

- PRESENT** Mike Swanson, Ken Bedore, Bart Klette, Abigail Stein, James Spanbauer, Shannon Fundis
- PUBLIC HEARING** Mike Swanson opened the public hearing at 6:30pm on the advisability of granting appeal to Ellicott Development who is requesting the following variances for 780 Center Street, NY, SBL#101.11-1-37.1, zoned RB – Restricted Business, Townhouse:
- To Section 10R(5)(d)(v) Apartment Density. No more than 8 apartments per acre.
Requesting an area variance to allow 23 apartments on 2.25 acres (Building #3 parcel).
- To Section 10R(5)(d)(vii)(a) Apartment Area. Units cannot exceed 1,000 SF in size.
Requesting an area variance to allow apartments between 627 and 1,266 SF.
- To Section 10R(5)(d)(vii)(b) Apartments shall be limited to 2nd story.
Requesting an area variance to allow up to eleven apartments on the first floor.
- To Section 10R(5)(d)(vii)(b) Apartments shall be limited to 1-bedroom units.
Requesting an area variance to allow 2-bedroom apartments.
- No residents spoke on this matter. The public hearing was called to close at 6:30pm.
- CALL TO ORDER** Mike Swanson called the meeting to order at 6:30pm.
- MINUTES** A motion was made by Bart Klettke seconded by James Spanbauer and passed unanimously to approve the November 28, 2023 meeting minutes.
- NEW BUSINESS** **780 Center Street**
A motion was made by Bart Klettke 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 January 23, 2024 at 6:30pm on the advisability of granting appeal to Section 10R(5)(d)(v) Apartment Density - No more than 8 apartments per acre; to Ellicott Development who is requesting an area variance to allow 23 apartments on 2.25 acres (Building #3 parcel) for 780 Center Street, NY, SBL#101.11-1-37.1, zoned RB – Restricted Business, 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**, the Village of Lewiston Zoning Board of Appeals grants the appeal to Ellicott Development for an area variance to allow 23 apartments on 2.25 acres for building #3 from the permitted maximum of 8 apartments per acre at 780 Center Street, NY SBL#101.11-1-37.1.
- THEREFORE BE IT FURTHER RESOLVED**, the variance granted is only for the proposed construction as submitted in the Zoning Board of Appeals application.
- Shannon Fundis polled the board and the motion passed with four yes votes. Ken Bedore recused himself.
Stein – Yes Spanbauer – Yes Klettke – Yes Swanson – Yes
- A motion was made by James Spanbauer and seconded by Bart Klettke and Abigail

Stein in unison to adopt the following resolution:

WHEREAS, the Village of Lewiston Zoning Board of Appeals has held a public hearing on January 23, 2024 at 6:30pm on the advisability of granting appeal to Section 10R(5)(d)(vii)(a) Apartment Area. Units cannot exceed 1,000 SF in size; to Ellicott Development who is requesting an area variance to allow apartments between 627 and 1,266 SF for 780 Center Street, NY, SBL#101.11-1-37.1, zoned RB – Restricted Business, 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, the Village of Lewiston Zoning Board of Appeals grants the appeal to Ellicott Development for an area variance to allow apartments between 627 and 1,266 SF from the permitted maximum of 1,000 SF at 780 Center Street, NY SBL#101.11-1-37.1.

THEREFORE BE IT FURTHER RESOLVED, the variance granted is only for the proposed construction as submitted in the Zoning Board of Appeals application.

Shannon Fundis polled the board and the motion passed with four yes votes. Ken Bedore recused himself.

Stein – Yes Spanbauer – Yes Klettke – Yes Swanson – Yes

A motion was made by Bart Klettke and seconded by Abigail Stein to adopt the following resolution:

WHEREAS, the Village of Lewiston Zoning Board of Appeals has held a public hearing on January 23, 2024 at 6:30pm on the advisability of granting appeal to Section 10R(5)(d)(vii)(b) Apartments shall be limited to 2nd story; to Ellicott Development who is requesting an area variance to allow up to eleven apartments on the first floor for 780 Center Street, NY, SBL#101.11-1-37.1, zoned RB – Restricted Business, 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, the Village of Lewiston Zoning Board of Appeals grants the appeal to Ellicott Development for an area variance to allow up to eleven apartments on the first floor from the permitted second story apartment limitation at 780 Center Street, NY SBL#101.11-1-37.1.

THEREFORE BE IT FURTHER RESOLVED, the variance granted is only for the proposed construction as submitted in the Zoning Board of Appeals application.

Shannon Fundis polled the board and the motion passed with four yes votes. Ken Bedore recused himself.

Stein – Yes Spanbauer – Yes Klettke – Yes Swanson – Yes

A motion was made by Abigail Stein and seconded by Bart Klettke to adopt the following resolution:

WHEREAS, the Village of Lewiston Zoning Board of Appeals has held a public hearing on January 23, 2024 at 6:30pm on the advisability of granting appeal to Section 10R(5)(d)(vii)(b) Apartments shall be limited to 1-bedroom units; to Ellicott Development who is requesting an area variance to allow 2-bedroom apartments for 780 Center Street, NY, SBL#101.11-1-37.1, zoned RB – Restricted Business, 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, the Village of Lewiston Zoning Board of Appeals grants the appeal to Ellicott Development for an area variance to allow to allow 2-bedroom apartments from the permitted one 1-bedroom apartment limitation at 780 Center Street, NY SBL#101.11-1-37.1.

THEREFORE BE IT FURTHER RESOLVED, the variance granted is only for the proposed construction as submitted in the Zoning Board of Appeals application.

Shannon Fundis polled the board and the motion passed with four yes votes. Ken Bedore recused himself.

Stein – Yes Spanbauer – Yes Klettke – Yes Swanson – Yes

ADJOURN A motion was made by Mike Swanson seconded by Ken Bedore and passed unanimously to adjourn the meeting at 6:50pm.

Shannon Fundis, Clerk