

PUBLIC HEARING Chairman Brodie opened the public hearing at 6:30pm on the advisability of granting appeal to Taylor Crystal, owner of 418 Plain Street, Lewiston NY, who is requesting a permit to make improvements in the Village right of way to allow the construction of a parking spot.

No residents were present to speak.

PUBLIC HEARING Chairman Brodie opened the public hearing at 6:30pm on the advisability of granting appeal to Pavone Restaurant Group, owner of 402 Center Street, who is requesting a ten-foot setback variance for placement of a two-sided ground sign on the lot line.

Clerk Fundis read the following letter submitted by resident, Ronald Craft, regarding the variance request:

“Cannot make Special meeting concerning signage, please read or have someone read, the following during the Proposed meeting:

I have looked at the sign plan for the gallo, not angry, just disappointed. The village has been slowly getting rid of so, called extra signage. So you take down a village sign which shows we have individuals in the Kiwanis and the Lions Club willing to help individuals in need and you possibly approve putting another sign in an area with plenty of signage. There is already a Gallow sign above the door and the proposed wall sign I would think would be enough.

It's bad enough having too much signage, you also have allowed a building and part of its use to create a huge parking problem, when this end of Center opens up full bore. Case in point, the Brickyard Brew has a second floor event, and the Council of the Arts has an event in the park and Gallow has the same, where is the parking? I was unaware we had rooftop parking. Common Sense would tell us the park behind the Rebrick would alleviate the year around parking instead of it being used by individuals two or three months out of the year. Also note the playground being planned could very easily be placed in other area parks.

My other problem is my business location. I am located on a desirable corner, I have had many compliments and offers of purchase before for the current renovation. Since the renovation my current view consists of a large white storage building and a large wooden fence with a dumpster behind it and I may add, it eliminates three parking spaces. The previously mentioned currently blocks three fourths of the view of my home and business going West on Center. The proposed two sided signage would block the remaining view of my business

I would favor the Wall Sign, the other is way over the top.

I may also add, the parking situation is putting small businesses in close proximity to the Gallow in jeopardy, with individuals failing to find a spot and travel to a similar store with ample parking.

Ron Craft, owner of Fine Antiques
105 North Fourth St
14092Lewiston NY”

PUBLIC HEARING Chairman Brodie opened the public hearing at 6:33pm on the advisability of granting appeal to Jason Lombardi; for locations at vacant properties on South Sixth Street, Lewiston NY; who is requesting a variance to appeal Section 8 Appendix B of the Zoning Code for a 15-foot front-yard setback variance from the required 20 foot setback to construct two duplexes.

Resident, Thomas See of 166 S. 6th Street, inquired about the need for a variance and expressed his concerns with the development of this property. See's concerns with trying to fit duplexes on small lots, dealing with the construction up and down the street, and questioned what would happen with the existing trees on the back lot line. See stated that he is not in favor of this variance request, and suggested patio homes be built instead of duplexes.

the permit upon the following terms and conditions:

1. The cost of installation, maintenance and removal (if deemed necessary) of the grass reinforcement grid used for a parking spot 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.

Bill Brodie, Chairman

Taylor Crystal, Owner

402 Center Street

Architect, Jim Fittante, explained that the sign variance being requested is similar to the variance granted to the former Gallo Coal Fire Kitchen at the corner of 8th & Center Street.

Al Soluri asked what the necessity of this ground sign is with three signs on the building.

Fittante and business owner Michael Hibbard stated that trees block the signage, and when coming up Center Street from the water, the visibility up and down Center Street is difficult. Fittante added that without the variance, they are still under 50% of the allowable signage because this property is a corner lot.

Bart Klettke asked that with the business located at a main intersection of Center Street, is this ground sign necessary?

Fittante stated that the variance requested is only to move the sign up five feet. This is a corner lot; the building is allowed two signs each because there are two separate businesses.

A motion was made by Michael Swanson seconded by Bart Klettke to adopt the following resolution:

WHEREAS, the Village of Lewiston Zoning Board of Appeals has held a public hearing on May 25, 2021 at 6:30 PM on the advisability of granting a ten-foot variance for placement of a two-sided ground sign on the lot line. 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 a ten-foot variance for placement of a ground sign at the property known as 402 Center Street, Lewiston, NY 14092; SBL # 101.10-2-42.

Clerk Fundis polled the board and the motion passed with three yes votes:

Mike Swanson – Yes

Ken Bedore – Yes

Al Soluri – No

Bart Klettke - Yes

Chairman Brodie - No

South 6th Street

Chairman Brodie made a statement that a variance has to be granted to the property owner; at this time Bruce Sutherland is the current property owner. Sutherland has submitted a letter granting permission for this request. Once granted, the variance will remain with the property.

Architect Jim Fittante, stating that the potential buyer of the properties is looking to design single story duplexes, modeled after a patio home with attached garages. All other properties in the area are within five feet or similar setbacks to what is being requested. We are asking to move forward fifteen feet to be in line with other homes and to allow for a bigger back yard.

A discussion ensued regarding the questionability of what would be done with the property if a variance was granted. Ken Bedore expressed his concern that the proposal is based on a single story duplex; but once granted, a two story building could be put on the property. There is no guarantee that there will be changes to the request the variance was based on.

Mike Swanson asked if it was possible to add a stipulation that the variance is granted with only a one story building permitted.

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

WHEREAS, the Village of Lewiston Zoning Board of Appeals has held a public hearing on May 25, 2021 at 6:30 PM on the advisability of granting a fifteen-foot front yard setback variance from the required 20 foot setback to construct two duplexes, with the stipulation that only single story buildings be constructed. The properties are zoned R-2 Residential, Two 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 for a fifteen-foot front yard setback variance from the required 20-foot setback to construct two duplexes at the properties known as SBL # 101.10-3-26.2 and SBL # 101.10-3-26.3.

Clerk Fundis polled the board and the motion passed with four yes votes:

Mike Swanson – Yes

Ken Bedore – Yes

Al Soluri – No

Bart Klettke - Yes

Chairman Brodie - Yes

ADJOURNMENT

A motion was made by Mike Swanson seconded by Al Soluri and passed unanimously to adjourn the meeting at 7:17pm.

 Shannon Fundis, Clerk