

ZONING BOARD OF APPEALS

January 28, 2018

PRESENT Chairman Brodie, Dick Portale, Mike Swanson, Ken Bedore, Glen Clark, Clerk- Treasurer
Amy Salada for Secretary Sheehan

EXCUSED Dick Portale, Secretary Sheehan

Chairman Brodie called the meeting of the Zoning Board of appeals to order at 6:30 PM.

MINUTES Minutes for the Zoning Board of Appeals Meeting of October 29, 2018 were presented for approval. A motion to approve the minutes was made by Mike Swanson, seconded by Ken Bedore and passed unanimously.

P.H 1. Anthony DiBacco, 495 N 5th Street Lewiston NY present and appealing Section 8 of App B of the Village Code for a 15 ft. variance from the required 20 ft. side front setback to allow the construction of a garage. Mr. Dibacco, homeowner stated that he would be removing two existing sheds and was looking to replace storage on his property in a way that would preserve as much backyard as possible. Discussion ensued surrounding the dimensions, and potential options for adequate placement at the property. Chairman Bill Brodie recommended moving the proposed site back 2-3 feet. Mike Swanson motioned to approve a 13 foot variance. The motion was seconded by Mike Swanson and passed unanimously. Mr. Dibacco thanked the board for the reasonable compromise.

2. Emery Simon appealing Section 12.B.8 of App B of the Village Code for a variance to allow events in the parking lot at 755 Center Street, Lewiston NY. Conversation ensued regarding Mr. Simon's plan for the parking area. Mr. Simon stated that he would like to be able to cover the parking lot, so that he could use the parking lot to hold events/parties at his Wine Bar known as The Stone House. Chairman Brodie asked if this would be permanent or temporary/ and sought to clarify what Mr. Simon was asking for. Mr. Simon stated that he has outgrown tents and wants to add a permanent Clamshell cover. Discussion ensued surrounding concerns over how hosting events in the lot would affect parking, for employees of Mr. Simon's business. Mr. Simon stated that they could park on the street or in surrounding lots. Glen Clark raised questions surrounding where rain water would go. Mr. Simon suggested a gutter system would address rain water. Chairman inquired as to why Mr. Simon could not host events in the rear lot as opposed to the front lot. Mr. Simon indicated there were no bathrooms near the rear lot. Mr. Simon then suggested he may reconsider using temporary tents. Discussion ensued amongst the board members, and Mayor Welch who stated that regardless of type of cover, the code reflects parking lots are not intended to be used for anything other than parking. Attorney Shawn McKenzie was in attendance representing neighboring Rite Aid Plaza and requested the opportunity to speak. He stated that he was there to speak in opposition to any type of variance for a parking cover, temporary or permanent which would reduce parking at the site. Applicant Emery Simon requested the meeting be tabled, to be revisited at a future meeting. Mike Swanson motioned to table the application, and it was seconded by Glenn Clark and passed unanimously.

OLD BUS. None

NEW BUS. 1. Anthony DiBacco, 495 N 5th Street Lewiston NY present and appealing Section 8 of App B of the Village Code for a 15 ft. variance from the required 20 ft. side front setback to allow the construction of a garage. Mr. Dibacco, homeowner stated that he would be removing two existing sheds and was looking to replace storage on his property in a way

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OTHER None

ADJOURN A motion to adjourn the meeting was made by Mike Swanson, Seconded by Glen Clark and passed unanimously. The meeting was closed at 7:05 pm.

Recorded by Amy Salada, Clerk-Treasurer
Transcribed by Stacey Sheehan- Deputy Clerk