

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF ELLICOTT ZONING BOARD OF APPEALS/
PLANNING BOARD WAS HELD AT THE ELLICOTT ADMINISTRATION BUILDING, 215 SOUTH WORK
ST., FALCONER, NY 14733 ON June 20, 2019 AT 6:00 P.M.**

**PRESENT: Daniel Evans, Jean Holton, Kenneth Lyon, Patricia Martonis, Paul Volpe,
Attorney William Duncanson, Code Enforcement Officer David Rowe
and Secretary Danielle Calkins
ABSENT:**

Daniel Evans opened the meeting at 6:03 PM and led in the Pledge of Allegiance.

Motion made by Kenneth Lyon, seconded by Jean Holton to approve the minutes of the May 16, 2019 meeting.

Carried. Ayes – 5 Noes – 0 Absent – 0

**Daniel Evans opened the public hearing for Jamie Gilbert, 1900 E Main St, Falconer, NY 14733 for an area
variance for a second garage.**

Notice of the public hearing had been published and notices to neighboring properties had been sent.

Attorney Duncanson swore in Jamie Gilbert.

Mr. Gilbert stated that he is looking to add another garage to his property. The garage would be

- A 24x32 garage with 2 overhead doors and 1 man door
- The garage will match the house and the existing garage.
- The shed that is already on the property will be moved to a new location.
- The garage will have a concrete floor and apron.
- There will be no additional outside lights but the garage will have electric.
- There will be 4 windows (3 on the back and 1 on the right)
- There will be 5ft between the existing and new garages.

**Paul Volpe made a motion, seconded by Jean Holton to approve the special use variance application for an area
variance for Jamie Gillbert, 1900 E Main ST, Falconer, NY 14733 for a second garage that will be a 24 x 36 pole
barn that will have 12ft walls, a concrete floor and apron, 2 overhead doors, 1 man door, 3 back and 1 side
windows, electricity but not gas or propane, and will match the house and existing garage both of which are vinyl.**

Carried. Ayes – 5 Noes – 0 Absent – 0

**Daniel Evans opened the public hearing for Colleen Borzon, 2570 Lake St, Jamestown, NY 14701 for a special use
permit for multiple residences on a single parcel.**

Notice of the public hearing had been published and notices to neighboring properties had been sent.

Attorney Duncanson swore in Colleen Borzon and Rich Martin.

**Mrs. Borzon stated that they purchased the house with the garage apartment already there in 2012 and it is her
wish to get the proper approvals so she can put the property up for sale.**

The board reviewed the letter from the third party engineer concerning the garage apartment not meeting code requirements. It was determined that the board cannot make a legal decision on the special use permit until the necessary items are up to code and verified by a third party engineer:

- Certification on the Windows
- Certification of the Stairs
- A 3rd Party Electrical Inspections
- Certification of ceiling height percentage and whether it is up to fire code.
- Documentation from the Department of Health on whether they would need a second well.

Pat Martonis made a motion, seconded by Paul Volpe to table the decision for Colleen Borzon, 2570 Lake St, Jamestown, NY 14701 for the special use permit to have multiple residences on one parcel until the August 2019 meeting or until the necessary certifications are received.

Carried. Ayes – 5 Noes – 0 Absent – 0

Daniel Evans opened the public hearing for Andrew Carlson, 3373 Old Fluvanna Rd, Jamestown, NY 14701 for a special use permit for a (4) unit apartment building.

Notice of the public hearing had been published and notices to neighboring properties had been sent.

Attorney Duncanson swore in Andrew Carlson and Don Harrington.

Don Harrington and Andrew Carlson stated that the apartment building:

- Will have either new or restored siding.
- The parking lot would be striped and seal coated.
- Any outside light will face the parking lot and not at any neighbors.
- The existing from will be landscaped (dig up the asphalt and lay down sod).
- The apartments will consist of 2 downstairs and 2 upstairs apartments.
- Everyone will have common utilities that will be included in their rent.
- Tenants will be responsible for their own garbage.

Jean Holton asked about the possible issues with supplying water to that many apartments. Andrew Carlson stated that there are two wells already on the property so there should not be any problems.

Jean Holton made a motion, seconded by Pat Martonis to approve the special use permit for Andrew Carlson, 3373 Old Fluvanna Rd, Jamestown, NY for a 4 unit apartment building that will have two upstairs and two downstairs apartments with common utilities, the siding will be new and existing, the side parking lot will be utilized but the front parking lot will be replaced with a sidewalk and grass, the outside lighting will be directed on the side parking lot only, and everything will be compliant with building and fire codes.

Carried. Ayes – 5 Noes – 0 Absent – 0

Motion made by Pat Martonis, seconded by Ken Lyon to adjourn the meeting at 6:59 PM.

Carried. Ayes – 5 Noes – 0 Absent - 0

Danielle Calkins, Secretary