

May 13, 2021

A Regular Meeting of the Zoning Board of Appeals of the Town of Lancaster, Erie County, New York, was held via teleconference, on the 13th day of May 2021, at 7:00 P.M., and there were:

PRESENT:            JOHN MIKOLEY, MEMBER  
                          JILL MONACELLI, MEMBER  
                          KEITH STOERR, MEMBER  
                          PETER SUGG, MEMBER  
                          MARK TILLMANN, MEMBER  
                          CARLO DIRIENZO, CHAIRMAN

ABSENT:            LAWRENCE PIGNATARO, MEMBER

ALSO PRESENT:    DIANE M. TERRNOVA, TOWN CLERK  
                          DEPUTY TOWN ATTORNEY, EMILY ORLANDO  
                          MATTHEW FISCHIONE, CODE ENFORCEMENT OFFICER

The Affidavits of Publication and Posting of this Public Hearing are on file and a copy of the Legal Notice has been posted.

**PETITION OF: KAZIM ABIDI**

THE 1<sup>st</sup> CASE was tabled by the Zoning Board of Appeals at the request of the petitioner.

**PETITION OF: DANIEL SANTANA**

THE 2<sup>nd</sup> CASE was withdrawn by the petitioner.

**PETITION OF: SARA & ERIK KUBIK**

THE 3rd CASE CONSIDERED BY THE ZONING Board of Appeals was that of the petition of Sara and Eric Kubik, 7 Hidden Trail, Lancaster, New York 14086 for two [2] variances for the purpose of constructing a foundation extension on premises owned by the petitioners at 7 Hidden Trail, Lancaster, New York, to wit:

- A. A variance from the requirements of Chapter 50, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster. The proposed location of the foundation extension is five [5] feet from a side property line.

Chapter 50, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires each side yard, the lesser of: 10% of the lot width, or ten [10] feet side property line set back. The petitioners, therefore, request a two [2] foot, six [6] inch side property line setback variance.

- B. A variance from the requirements of Chapter 50, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster. The proposed location of the foundation extension totals fourteen [14] feet, three [3] inches from both side yard setbacks.

Chapter 50, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires side yard setback totals, the lesser of 25% of the lot width, or twenty-five [25] feet, total side yard setback. The petitioners, therefore, request a four [4] foot, six [6] inch total side property line setback variance.

**The Clerk presented and entered into evidence the following items:**

Duly executed petition of the applicants with exhibits and schedules attached thereto.

Copy of a letter notifying the petitioners of the time and place of this public hearing.

Copy of a letter notifying owners of property within 100 feet of requested variance of the time and place of this public hearing.

**PERSONS ADDRESSING THE BOARD**

Sara Kubik, Petitioner	Proponent
Eric Kubik, Petitioner	Proponent

**IN THE MATTER OF THE PETITION OF: SARA & ERIK KUBIK**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY MS. MONACELLI, WHO MOVED ITS  
ADOPTION, SECONDED BY MR. SUGG  
TO WIT:

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has reviewed the application of Sara & Erik Kubik and has heard and taken testimony and evidence at a public hearing held before it at 21 Central Avenue, Lancaster, New York, on the 13th day of May 2021, and having heard all parties interested in said application pursuant to legal notice duly published and posted, and

**WHEREAS**, the applicants are the present owners of the premises in question.

**WHEREAS**, the property for which the applicants are petitioning is within a Residential District, (R) as shown on the Zoning Map of the Town of Lancaster.

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has made the following findings:

That no undesirable change will be produced in the character of the neighborhood by the granting of the area variance relief sought.

That no detriment to nearby properties will be created by the granting of the area variance relief sought.

That the benefit sought by the applicants cannot be achieved by some other method, feasible for the applicant to pursue, other than the area variance relief sought.

That the requested area variance relief is not substantial.

That the proposed area variance relief will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

That the alleged difficulty is self-created but not to the extent necessary to preclude the granting of the area variance relief sought.

That this board has taken into consideration the benefit to the applicants if the variance relief sought is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

That within the intent and purposes of this ordinance the variance relief sought, if granted, is the minimum variance necessary to afford relief.

**NOW, THEREFORE, BE IT  
RESOLVED** that based upon these findings, the relief sought be and is  
hereby **GRANTED**.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

MR. MIKOLEY	VOTED	YES
MS. MONACELLI	VOTED	YES
MR. PIGNATARO	WAS ABSENT	
MR. STOERR	VOTED	YES
MR. SUGG	VOTED	YES
MR. TILLMANN	VOTED	YES
MR. DIRIENZO	VOTED	YES

The resolution granting the variance was thereupon **ADOPTED**.

May 13, 2021

**PETITION OF: ARTHUR & CHERYL TUBISZ**

THE 4th CASE CONSIDERED BY THE ZONING Board of Appeals was that of the petition Arthur and Cheryl Tubisz, 1236 Penora Street, Depew, New York 14043 for one [1] variance for the purpose of replacing an existing fence in a rear yard with a privacy fence on premises owned by the petitioners at 1236 Penora Street, Depew, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 34, Subsection A of the Code of the Town of Lancaster. The petitioners propose to replace a six [6] foot fence in the rear yard with an eight [8] foot privacy fence.

Chapter 50, Zoning, Section 34, Subsection A of the Code of the Town of Lancaster requires that no fence or wall in a residential district shall exceed six [6] feet in height. The petitioners, therefore, request a two [2] foot fence height variance.

**The Clerk presented and entered into evidence the following items:**

Duly executed petition of the applicants with exhibits and schedules attached thereto.

Copy of a letter notifying the petitioners of the time and place of this public hearing.

Copy of a letter notifying owners of property within 100 feet of requested variance of the time and place of this public hearing.

Copy of a letter notifying the Erie County Department of Environment and Planning of the time and place of this public hearing.

**PERSONS ADDRESSING THE BOARD**

Arthur Tubisz, Petitioner

Proponent

Cheryl Tubisz, Petitioner

Proponent

**IN THE MATTER OF THE PETITION OF: ARTHUR & CHERYL TUBISZ**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY MR. TILLMANN, WHO MOVED ITS  
ADOPTION, SECONDED BY MR. STOERR  
TO WIT:

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has reviewed the application of Arthur & Cheryl Tubisz and has heard and taken testimony and evidence at a public hearing held before it at 21 Central Avenue, Lancaster, New York, on the 13th day of May 2021, and having heard all parties interested in said application pursuant to legal notice duly published and posted, and

**WHEREAS**, the applicants are the present owners of the premises in question.

**WHEREAS**, the property for which the applicants are petitioning is within a Residential District, (R) as shown on the Zoning Map of the Town of Lancaster.

**WHEREAS**, the Erie County Department of Environment and Planning has received a full copy of the proposed zoning action and has stated that the proposed action has been reviewed and determined to be of local concern therefore, no recommendation was made.

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has made the following findings:

That no undesirable change will be produced in the character of the neighborhood by the granting of the area variance relief sought.

That no detriment to nearby properties will be created by the granting of the area variance relief sought.

That the benefit sought by the applicants cannot be achieved by some other method, feasible for the applicants to pursue, other than the area variance relief sought.

That the requested area variance relief is not substantial.

That the proposed area variance relief will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

That the alleged difficulty is not self-created but not to the extent necessary to preclude the granting of the area variance relief sought.

That this board has taken into consideration the benefit to the applicant if the variance relief sought is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

That within the intent and purposes of this ordinance the variance relief sought, if granted, is the minimum variance necessary to afford relief.

That such fence will not unduly shut out light or air to adjoining properties.

That such fence will not create a fire hazard by reason of its construction or location.

**NOW, THEREFORE, BE IT  
RESOLVED** that based upon these findings, the relief sought be and is  
hereby **GRANTED**.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

MR. MIKOLEY	VOTED	YES
MS. MONACELLI	VOTED	YES
MR. PIGNATARO	WAS ABSENT	
MR. STOERR	VOTED	YES
MR. SUGG	VOTED	YES
MR. TILLMANN	VOTED	YES
MR. DIRIENZO	VOTED	YES

The resolution granting the variance was thereupon **ADOPTED**.

May 13, 2021



**PETITION OF: ANDREW ROMANOWSKI/AUTUMNWOOD DEVELOPMENT OF LANCASTER, LLC**

THE 5<sup>th</sup> CASE CONSIDERED BY THE ZONING Board of Appeals was that of the petition Andrew Romanowski, Autumnwood Development of Lancaster, LLC, 4727 Camp Road, Hamburg, New York 14075 for one [1] variance for the purpose of constructing a single family residence located on premises owned by the petitioner at 2 Kevwood Lane, Lancaster, New York; to wit:

A variance from the requirements of Chapter 50, Zoning Section 32 of the Code of the Town of Lancaster. The proposed single family residence will be 82.27 feet from the centerline of Bowen Road.

Chapter 50, Section 32 of the Code of the Town of Lancaster requires a ninety [90] foot front yard setback from the center line of Bowen Road. The petitioner, therefore, requests a 7.73 foot front yard variance.

**The Clerk presented and entered into evidence the following items:**

Duly executed petition of the applicant with exhibits and schedules attached thereto.

Copy of a letter notifying the petitioner of the time and place of this public hearing.

Copy of a letter notifying owners of property within 100 feet of requested variance of the time and place of this public hearing.

**PERSONS ADDRESSING THE BOARD**

Andrew Romanowski, Petitioner

Proponent

Autumnwood Development of Lancaster, LLC

**IN THE MATTER OF THE PETITION OF: ANDREW  
ROMANOWSKI/AUTUMNWOOD DEVELOPMENT OF LANCASTER, LLC**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY MR. STOERR , WHO MOVED ITS  
ADOPTION, SECONDED BY MR. MIKOLEY  
TO WIT:

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has reviewed the application of Andrew Romanowski/ Autumnwood Development of Lancaster, LLC and has heard and taken testimony and evidence at a public hearing held before it at 21 Central Avenue, Lancaster, New York, on the 13th day of May 2021, and having heard all parties interested in said application pursuant to legal notice duly published and posted, and

**WHEREAS**, the applicant is the duly authorized agent of the property.

**WHEREAS**, the property for which the applicant is petitioning is within a Residential District, (R) as shown on the Zoning Map of the Town of Lancaster.

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has made the following findings:

That no undesirable change will be produced in the character of the neighborhood by the granting of the area variance relief sought.

That no detriment to nearby properties will be created by the granting of the area variance relief sought.

That the benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue, other than the area variance relief sought.

That the requested area variance relief is not substantial.

That the proposed area variance relief will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

That the alleged difficulty is self-created but not to the extent necessary to preclude the granting of the area variance relief sought.

That this board has taken into consideration the benefit to the applicant if the variance relief sought is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

That within the intent and purposes of this ordinance the variance relief sought, if granted, is the minimum variance necessary to afford relief.

**NOW, THEREFORE, BE IT  
RESOLVED** that based upon these findings, the relief sought be and is  
hereby **GRANTED**.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

MR. MIKOLEY	VOTED	YES
MS. MONACELLI	VOTED	NO
MR. PIGNATARO	WAS ABSENT	
MR. STOERR	VOTED	YES
MR. SUGG	VOTED	YES
MR. TILLMANN	VOTED	YES
MR. DIRIENZO	VOTED	YES

The resolution granting the variance was thereupon **ADOPTED**.

May 13, 2021

**PETITION OF: ELIZABETH REILLY-MEEGAN/ARCHITECTURE 360, PC**

THE 6th CASE CONSIDERED BY THE ZONING Board of Appeals was that of the petition of Elizabeth Reilly-Meegan, Architecture 360, PC, 2129 Como Park Boulevard, Lancaster, New York 14086 for one [1] variance for the purpose of constructing an addition to an existing residence on premises owned by Ronald and Cheryl Gaca at 190 Pleasant View Drive, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster. The proposed location of the addition is six [6] feet from a side property line.

Chapter 50, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires each side yard, the lesser of: 10% of the lot width, or ten [10] feet side property line set back. The petitioner, therefore, requests a three [3] foot side property line set back variance.

**The Clerk presented and entered into evidence the following items:**

Duly executed petition of the applicant with exhibits and schedules attached thereto.

Copy of a letter notifying the petitioner of the time and place of this public hearing.

Copy of a letter notifying owners of property within 100 feet of requested variance of the time and place of this public hearing.

Copy of a letter notifying the Erie County Department of Environment and Planning of the time and place of this public hearing.

**PERSONS ADDRESSING THE BOARD**

Elizabeth Reilly-Meegan, Petitioner Architecture 360, PC	Proponent
Laura Rudz	Opponent
Donna Terry	Opponent
Edna Mann	Opponent
Ronald Gaca, Petitioner	Proponent
Cheryl Gaca Kobza, Petitioner	Proponent

**IN THE MATTER OF THE PETITION OF: ELIZABETH REILLY-MEEGAN/ARCHITECTURE 360, PC**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY MS. MONACELLI, WHO MOVED ITS  
ADOPTION, SECONDED BY MR. STOERR  
TO WIT:

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has reviewed the application of Elizabeth Reilly-Meegan/Architecture 360, PC and has heard and taken testimony and evidence at a public hearing held before it at 21 Central Avenue, Lancaster, New York, on the 13th day of May 2021, and having heard all parties interested in said application pursuant to legal notice duly published and posted, and

**WHEREAS**, the applicant is the duly authorized agent of the property.

**WHEREAS**, the property for which the applicant is petitioning is within a Residential District, (R) as shown on the Zoning Map of the Town of Lancaster.

**WHEREAS**, the Erie County Department of Environment and Planning has received a full copy of the proposed zoning action and has stated that the proposed action has been reviewed and determined to be of local concern therefore, no recommendation was made.

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has made the following findings:

That no undesirable change will be produced in the character of the neighborhood by the granting of the area variance relief sought.

That no detriment to nearby properties will be created by the granting of the area variance relief sought.

That the benefit sought by the applicants cannot be achieved by some other method, feasible for the applicants to pursue, other than the area variance relief sought.

That the requested area variance relief is not substantial.

That the proposed area variance relief will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

That the alleged difficulty is not self-created but not to the extent necessary to preclude the granting of the area variance relief sought.

That this board has taken into consideration the benefit to the applicant if the variance relief sought is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

That within the intent and purposes of this ordinance the variance relief sought, if granted, is the minimum variance necessary to afford relief.

**NOW, THEREFORE, BE IT  
RESOLVED** that based upon these findings, the relief sought be and is  
hereby **GRANTED**.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

MR. MIKOLEY	VOTED	YES
MS. MONACELLI	VOTED	YES
MR. PIGNATARO	WAS ABSENT	
MR. STOERR	VOTED	YES
MR. SUGG	VOTED	YES
MR. TILLMANN	VOTED	YES
MR. DIRIENZO	VOTED	YES

The resolution granting the variance was thereupon **ADOPTED**.

May 13, 2021

**PETITION OF: DANIEL FREDERICK**

THE 7th CASE CONSIDERED BY THE ZONING Board of Appeals was that of the petition of Daniel Frederick, 119 Avian Way, Lancaster, New York 14086 for one [1] variance for the purpose of installing an inground pool on premises owned by the petitioner at 119 Avian Way, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster. The proposed location of the inground pool is in a required front yard.

Chapter 50, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires that accessory structures may not protrude into a front yard. The petitioner, therefore, requests a twenty-seven [27] foot front yard setback variance.

**The Clerk presented and entered into evidence the following items:**

Duly executed petition of the applicant with exhibits and schedules attached thereto.

Copy of a letter notifying the petitioner of the time and place of this public hearing.

Copy of a letter notifying owners of property within 100 feet of requested variance of the time and place of this public hearing.

**PERSONS ADDRESSING THE BOARD**

Daniel Frederick, Petitioner

Proponent

**IN THE MATTER OF THE PETITION OF: DANIEL FREDERICK**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY MR. MIKOLEY, WHO MOVED ITS  
ADOPTION, SECONDED BY MS. MONACELLI  
TO WIT:

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has reviewed the application of Daniel Frederick and has heard and taken testimony and evidence at a public hearing held before it at 21 Central Avenue, Lancaster, New York, on the 13th day of May 2021, and having heard all parties interested in said application pursuant to legal notice duly published and posted, and

**WHEREAS**, the applicant is the present owner of the premises in question.

**WHEREAS**, the property for which the applicant is petitioning is within Residential District, (R) as shown on the Zoning Map of the Town of Lancaster.

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has made the following findings:

That no undesirable change will be produced in the character of the neighborhood by the granting of the area variance relief sought.

That no detriment to nearby properties will be created by the granting of the area variance relief sought.

That the benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue, other than the area variance relief sought.

That the requested area variance relief is not substantial.

That the proposed area variance relief will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

That the alleged difficulty is not self-created.

That this board has taken into consideration the benefit to the applicant if the variance relief sought is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

That within the intent and purposes of this ordinance the variance relief sought, if granted, is the minimum variance necessary to afford relief.



**NOW, THEREFORE, BE IT  
RESOLVED** that based upon these findings, the relief sought be and is  
hereby **GRANTED**.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

MR. MIKOLEY	VOTED	YES
MS. MONACELLI	VOTED	YES
MR. PIGNATARO	WAS ABSENT	
MR. STOERR	VOTED	YES
MR. SUGG	VOTED	YES
MR. TILLMANN	VOTED	YES
MR. DIRIENZO	VOTED	YES

The resolution granting the variance was thereupon **ADOPTED**.

May 13, 2021

**PETITION OF: ROBERT REDENBACH**

THE 8th CASE CONSIDERED BY THE ZONING Board of Appeals was that of the petition of Robert Redenbach, 16 Kevwood Lane, Lancaster, New York 14086 for one variance for the purpose of erecting a fence in a required front yard area on premises owned by the petitioner at 16 Kevwood Lane, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 34, Subsection C of the Code of the Town of Lancaster. The petitioner proposes to erect a five [5] foot high fence in a required front yard.

Chapter 50, Zoning, Section 34, Subsection C of the Code of the Town of Lancaster limits the height of a fence or wall extending into a front yard area to three [3] feet in height. The petitioner, therefore, requests a two [2] foot fence height variance.

**The Clerk presented and entered into evidence the following items:**

Duly executed petition of the applicant with exhibits and schedules attached thereto.

Copy of a letter notifying the petitioner of the time and place of this public hearing.

Copy of a letter notifying owners of property within 100 feet of requested variance of the time and place of this public hearing.

**PERSONS ADDRESSING THE BOARD**

Robert Redenbach, Petitioner

Proponent

Robin Redenbach, Owner

Proponent

**IN THE MATTER OF THE PETITION OF: ROBERT REDENBACH**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY MR. DIRIENZO WHO MOVED ITS  
ADOPTION, SECONDED BY MS. MONACELLI  
TO WIT:

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has reviewed the application of Robert Redenbach and has heard and taken testimony and evidence at a public hearing held before it at 21 Central Avenue, Lancaster, New York, on the 13th day of May 2021, and having heard all parties interested in said application pursuant to legal notice duly published and posted, and

**WHEREAS**, the applicant is the present owner of the premises in question.

**WHEREAS**, the property for which the applicant is petitioning is within Residential District, (R) as shown on the Zoning Map of the Town of Lancaster.

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has made the following findings:

That no undesirable change will be produced in the character of the neighborhood by the granting of the area variance relief sought.

That no detriment to nearby properties will be created by the granting of the area variance relief sought.

That the benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue, other than the area variance relief sought.

That the requested area variance relief is not substantial.

That the proposed area variance relief will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

That the alleged difficulty is not self-created but not to the extent necessary to preclude the granting of the area variance relief sought.

That this board has taken into consideration the benefit to the applicant if the variance relief sought is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

That within the intent and purposes of this ordinance the variance relief sought, if granted, is the minimum variance necessary to afford relief.

That such fence will not unduly shut out light or air to adjoining properties.

That such fence will not create a fire hazard by reason of its construction or location.

**NOW, THEREFORE, BE IT  
RESOLVED** that based upon these findings, the relief sought be and is  
hereby **GRANTED**.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

MR. MIKOLEY	VOTED	YES
MS. MONACELLI	VOTED	YES
MR. PIGNATARO	WAS ABSENT	
MR. STOERR	VOTED	YES
MR. SUGG	VOTED	YES
MR. TILLMANN	VOTED	YES
MR. DIRIENZO	VOTED	YES

The resolution granting the variance was thereupon **ADOPTED**.

May 13, 2021

**PETITION OF: PATRICK & BETH FARRAR**

THE 9th CASE CONSIDERED BY THE ZONING Board of Appeals was that of the petition of Patrick and Beth Farrar, 24 Sagebrush Lane, Lancaster, New York 14086 for one [1] variance for the purpose of installing an inground pool with spa on premises owned by the petitioners at 24 Sagebrush Lane, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster. The proposed location of the inground pool with spa is eight [8] feet from an existing rear deck.

Chapter 50, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires a minimum of ten [10] feet from another structure. The petitioners, therefore, request a two [2] foot variance.

**The Clerk presented and entered into evidence the following items:**

Duly executed petition of the applicants with exhibits and schedules attached thereto.

Copy of a letter notifying the petitioners of the time and place of this public hearing.

Copy of a letter notifying owners of property within 100 feet of requested variance of the time and place of this public hearing.

**PERSONS ADDRESSING THE BOARD**

Patrick Farrar, Petitioner

Proponent

Beth Farrar, Petitioner

Proponent

**IN THE MATTER OF THE PETITION OF: PATRICK & BETH FARRAR**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY MR. SUGG, WHO MOVED ITS  
ADOPTION, SECONDED BY MR. DIRIENZO  
TO WIT:

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has reviewed the application of Patrick & Beth Farrar and has heard and taken testimony and evidence at a public hearing held before it at 21 Central Avenue, Lancaster, New York, on the 13th day of May 2021, and having heard all parties interested in said application pursuant to legal notice duly published and posted, and

**WHEREAS**, the applicants are the present owners of the premises in question.

**WHEREAS**, the property for which the applicants are petitioning is within Residential District, (R) as shown on the Zoning Map of the Town of Lancaster.

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has made the following findings:

That no undesirable change will be produced in the character of the neighborhood by the granting of the area variance relief sought.

That no detriment to nearby properties will be created by the granting of the area variance relief sought.

That the benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue, other than the area variance relief sought.

That the requested area variance relief is not substantial.

That the proposed area variance relief will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

That the alleged difficulty is self-created but not to the extent necessary to preclude the granting of the area variance relief sought.

That this board has taken into consideration the benefit to the applicant if the variance relief sought is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

That within the intent and purposes of this ordinance the variance relief sought, if granted, is the minimum variance necessary to afford relief.

**NOW, THEREFORE, BE IT  
RESOLVED** that based upon these findings, the relief sought be and is  
hereby **GRANTED**.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

MR. MIKOLEY	VOTED	YES
MS. MONACELLI	VOTED	YES
MR. PIGNATARO	WAS ABSENT	
MR. STOERR	VOTED	YES
MR. SUGG	VOTED	YES
MR. TILLMANN	VOTED	YES
MR. DIRIENZO	VOTED	YES

The resolution granting the variance was thereupon **ADOPTED**.

May 13, 2021

**PETITION OF: MICHAEL ROHLOFF**

THE 10<sup>th</sup> CASE CONSIDERED BY THE ZONING Board of Appeals was that of the petition of Michael Rohloff, 23 Spruceland Terrace, Lancaster, New York 14086 for one [1] variance for the purpose of installing a driveway extension for the purposes of storing a camper/recreational vehicle on premises owned by the petitioner at 23 Spruceland Terrace, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster. The proposed location of the driveway extension is 3.14 feet from the side property line.

Chapter 50, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires a five [5] foot setback from the side property line. The petitioner, therefore, requests a 1.86 foot side property line set back variance.

**The Clerk presented and entered into evidence the following items:**

Duly executed petition of the applicant with exhibits and schedules attached thereto.

Copy of a letter notifying the petitioner of the time and place of this public hearing.

Copy of a letter notifying owners of property within 100 feet of requested variance of the time and place of this public hearing.

**PERSONS ADDRESSING THE BOARD**

Michael Rohloff, Petitioner	Proponent
Sarina Rohloff, Owner	Proponent



**IN THE MATTER OF THE PETITION OF: MICHAEL ROHLOFF**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY MR. STOERR, WHO MOVED ITS  
ADOPTION, SECONDED BY MR. SUGG  
TO WIT:

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has reviewed the application of Michael Rohloff and has heard and taken testimony and evidence at a public hearing held before it at 21 Central Avenue, Lancaster, New York, on the 13th day of May 2021, and having heard all parties interested in said application pursuant to legal notice duly published and posted, and

**WHEREAS**, the applicant is the present owner of the premises in question.

**WHEREAS**, the property for which the applicant is petitioning is within Residential District, (R) as shown on the Zoning Map of the Town of Lancaster.

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has made the following findings:

That no undesirable change will be produced in the character of the neighborhood by the granting of the area variance relief sought.

That no detriment to nearby properties will be created by the granting of the area variance relief sought.

That the benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue, other than the area variance relief sought.

That the requested area variance relief is not substantial.

That the proposed area variance relief will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

That the alleged difficulty is self-created but not to the extent necessary to preclude the granting of the area variance relief sought.

That this board has taken into consideration the benefit to the applicant if the variance relief sought is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

That within the intent and purposes of this ordinance the variance relief sought, if granted, is the minimum variance necessary to afford relief.

**NOW, THEREFORE, BE IT  
RESOLVED** that based upon these findings, the relief sought be and is  
hereby **GRANTED**.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

MR. MIKOLEY	VOTED	YES
MS. MONACELLI	WAS ABSENT	
MR. PIGNATARO	WAS ABSENT	
MR. STOERR	VOTED	YES
MR. SUGG	VOTED	YES
MR. TILLMANN	VOTED	YES
MR. DIRIENZO	VOTED	YES

The resolution granting the variance was thereupon **ADOPTED**.

May 13, 2021

**PETITION OF: JOE CHRIST/CRIST CONSTRUCTION**

THE 11<sup>th</sup> CASE CONSIDERED BY THE ZONING Board of Appeals was that of the petition of Joe Christ, Crist Construction, 189 Coronation Drive, Amherst, New York 14226 for one [1] variance for the purpose of constructing a front porch roof within a required front yard on premises owned by William and Donna Olewniczak at 9 Crabapple Lane, Lancaster, New York, to wit:

A variance from the requirements of Chapter 50, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster. The proposed location of the front porch roof within a required front yard is thirty-four [34] feet from the front property line.

Chapter 50, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires a thirty-five [35] foot setback from the front property line. The petitioner, therefore, requests a one [1] foot front property line setback variance.

**The Clerk presented and entered into evidence the following items:**

Duly executed petition of the applicant with exhibits and schedules attached thereto.

Copy of a letter notifying the petitioner of the time and place of this public hearing.

Copy of a letter notifying owners of property within 100 feet of requested variance of the time and place of this public hearing.

**PERSONS ADDRESSING THE BOARD**

Donna Olewniczak, Owner

Proponent

**IN THE MATTER OF THE PETITION OF: JOE CHRIST/CRIST CONSTRUCTION**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY MR. MIKOLEY, WHO MOVED ITS  
ADOPTION, SECONDED BY MR. DIRIENZO  
TO WIT:

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has reviewed the application of Joe Christ/Crist Construction and has heard and taken testimony and evidence at a public hearing held before it at 21 Central Avenue, Lancaster, New York, on the 13th day of May 2021, and having heard all parties interested in said application pursuant to legal notice duly published and posted, and

**WHEREAS**, the applicant is the duly authorized agent of the premises in question.

**WHEREAS**, the property for which the applicant is petitioning is within Residential District, (R) as shown on the Zoning Map of the Town of Lancaster.

**WHEREAS**, the Zoning Board of Appeals of the Town of Lancaster has made the following findings:

That no undesirable change will be produced in the character of the neighborhood by the granting of the area variance relief sought.

That no detriment to nearby properties will be created by the granting of the area variance relief sought.

That the benefit sought by the applicant cannot be achieved by some other method, feasible for the applicant to pursue, other than the area variance relief sought.

That the requested area variance relief is not substantial.

That the proposed area variance relief will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

That the alleged difficulty is self-created but not to the extent necessary to preclude the granting of the area variance relief sought.

That this board has taken into consideration the benefit to the applicant if the variance relief sought is granted as weighed against the detriment to the health, safety and welfare of the neighborhood or community by such grant.

That within the intent and purposes of this ordinance the variance relief sought, if granted, is the minimum variance necessary to afford relief.

**NOW, THEREFORE, BE IT  
RESOLVED** that based upon these findings, the relief sought be and is  
hereby **GRANTED**.

The question of the adoption of the foregoing resolution was duly put to a  
vote on roll call which resulted as follows:

MR. MIKOLEY	VOTED	YES
MS. MONACELLI	VOTED	YES
MR. PIGNATARO	WAS ABSENT	
MR. STOERR	VOTED	YES
MR. SUGG	VOTED	YES
MR. TILLMANN	VOTED	YES
MR. DIRIENZO	VOTED	YES

The resolution granting the variance was thereupon **ADOPTED**.

May 13, 2021

ON MOTION DULY MADE, SECONDED AND CARRIED, the meeting  
was adjourned at 9:06 P.M.

Signed \_\_\_\_\_  
Diane M. Terranova, TOWN CLERK and  
Clerk to Zoning Board of Appeals  
Date: May 13, 2021