

**TOWN OF SOMERSET
ZONING BOARD OF APPEALS
MAY 10, 2022
7:30pm**

Present Scott Ecker, Chairman
 Amos Andrews
 Joe Provencher
 Kent Wakefield
 David Haylett, Attorney

Absent Larry Dent, Zoning Board Member

Audience Mike Lis, Applicant

Chairman Ecker called the Public Hearing to order at 7:32pm

AREA VARIANCE HEARING

Owner/Applicant: Mike Lis
Property Location: 1403 Hartland Road
 (Tax Map No. 9.00-1-41.221) Barker
 Niagara County, New York

Project: To consider Variance of the Town Code to construct a 30' by 40' detached accessory structure in front of the principal building line on said parcel, which the Town Code requires a detached accessory structure be located to the rear of the front building line of the principal building.

The Hearing opened with questions from the Zoning Board Members. K. Wakefield asked if the desired location of the structure is where the stone pad is located, to which M. Lis replied that it is. J. Provencher asked if there was a Variance for the previous structure. M. Lis explained that there was an existing building that he demolished and removed everything. He purchased the house seven years ago and he wanted to improve that building, but it just wasn't feasible. Atty. Haylett commented that he did not have record of a past Variance, and that the Code Enforcement Officer would have informed M. Lis that he did not need another Variance if one already existed. Atty. Haylett explained that if there was no Variance, even though there was an existing structure that had been demolished, then a Variance is necessary.

K. Wakefield asked if the pole barn will have metal siding and a steel roof to which M. Lis replied that it will. S. Ecker asked if he intended to put in a concrete floor, to which M. Lis said that he hopes to when the price of materials goes down. Atty. Haylett asked if it is shielded from neighboring properties to which M. Lis said it cannot be seen from the road. J. Provencher asked if there was any correspondence from the neighbors to which M. Lis said that there was not. S. Ecker commented that he feels it is a natural place for the building. Both the house and the pole barn are on a slight angle. Atty. Haylett asked how far in front of the house would it be to which M. Lis responded that twenty to thirty percent of the building would be in front of the house on an angle. He also asked if these barns are typical to the neighborhood to which he replied that they are. He asked what the use of it would be and if he would ever intend to run a business out of it, to which M. Lis explained it would be used for storage for his tractor and lawn mower.

With no further questions, the Hearing was closed at 7:40pm

APPROVAL OF THE MINUTES from March 8, 2022

On a motion by K. Wakefield, seconded by J. Provencher, the following resolution was

ADOPTED	Ayes	4	Andrews, Ecker, Provencher, Wakefield
	Nays	0	

Resolution: The Minutes from March 8, 2022 were accepted as submitted.

COMMUNITCATIONS: There were no Communications

OLD BUSINESS: There was no Old Business

NEW BUSINESS: 1403 Hartland Road Variance

On a motion by K. Wakefield, seconded by J. Provencher that the Variance is classified as a Type II under SEQRA, and no further review is necessary, the following resolution was

ADOPTED	Ayes	4	Andrews, Ecker, Provencher, Wakefield
	Nays	0	

Resolution: The Variance is a Type II under SEQRA, and no further review is necessary

On a motion by A. Andrews, seconded by K. Wakefield to approve the Variance, the following resolution was

Zoning Board

Page 3

May 10, 2022

ADOPTED Ayes 4 Andrews, Ecker, Provencher, Wakefield
 Nays 0

Resolution: Approval of the Variance for the construction of a pole barn on 1403 Hartland Road.

ADJOURNMENT

There being no further business, A. Andrews made a motion to adjourn the meeting at 7:40pm, seconded by J. Provencher. Carried unanimously.

Respectfully submitted,

Sandra Lewis
Zoning Board Secretary