

ZONING BOARD OF APPEALS
Town of Lewiston 1375 Ridge Road
Lewiston, New York 14092
Thursday – April 10, 2025

Agenda- CJ Wolf 4722 Porter Center Road (A), John Susice 4436 Dickersonville Road (B)

Present: Conti, Fontana, Heuck, Machelor, Warnick

Presiding: Norman Machelor, Chairman

Pledge of Allegiance

A motion to approve the minutes of March 13, 2025, was made by Conti, seconded by Fontana 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. Ok I'd like to open the public hearing for CJ Wolf area variance 4722 Porter Center Road SBL 89.03-1-19 is there someone here to speak to that? Would you go to the microphone. The minutes will be on tape so we want to hear ya. Ok so tell us what you want to do.

Wolf: We are trying to put a pole barn for recreation use out back we got the estimate and it is a foot ½ too high than what's allowed.

Machelor: Ok well. The amount of difference that you are looking for is less than 2 feet right.

Wolf: Yes

Machelor: It's not a substantial amount of course you do have to come to the board in order to get permission to do that. So, I am going to ask the other board members if they have any questions for you about it.

Conti: It's a foot and half really, I don't have anything.

Machelor: We have asked the Town Board for quite a few years to increase this 18-foot thing to some other amount. So, we have been granting these requests for minor modifications like yours. I would like someone to make a motion. This is a public hearing is there anyone else here that wants to speak to this issue? Come on up and state your name.

Timothy Napier 4706 Porter Center Road. I'd like to know the size of this?

Wolf: 32x48

Machelor: You have to address the board not him

Napier: I'm confused about that. This gentleman here been clearing his lot pushing it back behind my property. I am not really happy with this gentleman I don't know him he's new to the neighborhood so I posted my property I have lived there for 30 years. 19 ½ feet to the peak?

Machelor: to the peak

Napier: Ok

ZBA- 04-2025 (A)

Conti: What's in front of the board tonight is a height variance.

Napier: Ok.

Conti: Not anything else. What's in front of the board is just a variance for the height.

Napier: Ok that's all I needed.

Machelor: Alright thank you. Any further comments? Hearing none I will close the public hearing and ask for a motion.

Fontana: I'll make a motion to approve.

Machelor: Ok Lou. I need a second.

Heuck: Second.

Conti: You want to break down on the 5 points.

Fontana: Whether an undesirable change would be produced in the character of the neighborhood or a detriment to nearby properties no. Are the benefits sought by the applicant be achieved by a feasible alternative for the variance no. Whether the requested variance is substantial no. Would the variance have an adverse effect on the physical or environmental conditions of the neighborhood no. Whether the alleged difficulty is self-created yes. I would request that it be approved.

Conti: Do we have to go over the results of the SEQRA.

Machelor: Yeah, I think so.

Members talking

Machelor: You have to have a negative finding on the SEQRA.

Conti: I'll make a motion for a neg dec on the SEQRA.

Heuck: Second.

Machelor: Ok motion made in the second for a neg dec on the SEQRA. All those in favor Aye

Members: AYE

Machelor: Opposed. Ok so now I need a second on the motion.

Conti: Gary did.

Machelor: Gary ok good. So, we have a motion and seconded any further comments from the board any questions? Alright I'll call the question. All those in favor say Aye.

Members: AYE

Machelor: Opposed hearing none. Lisa, would you poll the board.

ZBA- 04-2024 (A)

Wisnieski: Joseph Conti: AYE, Lou Fontana: AYE, Gary Heuck: AYE, Norman Machelor: AYE, David Warnick: AYE.

Machelor: Ok thank you it's approved.

Wolf: Thank you.

Machelor: You go to the building department and they can help you.

Talking

Conti: Tomorrow or you will need to come in next week they will have all this information.

ZBA- 04-2025 (B)

Machelor: Alright open public meeting for John Susice area variance for 4436 Dickersonville Road SBL 75.00-2-30.1. State your name and address.

John Susice 3148 Dickersonville Road.

Machelor: Ok. So, your back ok.

Susice: Yes.

Machelor: Ok.

Susice: Height variance this time.

Machelor: Ok

Susice: I'd like to go to 22 feet we have a motor home.

Machelor: Ok same thing I told that other guy the prior guy.

Conti: It will be 22.7 feet?

Susice: Yeah.

Conti: Is there a reason why it's so high?

Susice: We have a motor home.

Heuck: You said you got a boat? How big is the boat?

Susice: 20 feet it's for a ski rack.

Machelor: Well, we approved this before so we are pretty familiar with it. Does the board have any questions? This is a public hearing anyone else have any questions? Ok Hearing none. What would the board like to do?

Heuck: Make a motion on the SEQRA negative dec.

Conti: Second.

Machelor: Motion made in the second for the SEQRA. All those in favor say AYE.

Members AYE.

Machelor: Opposed. Hearing none thank you! How you doing with the removal?

Susice: We haven't started.

Warnick: A motion that we approve the variance. Benefit sought by applicant can be achieved by other means I'll say no. Whether the requested variance is substantial I'll say no. Would the variance have an adverse impact physical or environmental conditions I'll say no. The alleged difficulty was self-created.

Fontana: I'll second that.

ZBA- 04-2025 (B)

Machelor: Ok motion made in seconded any further discussion? Hearing none I'll close the public... did we close the public hearing?

Conti: Yeah, we did.

Machelor: Hearing none I'll ask the board for a vote. All those in favor say AYE.

Members: AYE. Opposed hearing none. Lisa, would you poll the board.

Wisnieski: Joseph Conti: AYE, Lou Fontana: AYE, Gary Heuck: AYE, Norman Machelor: AYE, David Warnick: AYE.

Machelor: Ok its approved.

Susice: Thank you!

Heuck: Start tearing down that building.

Susice: I will.

Machelor: Alright a motion to adjourn.

Conti: Any new business? I'll make a motion to adjourn.

Heuck: Second

Machelor: All in favor say AYE

Members: AYE

Machelor: Thank you!

Respectfully submitted by .



Lisa Wisnieski
Building Dept Clerk



Norman Machelor
Chairman

