

PRESENT	Mike Swanson, Ken Bedore, Bart Klettke, Abigail Stein, Shannon Fundis, Donna Cassick
EXCUSED	James Spanbauer
PUBLIC HEARING	<p>Mike Swanson opened the following public hearings at 6:30pm:</p> <p>-On the advisability of granting appeal to Sec. 8 – Zoning Schedule; to Matthew Kudela who is requesting a 2’1’ side yard setback variance from the required 5-foot setback to permit a 2’11” side yard setback to replace an existing shed with a new shed and poured foundation at 215 North 2nd Street, Lewiston, NY 14092, SBL #101.10-1-53. This property is zoned R-1-A, Residential, Single Family Medium Density. No residents were present to speak on this matter.</p> <p>-On the advisability of granting appeal to Sec. 8 – Zoning Schedule; to Jeff and Sandy Gorney who are requesting a 19-foot front yard setback variance from the required 20-foot setback to permit a 1-foot front yard setback for a proposed porch expansion at 375 South 2nd Street, Lewiston, NY 14092, SBL #101.14-1-47. This property is zoned R-1-A, Residential, Single Family Medium Density. No residents were present to speak on this matter.</p> <p>- On the advisability of granting appeal to Sec. 8 – Zoning Schedule; to Chris Copland who is requesting the following variances for an addition to the primary structure at 315 North 5th Street, SBL #101.06-4-21.</p> <p>-A 5 side yard setback variance on the east side from the required 10-foot setback, to allow the structure to have a 5-foot setback</p> <p>-A 5-foot setback on the west side from the required 10-foot setback to allow the structure to have a 5-foot setback</p> <p>-A 14-foot rear setback from the 20-foot setback requirement to allow the structure to have a rear 6-foot setback.</p> <p>-A 25 % area coverage variance from the permitted 30% requirement to allow for 55% area coverage.</p> <p>This property is zoned R-1-A, Residential, Single Family Medium Density.</p> <p>No residents were present to speak on this matter.</p> <p>The public hearings were called to close at 6:31pm.</p>
CALL TO ORDER	Mike Swanson called the meeting to order at 6:31pm
MINUTES	A motion was made by Ken Bedore seconded by Abigail Stein and passed unanimously to approve the July 23, 2024 minutes.
OLD BUSINESS	<p>535 Oxbow Lane – Special Use Permit</p> <p>Shannon Fundis informed the ZBA members that the Village Board of Trustees approved the request to operate a special use permit at 535 Oxbow Lane. The recommendations from the ZBA were implemented in the approval, and the property owner will have to reapply for the permit annually.</p>
NEW BUSINESS	<p>215 North 2nd Street</p> <p>A motion was made by Bart Klettke and seconded by Ken Bedore to adopt the following resolution:</p> <p>WHEREAS, the Village of Lewiston Zoning Board of Appeals has held a public hearing on August 27, 2024 at 6:30pm on the advisability of granting appeal to Sec. 8 – Zoning Schedule; to Matthew Kudela who is requesting a 2’1’ side yard setback variance from the required 5-foot setback to permit a 2’11” side yard setback to replace an existing shed with a new shed and poured foundation at 215 North 2nd Street, Lewiston, NY 14092, SBL #101.10-1-53. This property is zoned R-1-A, Residential, Single Family Medium Density.</p> <p>WHEREAS, the Zoning Board of Appeals has found upon careful consideration that the following circumstances or conditions exist:</p>

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, the Village of Lewiston Zoning Board of Appeals grants the appeal to Matt Kudela who is requesting a 2'1" side yard setback variance from the required 5-foot setback to permit a 2'11" side yard to replace an existing shed with a new shed and poured foundation at 215 North 2nd Street, Lewiston, NY 14092, SBL #101.10-1-53.

Shannon Fundis polled the board, and the motion passed with the following results: Klettke – Yes Stein – Yes Bedore – Yes Swanson - Yes

375 South 2nd Street

A motion was made by Abigail Stein and seconded by Mike Swanson to adopt the following resolution:

WHEREAS, the Village of Lewiston Zoning Board of Appeals has held a public hearing on August 27, 2024 at 6:30pm on the advisability of granting appeal to Sec. 8 – Zoning Schedule; to Jeff and Sandy Gorney who are requesting a 19-foot front yard setback variance from the required 20-foot setback to permit a 1-foot front yard setback for a proposed porch expansion at 375 South 2nd Street, Lewiston, NY 14092, SBL #101.14-1-47. This property is zoned R-1-A, 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, the Village of Lewiston Zoning Board of Appeals grants the appeal to Jeff and Sandy Gorney who are requesting a 19-foot front yard setback variance from the required 20-foot setback to permit a 1-foot front yard setback for a proposed porch expansion at 375 South 2nd Street, Lewiston, NY 14092, SBL #101.14-1-47.

Shannon Fundis polled the board, and the motion passed with the following results: Klettke – Yes Stein – Yes Bedore – Yes Swanson - Yes

315 North 5th Street

A motion was made by Bart Klettke seconded by Mike Swanson and passed unanimously to adopt the following resolution:

WHEREAS, the Village of Lewiston Zoning Board of Appeals has held a public hearing on August 27, 2024 at 6:30pm on the advisability of granting appeal to Sec. 8 – Zoning Schedule; on the advisability of granting appeal to Sec. 8 – Zoning Schedule; to Chris Copland who is requesting the following variances for an addition to the primary structure at 315 North 5th Street, SBL #101.06-4-21.

-A 5 side yard setback variance on the east side from the required 10-foot setback, to allow the structure to have a 5-foot setback

-A 5-foot setback on the west side from the required 10-foot setback to allow the structure to have a 5-foot setback

-A 14-foot rear setback from the 20-foot setback requirement to allow the structure to have a rear 6-foot setback.

-A 25 % area coverage variance from the permitted 30% requirement to allow for 55% area coverage.

This property is zoned R-1-A, Residential, Single Family Medium Density.

WHEREAS, the Zoning Board of Appeals has found upon careful consideration

that the following circumstances or conditions exist:

That an undesirable change will be produced in the character of the neighborhood and/or a detriment to nearby properties will be created by the granting of the area variance. That the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than the requested permit.

WHEREAS, the applicant was advised to submit a new application and plan with less coverage area requested

NOW THEREFORE BE IT RESOLVED, the Village of Lewiston Zoning Board of Appeals denied the appeal to Chris Copland for the following variances for an addition to the primary structure at 315 North 5th Street, SBL #101.06-4-21.

-A 5 side yard setback variance on the east side from the required 10-foot setback, to allow the structure to have a 5-foot setback

-A 5-foot setback on the west side from the required 10-foot setback to allow the structure to have a 5-foot setback

-A 14-foot rear setback from the 20-foot setback requirement to allow the structure to have a rear 6-foot setback.

-A 25 % area coverage variance from the permitted 30% requirement to allow for 55% area coverage.

Shannon Fundis polled the board, and the motion failed with the following results:
Klettke – No Bedore – No Stein – No Swanson – No

Updated Zoning Schedule

Mike Swanson proposed an updated zoning schedule to submit to the Village Board of Trustees to adopt in the Village Code Book. A motion was made by Abigail Stein seconded by Mike Swanson and passed unanimously to recommend the new Zoning Schedule to the Village Board of Trustees to be adopted.

ADJOURN A motion was made by Abigail Stein seconded by Ken Bedore and passed unanimously to adjourn the meeting at 7:11pm.

Shannon Fundis, Clerk