

ZONING BOARD OF APPEALS
Town of Lewiston 1375 Ridge Road
Lewiston, New York 14092
Thursday – August 10, 2023

Agenda LMK Realty Associates LLC tabled, Herb Stephenson Townline Road (A)
ZBA- 08-2023 (A)

Present: Conti, Machelor, Maggard, Warnick

Absent: Heuck

Presiding: Norman Machelor, Chairman

Pledge of Allegiance

A motion to approve the minutes of July 13, 2023, was made by Maggard, seconded by Warnick and carried.

Machelor: If you have not attended a Zoning Board of Appeals meeting before, the task of the Board is to deny or grant requests to vary the Town of Lewiston Code, hence a variance request to allow or disallow a project brought to us because it cannot be built or performed as presented without a hearing to determine whether upon presentation of the details of the request the Board will grant a variance to continue the project or denial to prohibit a project as presented. LMK realty asked to be tabled for another month. Next on the agenda is a variance from Herb Stephenson 5314 Townline Road SBL 118.00-2-13 anyone here to speak on this?

Herb Stephenson: 5314 Townline Road Sanborn, NY 14132. I am requesting a height variance for a pole barn from 18 feet to 20 feet maybe a little less.

Machelor: What is the size of the pole barn?

Stephenson: I need 46 wide for the proper pitch. So, I am asking for 46x64

Machelor: What did your original application state

Stephenson: 38x64. I need a 12 ft clearance.

Machelor: Where is the pole barn going?

Stephenson: Northside of the house.

Machelor: Please come up here and show us

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Conti: Left side next to driveway 64ft back doors face the house. What will this shed/ Pole barn be used for?

Stephenson: Storage of old cars and camper in the future.

Conti: No business stuff going on there?

Stephenson: No

Machelor: Questions?

Maggard: So personal use

Stephenson: Yes, only personal use. Will have room behind. Possibly getting a motor home for travel.

Machelor: Anyone else want to speak on this

Neighbors Andrew and Hannah Davis: 5300 Townline Road. Voiced concerns about drainage and septic under driveway ground water. Herb runs a business across the street in Cambria. With postings online. Elderly parents live next door and there is run off. Concerns about being able to see the road from their porch. Leach Beds and drainage is the main concern.

Machelor: He said he won't be running a business there.

Conti: There will be conditions placed on it if we approve it.

Stephenson: States it's for old cars and it will back away from the road even with the house garage doors will back existing house

Machelor: The only thing before us tonight is the height 18-20 feet 2 feet higher that is the only thing we will address.

Davis: I misunderstood I am concerned about drainage and leach beds

Machelor: That is for Planning board or building dept

Machelor: The public meeting is still open. Anyone else? Ok Close the public hearing

Conti: I will make a motion to approve the 20-foot variance for height with the condition it is used for residential / personal use no business activity to be done on the property. Based on the board's discussion the Zoning Board of Appeals determines that the benefit of the

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variance to the applicant outweighs any detriment to health, safety, welfare to the community. That the variance request is minimal necessary and the variance be granted.

Warnick: Second

Machelor: All in favor say AYE

Members: AYE

Machelor: Naye none. Pull the board

Lisa: Conti- AYE, Machelor- AYE, Maggard- AYE, Warnick- AYE

Machelor: Do you understand? It was approved with the condition.

Stephenson: Yes, Sir Thank you

Conti: Motion to adjourn

Warnick: Second

Respectfully submitted by



Lisa Wisnieski
Building Dept Clerk



Norman Machelor
Chairman

Note minutes did not transfer to computer did the best I could.

