****PRELIMINARY DRAFT****

MINUTES OF THE REGULAR MEETING OF THE TOWN OF ELLICOTT ZONING BOARD OF APPEALS/PLANNING BOARD WAS HELD AT THE ELLICOTT ADMINISTRATION BUILDING, 215 SOUTH WORK ST., FALCONER, NY 14733, ON FEBRUARY 19, 2026, AT 5:30 P.M.

PRESENT: Dan Evans, Ken Lyon, Paul Volpe, Pat Martonis, Val Pierce, Code Enforcement Officer Brandon Shelters, and Secretary Kendra Newman

ABSENT: Attorney Marilyn Fiore-Lehman

Chairman Dan Evans opened the meeting at 5:28 PM and led in the Pledge of Allegiance.

Motion made by Pat Martonis, seconded by Val Pierce, to approve the minutes of the December 18, 2025, meeting.

Carried. Ayes – 5 Noes – 0 Absent – 0

Chairman Dan Evans swore in Dale Costco, Matthew Lane, Katie Banik, Joshua Heath, and Dan DePasquale.

Chairman Dan Evans opened the public hearing for 2148 Allen Street LLC, d/b/a Famous Supply, 2148 Allen St Ext, Falconer, NY, for an area variance for a building sign and a post sign. Said premises are described on the Town of Ellicott tax maps as Section 371.14 Block 3 Lot 8.

Dale Costco of Famous Supply stated:

- Signs currently up are temporary banners.
- Temporary banners are identical to permanent signs.
- Using existing pole – only changing faces of signs.
- No changes to sizes of existing signs.
- Signs will be non-illuminated.
- All setbacks will be met.

Ken Lyon made a motion, seconded by Paul Volpe, to approve the area variances for signs as presented for Famous Supply, 2148 Allen St Ext, Falconer, NY. Said premises are described on the Town of Ellicott tax maps as Section 371.14 Block 3 Lot 8.

Carried. Ayes – 5 Noes – 0 Absent – 0

Chairman Dan Evans opened the public hearing for Matthew Lane and Katie Banik, 141 Longview Ave, Jamestown, NY, for a site plan review for a second story addition on a lakefront residence. Said premises are described on the Town of Ellicott tax maps as Section 369.18 Block 4 Lot 75.

Matthew Lane and Katie Banik stated:

- Will be using existing foundation.

- Foundation is strong enough to add 2nd story.
- No changes to landscaping.
- Permit for turning garage into living space already granted.
- Garage will be a bunk house and attached by a breezeway.
- Own lot across the street.
- Will use existing driveway – no changes.
- Roof overhang will not change.
- Changing from hip roof to a gable roof.
- No changes on lakeside.
- Gutters and downspouts will be used for drainage.
- Maximum of 2 vehicles – can park vehicles in lot across the street.
- Outdoor sconce lights and outdoor Blink camaras with motion lights.

Pat Martonis made a motion, seconded by Ken Lyon, to approve the site plan for a second story addition for Matthew Lane and Katie Banik, 141 Longview Ave, Jamestown, NY. Approval is contingent upon all discussions that have been had with the Code Officer for code updates. Basically, it is the same footprint and the same driveway. Building will be going up. Gutters and downspouts to the lawn will be used for drainage. The existing house was built in approximately 1930. The only outdoor lighting will be sconces and motion lights. The garage is currently in the process of becoming living area. Said premises are described on the Town of Ellicott tax maps as Section 369.18 Block 4 Lot 75.

Carried. Ayes – 5 Noes – 0 Absent – 0

Chairman Dan Evans opened the public hearing for Heathen Household Services, 3988 N Main St Ext, Jamestown, NY, for an area variance for a sign and a second accessory building. Said premises are described on the Town of Ellicott tax maps as Section 319.17 Block 1 Lot 6.

Joshua Heath stated:

- Sign will be 4 ft x 8 ft - same size and location as existing sign.
- Two solar lights will be on each side of sign.
- Would like to build a 36 ft x 46 ft pole barn.
- Will have concrete floor.
- Access will be from current driveway.
- Will be for storage of equipment – business storage.
- One garage door, 4 windows, one man door.
- Right side of pole barn will have an access door to existing building.
- Will have electric and water – inquired about hooking up to gas.
- Will be a solar light over garage door and sconce lighting by man door.
- Pole barn will be charcoal black and match existing building.
- Only traffic will be employees moving equipment.
- Hours will be 24/7 – as needed

Pat Martonis made a motion, seconded by Val Pierce to approve the variance for a sign and for a secondary accessory building for Heathen Household Services, 3988 N Main St Ext, Jamestown, NY. The sign will be

same size and in the same place as existing sign. Also, the addition of a second accessory building which will be 36 ft by 46 ft. It will be a pole barn with a concrete floor for business storage, not retail. It will have water and electric. Illumination will be two solar lights and possibly electric light. There will be one man door, a garage door on the front, and four windows. It will be attached to the existing building with entrance through a door. There will be mainly two people working out of building for traffic. Said premises are described on the Town of Ellicott tax maps as Section 319.17 Block 1 Lot 6.

Carried. Ayes – 5 Noes – 0 Absent – 0

Chairman Dan Evans opened the public hearing for Dan Depasquale, 1901 E Main St Ext, Falconer, NY, for an area variance for a dumpster, trailers, and storage of heavy equipment. Said premises are described on the Town of Ellicott tax maps as Section 354.19 Block 1 Lot 3.

Dan DePasquale stated:

- Dumpster is already on property -- will move behind house.
- Has a dozer, backhoe and trailers on property.
- Stored behind the house and covered with expensive tarps.
- Skid steer is in the garage.
- Stores them at property in Ripley during the summer.
- Commercial trailer is used a workshop.
- Trailers can be moved to Ripley property.
- Why are neighbors across street allowed to store heavy equipment.

The Board reviewed the Town of Ellicott zoning map for the subject property. After zooming into the Town zoning map, Code Officer Shelters discovered that the property is zoned mercantile. Only 25% of the property can be used for storage of heavy equipment.

Mr. DePasquale stated:

- Will move dozer into the garage.
- Will move the backhoe behind the house.
- Skid steer will be stored in the other side of garage.
- Will move commercial trailers to the Ripley property.
- Dumpster will be moved behind house.

The Board took no action and decided the issues are now code enforcement issues. Mr. DePasquale agreed the stipulations are fair and he is happy with agreement.

Motion made by Ken Lyon, seconded by Val Pierce, to adjourn the meeting at 6:34 PM.

Carried. Ayes – 5 Noes – 0 Absent – 0

_____
Kendra Newman, Secretary