

**MINUTES OF THE REGULAR MEETING OF THE TOWN OF ELLICOTT  
ZONING BOARD OF APPEALS HELD AT THE ELLICOTT ADMINISTRATION  
BUILDING, 215 SOUTH WORK STREET, FALCONER, NY 14733  
ON NOVEMBER 27, 2017 AT 7:00 P.M.**

**PRESENT:** Chairman Steve Hoglin, John Merchant, Ken Lyon, Ang Cimo, William Pentheny, Attorney William Duncanson, Code Enforcement Officer David Rowe and Secretary Valerie Pierce

**ABSENT:** Jean Holton

Chairman Hoglin opened the meeting at 7:00 PM and led in the Pledge of Allegiance. Secretary Pierce called the roll.

**Motion made by William Pentheny, seconded by John Merchant to approve the minutes of the October 30, 2017 meeting.**

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

**Attorney Duncanson swore in Cynthia Rodgers who would be giving testimony before the Board this evening.**

**Chairman Hoglin opened the public hearing for Fluvanna Community Church, 3368 Fluvanna Avenue Ext., Jamestown, NY, for the renewal of their special use permit to operate a Church in a residential zone.**

**Cynthia Rodgers addressed the Board on behalf of the Church.** She told the Board that there were no changes with the exception that the clothing shed had been removed.

There were no neighbors present. The Town did not receive any correspondence concerning this application and Dave Rowe, Code Enforcement Officer, told the Board that they had not had any complaints concerning this property.

This application is on time and is actually due for renewal in December of 2017. Ms. Rodgers told the Board that she did not anticipate any changes as far as services or activities that might increase the parking.

**Motion made by Ken Lyon, seconded by Angelo Cimo to approve a five year renewal of the special use permit for the Fluvanna Community Church, 3368 Fluvanna Avenue Ext., Jamestown, NY, to operate their Church in a residential zone.**

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

**Attorney Duncanson swore in Mr. Carl Lisciandro, 290 Hunt Rd., WE, Jamestown, NY and Mr. Bob Mann representing Girl Scouts of WNY.**

**Chairman Hoglin reopened the public hearing for Mr. Carl Lisciandro for variances to construct an additional garage at 290 Hunt Rd., WE, Jamestown, NY.**

Dave Rowe reported that this was exempt by the County Planning Board.

Mr. Lisciandro provided a new sketch of the garage.

- he has changed the dimensions to 24 feet by 36 feet - the 24 foot side of the garage will be facing the road as requested by the Board – this will also make the SF less
- he is in the process of merging the two lots
- he does not plan to start construction till spring
- he has a 10 foot setback on the side and the requirement is 5 feet

This proposed project will require two variances. Mr. Lisciandro will need one for the square footage and one for the additional garage. Chairman Hoglin stated that this will need a variance of 676 SF (which is over the 1000 SF that is allowed in the code).

Dave Rowe told the Board that he had a conversation with Mr. Lisciandro and if the Board approves the variances he will not be able to issue a building permit until some other violations on the property are addressed.

Attorney Duncanson stated that before the building permit is issued the property must be fully code compliant. Also to satisfy the requirement that the character of the neighborhood be maintained the garage must appear residential with residential doors, similar in size to others in the neighborhood. The building will match the other buildings on the property.

The Town received no correspondence concerning this application.

**Motion made by John Merchant, seconded by Ken Lyon to approve a 676 SF variance to construct a 24' by 36' additional garage with the 24' dimension facing the road for Mr. Carl Lisciandro at 290 Hunt Rd., WE, Jamestown, NY with the following conditions:**

- the appearance of the garage fits the character of the neighborhood
- he combine the two parcels
- the property be fully compliant with the Town code before the building permit be issued

**Carried.**

**Ayes – 5**

**Noes – 0**

**Absent – 1**

**Motion made by William Pentheny, seconded by Angelo Cimo to approve a third detached garage with the 24 foot side facing the road for Mr. Carl Lisciandro, 290 Hunt Rd., WE, Jamestown, NY.**

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

**Chairman Hoglin opened the public hearing for Girl Scouts of WNY, 2661 Horton Rd., Jamestown, NY for the renewal of their special use permit for an office, program training, nature trails and the ability to lease 4 to 5 office spaces to other not for profits.**

**Mr. Bob Mann** addressed the Board:

- they are requesting a renewal of their current special use permit
- currently they have no other tenants
- there have been no changes in two years
- this was a two year renewal for them and they are on time in renewing
- the only condition on the renewal in 2015 was that they rent only to other not for profits
- they do rent this out for weddings, etc. but activities are curtailed in the evenings

Dave stated that there have been no complaints. The Town has received no correspondent concerning this application.

**Motion made by Steve Hoglin, seconded by John Merchant to approve the renewal of the special use permit for Girl Scouts of WNY, 2661 Horton Rd., Jamestown, NY for a period of five years.**

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

**Motion made by Ken Lyon, seconded by William Pentheny to adjourn the meeting at 7:30.**

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

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**Valerie Pierce, Secretary**