add anything else.

There was nothing else she wanted to add.

Chairman Gary Daum asked if there were any more questions.

There were no more questions

Chairman Gary Daum thanked everyone for coming and made a motion to close Public Hearing.

Offered by: Paul Lauze

Seconded by: Pat O'Brien

Votes: 4 Ayes (Daum, Lauze, O'Brien, Melfi); 0 Nays (2 absent Keith McKinney & Mike Boring)

Reconvene to the regular meeting

Chairman Gary Daum entertained a motion to accept Jason & Yvonne Flores area variance proposal as presented.

RESOLUTION NO. 3-3/16

RESOLUTION TO ACCEPT JASON & YVONNE FLORES AREA VARIANCE PROPOSAL AS PRESENTED.

RESOLVED, to accept Jason & Yvonne Flores area variance proposal as presented.

Offered by: Pat O'Brien

Seconded by: Paul Lauze

Votes: 4 Ayes (O'Brien, Lauze, Daum, Melfi); 0 Nays (2 absent Keith McKinney & Mike Boring)

Final Decision and Record of Vote was filled out.

NO FURTHER BUSINESS WAS DISCUSSED

Motion to adjourn meeting.

Offered by: Pat O'Brien

Seconded by: Don Melfi

Votes: 4 Ayes (Daum, Lauze, O'Brien, Melfi); 0 Nays (2 absent Keith McKinney & Mike Boring)