

A Regular Meeting of the Zoning Board of Appeals of the Town of Lancaster, Erie County, New York, was held at the Lancaster Town Hall, 21 Central Avenue, Lancaster, New York, on the 8th day of December 2022, at 7:00 P.M., and there were

PRESENT:       \*   TONY CASTELLANA MEMBER  
                          CARLO DIRIENZO, MEMBER  
                          JOHN MIKOLEY, MEMBER  
                          KEITH STOERR, MEMBER  
                          PETER SUGG, MEMBER  
                          MARK TILLMANNS, MEMBER  
                          JILL MONACELLI, CHAIRMAN

ABSENT:           NONE

ALSO PRESENT:   DIANE M. TERRNOVA, TOWN CLERK  
                          EMILY ORLANDO, DEPUTY TOWN ATTORNEY  
                          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.

\*   Mr. Castellana arrived at 7:03 PM.

**PETITION OF: TIMOTHY KOPACZ**

THE 1<sup>st</sup> CASE was tabled by the Zoning Board of Appeals due to the failure of the petitioner to be present at this meeting.

**PETITION OF: SHARON SKIERESZ**

THE 2<sup>nd</sup> CASE CONSIDERED BY THE ZONING Board of Appeals was the petition of Sharon Skieresz, 6 Bentley Circle, Lancaster, New York 14086 for one [1] variance for the purpose of installing a hot tub on premises owned by the petitioner at 6 Bentley Circle, Lancaster, New York, to wit:

A variance from the requirements of Chapter 400, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster. The request calls for installing a hot tub one [1] foot, ten [10] inches from the dwelling.

Chapter 400, Zoning, Section 14, Subsection D, Schedule B of the Code of the Town of Lancaster requires an accessory structure to be located a minimum of ten [10] feet from another structure. The petitioner, therefore, requests an eight [8] foot, two [2] inch 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**

Sharon Skieresz, Petitioner

Proponent

**IN THE MATTER OF THE PETITION OF: SHARON SKIERESZ**

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 Sharon Skieresz and has heard and taken testimony and evidence at a public hearing held before it at 21 Central Avenue, Lancaster, New York, on the 8th day of December 2022, 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/duly authorized agent of the property.

**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 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. CASTELLANA	VOTED	YES
MR. DIRIENZO	VOTED	YES
MR. MIKOLEY	VOTED	YES
MR. STOERR	VOTED	YES
MR. SUGG	VOTED	YES
MR. TILLMANNNS	VOTED	YES
MS. MONACELLI	VOTED	YES

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

**PETITION OF: GREGORY DOUGLAS**

THE 3<sup>rd</sup> CASE CONSIDERED BY THE ZONING Board of Appeals was the petition of Gregory Douglas, 203 Peppermint Road, Lancaster, New York 14086 for two [2] variances for the purpose of modifying an existing lot on premises owned by the petitioner at 201 Peppermint Road, Lancaster, New York, to wit:

A. A variance from the requirements of Chapter 400, Zoning, Section 13, Subsection C, Schedule B of the Code of the Town of Lancaster. The request calls for modifying an existing lot, into a parcel that is 2.7 acres in area.

Chapter 400, Zoning, Section 13, Subsection C, Schedule B of the Code of the Town of Lancaster requires a minimum lot area of three [3] acres. The petitioner, therefore, requests a 0.3-acre variance.

B. A variance from the requirements of Chapter 400, Zoning, Section 13, Subsection C, Schedule B of the Code of the Town of Lancaster. The request calls for modifying an existing lot, into a parcel with 181 linear feet road frontage.

Chapter 400, Zoning, Section 13, Subsection C, Schedule B of the Code of the Town of Lancaster requires a minimum lot width of three hundred [300] feet if abutting a dedicated street. The petitioner, therefore, requests a one hundred, nineteen [119] linear foot 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**

Gregory Douglas, Petitioner

Proponent

**IN THE MATTER OF THE PETITION OF: GREGORY DOUGLAS**

THE FOLLOWING RESOLUTION WAS OFFERED  
BY CHAIRMAN 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 Gregory Douglas and has heard and taken testimony and evidence at a public hearing held before it at 21 Central Avenue, Lancaster, New York, on the 8th day of December 2022, 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/duly authorized agent of the property.

**WHEREAS**, the property for which the applicants are petitioning is within a Agricultural Residential, (AR) 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. CASTELLANA	VOTED	YES
MR. DIRIENZO	VOTED	YES
MR. MIKOLEY	VOTED	YES
MR. STOERR	VOTED	YES
MR. SUGG	VOTED	YES
MR. TILLMANN	VOTED	YES
MS. MONACELLI	VOTED	YES

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

December 8, 2022

ON MOTION DULY MADE, SECONDED AND CARRIED, the meeting was adjourned at 7:18 P.M.

Signed \_\_\_\_\_  
Diane M. Terranova, TOWN CLERK and  
Clerk to Zoning Board of Appeals  
December 8, 2022