

PRESENT Mike Swanson, Ken Bedore, Bart Klettke, James Spanbauer, Shannon Fundis

EXCUSED Abigail Stein

PUBLIC HEARING Mike Swanson opened the public hearing at 6:30pm on the following:

On the advisability of granting appeal to Sec. 8 – Zoning Schedule; to Tim Miller who is requesting a 2-foot side yard setback variance from the required 5-foot setback for a shed replacement to allow a 3-foot side yard setback at 245 S. 1<sup>st</sup> Street Lewiston, NY, SBL # 101.14-1-63. This property is zoned R-1A, Residential, Single Family Medium Density.

On the advisability of granting appeal to Sec. 13 – Sign Regulations; to H.F. Hibbard & Sons/Brian and Kathy Martin who are requesting a 26 square foot variance from the 30 square foot requirement, and a variance to allow the sign to exceed 40 square feet for placement of a 56 square foot side wall sign at 103 Portage Road, Lewiston, NY 14092, SBL #101.10-3-56. This property is zoned B-1, General Business, Multiple Family, Townhouse.

There was no public present to speak. The public hearings were called to close at 6:30pm.

CALL TO ORDER Mike Swanson called the meeting to order at 6:31pm

MINUTES A motion was made by Ken Bedore seconded by James Spanbauer and passed with three yes votes to approve the August 22, 2023 minutes. Mike Swanson abstained, due to not attending the August meeting.

NEW BUSINESS **245 S. 1<sup>st</sup> Street**  
A motion was made by Ken Bedore and seconded by James Spanbauer to adopt the following resolution:

**WHEREAS**, the Village of Lewiston Zoning Board of Appeals has held a public hearing on September 26, 2023 at 6:30 PM on the advisability of granting appeal to Sec. 8 – Zoning Schedule; to Tim Miller who is requesting a 2-foot side yard setback variance from the required 5-foot setback for a shed replacement to allow a 3-foot side yard setback at 245 S. 1st Street Lewiston, NY, SBL # 101.14-1-63. This property is zoned R-1A, Residential, Single Family Medium Density.

**WHEREAS**, the Zoning Board of Appeals has found upon careful consideration that the following circumstances or conditions exist:

That no undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance. That the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than the requested permit.

**NOW THEREFORE BE IT RESOLVED**, that the Village of Lewiston Zoning Board of Appeals grants the appeal to Tim Miller for a 2-foot side yard setback variance from the required 5-foot setback for a shed replacement to allow a 3-foot side yard setback at 245 S. 1st Street Lewiston, NY, SBL # 101.14-1-63.

The motion passed with the following results:

Bedore – Yes Klettke – Yes Spanbauer – Yes Swanson - YES

**103 Portage Road**

A motion was made by Ken Bedore and seconded by James Spanbauer to adopt the following resolution:

**WHEREAS**, the Village of Lewiston Zoning Board of Appeals has held a public

hearing on September 26, 2023 at 6:30 PM on the advisability of granting appeal to Sec. 13 – Sign Regulations; to H.F. Hibbard & Sons/Brian and Kathy Martin who are requesting a 26 square foot variance from the 30 square foot requirement, and a variance to allow the sign to exceed 40 square feet for placement of a 56 square foot side wall sign at 103 Portage Road, Lewiston, NY 14092, SBL #101.10-3-56. This property is zoned B-1, General Business, Multiple Family, Townhouse.

**WHEREAS**, the Zoning Board of Appeals has found upon careful consideration that the following circumstances or conditions exist:

That no undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance. That the benefit sought by the applicant cannot be achieved by some method, feasible for the applicant to pursue, other than the requested permit.

**NOW THEREFORE BE IT RESOLVED**, that the Village of Lewiston Zoning Board of Appeals grants the appeal to H.F. Hibbard & Sons/Brian and Kathy Martin for a 26 square foot variance from the 30 square foot requirement, and a variance to allow the sign to exceed 40 square feet for placement of a 56 square foot side wall sign at 103 Portage Road, Lewiston, NY 14092, SBL #101.10-3-56.

The motion passed with the following results:

Bedore – Yes    Klettke – Yes    Spanbauer – Yes    Swanson - YES

#### DISCUSSION

##### **December ZBA Meeting – 12.26.23**

A motion was made by Bart Klettke seconded by James Spanbauer and passed unanimously to move the December ZBA meeting from December 26, 2023 to December 19, 2023.

**ADJOURN**    A motion was made by Mike Swanson seconded by Bart Klettke and passed unanimously to adjourn the meeting at 6:35pm.

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Shannon Fundis, Clerk