

Zoning Board of Appeals  
Regular Meeting and Public Hearing  
February 2, 2017

Regular Meeting was called to order at 7:00 pm, with the Planning Board in attendance at the Yates Town Hall, 8 South Main Street, Lyndonville, New York 14098.

Those Present: Gary Daum, ZBA Chairman  
Don Melfi, ZBA Member  
Jim Taylor, ZBA Member  
Dawn Metty, Deputy Clerk  
Donald Lamay, PB Chairman  
Mark Hughes, PB Member  
Richard Kurz, PB Member  
Ed Urbanik, PB Member  
Ralph Smith, PB Member  
Dan Wolfe, Code Enforcement Officer  
Marcia Clark, Area Variance Applicant  
Jordan Levin, Solar by CIR Coordinator  
Larry Wolfe, Resident  
Paul Lauricella, Resident

Those Absent: Pat O'Brien, ZBA Member  
Mike Boring, ZBA Member

MINUTES:

Both the Zoning and Planning boards reviewed and discussed Marcia Clark's applications for an area variance and a special use permit. The area variance is for a 10' side setback variance. The special use permit is for the installation of a 3.35kW ground mounted, grid connected solar PV system.

Property owner Marcia Clark and Jordan Levin (Coordinator for Solar by CIR) answered questions from both boards.

At 7:15 pm the Zoning Board members left the joint meeting and continued the zoning board meeting privately. Additional discussion regarding Marcia Clark's request continued until 7:30. The zoning board returned to the main room for zoning board public hearing.

Chairman Gary Daum called the Public Hearing to order at 7:30 pm and thanked everyone for coming. This public hearing is for an area variance, application number 02-17 from Marcia Clark. She is asking for a 10' side setback variance. Denial was made because of Section 500 Hamlet Paragraph E a 15' side setback is required. The paper work is complete with the SEQR form. Don Melfi who is a neighbor of Marcia's is in favor of the solar panels.

Paul Lauricella – This is the future and more people are going to want this. In favor as well.

Dan Wolfe – When would construction begin?

Jordan Levin (Coordinator for CIR) – When approval is granted, would like to construct in March.

Dan Wolfe – Do require an electrical approval.

Motion to close public hearing.

Offered by: Don Melfi

Seconded by: Jim Taylor

Votes: 3 Ayes (Melfi, Taylor, Daum); 0 Nays (2 absent: Pat O'Brien, Mike Boring)

Reconvene to the regular meeting

Motion by Don Melfi and seconded by Jim Taylor to allow the 10' side setback variance as requested.

Votes: 3 Ayes (Melfi, Taylor, Daum); 0 Nays (2 absent: Pat O'Brien, Mike Boring)

RESOLUTION NO. 3-2/17

RESOLUTION TO ALLOW THE 10' SIDE SETBACK VARIANCE AS REQUESTED.

RESOLVED, to allow the 10' side setback variance as requested.

Proper forms were then completed to allow the variance.

Chairman Gary Daum then disclosed the actions of the County Planning Board meeting. Also let the board know that training is scheduled for the 28<sup>th</sup> of June.

Under round table discussion voicing appreciation was made for retiring member Paul Lauze.

NO FURTHER BUSINESS WAS DISCUSSED

Motion to adjourn meeting.

Offered by: Don Melfi

Seconded by: Jim Taylor

Votes: 3 Ayes (Daum, Melfi, Taylor); 0 Nays (2 absent: Pat O'Brien, Mike Boring)