

**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 August 20, 2020 AT 6:00 P.M.**

**PRESENT: Dan Evans, Pat Martonis, Paul Volpe, Ken Lyon and John Merchant, Attorney William Duncanson, Code Enforcement Officer David Rowe and Secretary Danielle Calkins**

**ABSENT: Valarie Pierce**

Dan Evans opened the meeting at 6:00 PM and led in the Pledge of Allegiance.

**Motion made by Pat Martonis, seconded by John Merchant to approve the minutes of the July 18, 2020 meeting.**

**Carried.            Ayes – 5                    Noes – 0                    Absent – 1**

**Dan Evans opened the public hearing for Jeri Baer, 3177 Strunk Rd, Jamestown, NY 14701 for an area variance of 8ft and for a second garage, pursuant to Section 146-7 (A) and Section 146-16 (A) of the Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 352.00 Block 2 Lot 8.**

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

Attorney Duncanson swore in Jeri Baer.

**Jeri Baer stated that:**

- They are unable to put the garage anywhere else on the property due to there being a creek on one side and the other side would put the garage too close to the road and in front of the house.
- The second garage would be 32x24ft and would match the house.
- There will be one-man door and one overhead door that both face the house.
- The only lights will be on the man door and a motion light in the peak over the overhead door.
- There will be windows on the side facing the neighbors house and in the back.
- They plan on using the garage for storage (four wheelers and lawn mower).
- There will be electric inside the garage, a concrete floor and no heating.

**Patricia Martonis made a motion, seconded by Ken Lyon to approve the area variance of 8ft and for a second garage for Douglas and Jeri Baer, 3177 Strunk Rd, Jamestown, NY 14701 pursuant to Section 146-7 (A) and Section 146-16 (A) of the**

**Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 352.00 Block 2 Lot 8. The second garage will be a pole barn 32x24ft with a concrete floor that has electricity. The 8ft variance is granted for the right side of the property. The garage will have lights on the peak above the overhead door and at the man door facing the house. Only Windows will face the neighbors house and the garage will only be used to store vehicles.**

**Carried.                    Ayes – 5                    Noes – 0                    Absent – 1**

**Dan Evans opened the public hearing for Adam Ortiz, 73 S Hanford Ave, Jamestown, NY 14701 for an area variance for a 13ft set back to build a deck, pursuant to Section 146-11 of the Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 369.12 Block 3 Lot 62**

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

Attorney Duncanson swore in Adam Ortiz.

**Adam Ortiz stated that:**

- The deck would be 13x20 and would be installed right up to the current fence.
- The deck would be slightly raised off of the ground to meet up with the door and would be pressure treated wood.
- The ground will be treated so there will not be any law maintenance underneath the deck.

The Board discussed their reservations of having the deck right up against the fence due to future maintenance issues with the fence and the deck. Adam Ortiz asked to table the area variance discussion to decide whether to proceed with the request for a 13ft area variance or to change the request in order to allow room for fence and deck maintenance on the property.

**Patricia Martonis made a motion, seconded by Ken Lyon to table the area variance for Adam Ortiz, 73 S Hanford Ave, Jamestown, NY 14701 pursuant to Section 146-11 of the Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 369.12 Block 3 Lot 62.**

**Carried.                    Ayes – 5                    Noes – 0                    Absent – 1**

**Dan Evans opened the public hearing for Craig Underwood, 2875 Clifton Ave, Jamestown, NY 14701 for an area variance for a second garage, pursuant to Section 146-7 of the Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 353.00 Block 4 Lot 32**

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

Attorney Duncanson swore in Craig Underwood.

**Craig Underwood stated that:**

- The second garage will store vehicles and will be 24x56.
- The garage will have a blacktop driveway and flooring.
- The garage will have electric running to it for lights and heat.
- There will be no outside lights.
- All doors will face the house with windows on the opposite side for cross breeze and will be 6ft off of the ground.
- The garage will match the house.
- The current garage is holding pool equipment and a house guests' items so the new garage is needed.
- There will be extra security because it will house cars. It will be remote access only.

**Ken Lyon made a motion, seconded by Paul Volpe to approve the area variance for a second garage for Craig Underwood, 2875 Clifton Ave, Jamestown, NY 14701 pursuant to Section 146-7 of the Town of Ellicott Zoning and Planning Code. Said premises are described on the Town of Ellicott tax maps as Section 353.00 Block 4 Lot 32. The second garage will be a pole barn that is 24x56ft with a blacktop floor and driveway. It will be used to store cars and will have a dead bolt and remote access for security. The garage will have electric going to it for inside lights and minimal heat. There will not be exterior lighting. The drawings and specifications of the pole barn have been submitted.**

**Carried.            Ayes – 5            Noes – 0            Absent – 1**

**Motion made by Ken Lyon, seconded by John Merchant to adjourn the meeting at 7:06 PM.**

**Carried.            Ayes – 5            Noes – 0            Absent - 1**

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Danielle Calkins, Secretary