

PUBLIC HEARING Mike Swanson called the public hearings to order at 6:30pm on the following:

-On the advisability of granting appeal to Jack Soldano, owner of Casa Antica, who is requesting a permit to make improvements in the Village right of way to create additional parking spots at 135 North Fifth Street Lewiston, NY 14092, SBL # 101.10-2-31.

-On the advisability of granting appeal to Neil Belden, owner of 401 Cayuga Street, Lewiston NY 14092, SBL # 101.14-2-1, who is requesting a 4.5 feet height variance, from the required 15 feet to build a 19.5 feet accessory building, and a 15 feet side-front lot setback variance, from the required 20 feet, for placement of the building.

No residents were present. A motion was made by Ken Bedore seconded by Al Soluri and passed unanimously to close the public hearings at 6:30pm.

PRESENT Mike Swanson, Ken Bedore, Al Soluri, Bart Klettke, Clerk Fundis, Deputy Clerk Vazquez

CALL TO ORDER Mike Swanson called the meeting to order at 6:30pm.

NEW BUSINESS **490 Center/135 N. 5th Street**
Jack Soldano has requested permission to add parking spots in the Village right of way at 135 N. 5th Street Lewiston, NY 14092, appealing Section 8 of Appendix B of the Village Code.

The Village of Lewiston Zoning Board of Appeals had held a public hearing on the application on August 10, 2021 at 6:30pm. After careful consideration, the board granted the permit upon the following terms and conditions:

1. The cost of installation, maintenance and removal (if deemed necessary) shall be borne by the applicant.
2. Applicant shall provide proof of liability insurance coverage pertaining to said area with the Village of Lewiston as an additionally insured.
3. Owner agrees to indemnify and hold harmless the Village and its' commissions, boards, appointees, officers, etc. from any claim arising out of this matter.
4. The permit is granted contingent upon full agreement of the permit requirements pursuant to the development plan submitted and approved.

Michael Swanson, Chairman

Jack Soldano, Owner

A motion was made by Ken Bedore seconded by Bart Klettke to adopt the following resolution:

WHEREAS, the Village of Lewiston Zoning Board of Appeals has held a public hearing on August 10, 2021 at 6:30 PM on the advisability of issuing a permit to install additional parking spaces in the village right of way. This property is zoned R-B-2 Retail Business.

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 for additional parking spaces in the village right of way for the property known as 135 N. 5th Street, Lewiston, NY 14092; SBL # 101.10-2-31.

The motion passed with four yes votes.

401 Cayuga Street

A motion was made by Bart Klettke and seconded by Al Soluri to adopt the following resolution:

WHEREAS, the Village of Lewiston Zoning Board of Appeals has held a public hearing on August 10, 2021 at 6:30 PM on the advisability of granting a variance for a 16.25 feet side-front lot setback variance, from the required 20 feet, for placement of an accessory building. This property is zoned R1A – 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 for a 16.25 feet side-front lot setback variance from the required 20 feet, for placement of an accessory building, at the property known as 401 Cayuga Street, Lewiston, NY 14092; SBL # 101.10-2-31.

The motion passed with four yes votes.

OTHER

Chairman Position

After a brief discussion, the Zoning Board of Appeals Members voted in Mike Swanson as the Chairman.

ADJOURNMENT

A motion was made by Ken Bedore seconded by Bart Klettke and passed unanimously to adjourn the meeting at 6:42pm.

Shannon Fundis, Clerk