

Zoning Board of Appeals
Regular Meeting
August 2, 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
 Don Melfi, Alt. ZBA Member
 Pat O'Brien, ZBA Member
 Mike Boring, ZBA Member
 Dawn Metty, Deputy Clerk
 Dan Wolfe, Code Enforcement Officer
 Richard & Christine Wertman, Applicant

MINUTES:

Chairman Gary Daum entertained a motion to accept the minutes from the May 31, 2016 meeting.

RESOLUTION NO. 7-8/16

RESOLUTION TO ACCEPT THE MINUTES FROM THE MAY 31, 2016 MEETING AS PRESENTED TO EACH BOARD MEMBER.

RESOLVED, to accept the minutes from the May 31, 2016 meeting as presented to each Board Member.

Offered: Don Melfi
Seconded: Pat O'Brien

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

Chairman Gary Daum welcomed Richard & Christine Wertman and introduced the board members. He then reviewed their area variance application. They are asking for a 43' front setback variance from mean high water mark. They want to build a 6 x 16 addition. Denial was made due to a conflict with the Zoning Code: Section 571 Paragraph E 75' front setback required from mean high water mark.

Dan Wolfe mentioned he went to see the cottage. It does need extensive repairs. Can't build out far without obstructing the neighbors view or getting to close to the water. He does need a variance.

Richard Wertman – The previous owners did do some remodeling. We pulled the ceiling down and found black mold. There is leaking. There is no pitch for the water to flow. Want to build a gable roof to take care of the leaking. Do not feel we will obstruct that much view. Did have one of the neighbors over to show and explain what we want to do. We're putting money into it and want to take good care of it. Plan on using it more after retirement.

Mr. Wertman also showed the board pictures of the inside of the cottage.

Dan Wolfe asked if they thought about building up.

Mr. Wertman – No, not really. Financially can't

Chairman Gary Daum went over the diagram with Mr. Wertman to get a better view of the building plans.

Pat O'Brien asked how far the porch/deck is from the bank.

Mr. Wertman explained how far/close it is.

Chairman Gary Daum asked if they would consider shortening the 6 x 16 addition.

Mr. Wertman – Not really – need the distance for support.

Chairman Gary Daum – 43 ft. setback is a significant amount. If there is a way to modify it, that would be good. Also neighbors are a factor. Zoning regulations are a factor as well.

Chairman Gary Daum – A public hearing will be set for Tuesday, August 23rd at 7:30 pm.

Chairman Gary Daum briefly went over the County Planning Board meeting.

NO FURTHER BUSINESS WAS DISCUSSED

Motion to adjourn meeting.

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

Votes: 3 Ayes (O'Brien, Boring, Daum, Lauze, Melfi); 0 Nays