

**VILLAGE OF ELLICOTTVILLE
ZONING BOARD OF APPEALS
MEETING MINUTES May 5, 2026**

PRESENT: Harry Weissman, Chairman
Daniel Mergenhagen, Member
Anne Northrup, Member
Michael Painter, Member
Lisa Saunders, Member

ALSO PRESENT: Gregory Keyser-Village Planner, Kelly Fredrickson-CEO,
Jennifer Courtney & Bill Stoll-Applicants

Mr. Harry Weissman, Chairman called the meeting to order at 5:30 p.m. and presented the agenda with a public hearing for area variances.

Moved by Mr. Mergenhagen to open the public hearing for VZP-2026-14, 16 Mechanic Street, Jennifer Courtney and Bill Stoll, area variance requests from the minimum side yard setback, total side yard setback and minimum front yard setback for the expansion of a non-conforming single-family residence. Seconded Ms. Northrup. Ayes all. Carried.

Mr. Weissman asked for questions or comments from the people attending.

Mr. Keyser stated that no written or verbal questions or comments were received in response to the public hearing notice which was published in accordance with local law. He presented the sketch showing the height of the neighboring structures in comparison with the house at 16 Mechanic Street. Information on the square footage of houses on Mechanic Street was also provided as the Village Planning Board expressed concern that the renovated house not overwhelm the neighborhood. The Planning Board found no issues that would prevent the ZBA granting the variances.

Moved by Ms. Northrup to close the public hearing for VZP-2026-14, 16 Mechanic Street, Jennifer Courtney and Bill Stoll, area variances requests from the minimum side yard, total side yard and minimum front yard setbacks for the expansion of a non-conforming single-family residence. Seconded by Ms. Saunders. Ayes all. Carried.

Mr. Weissman presented VZP-2026-14, 16 Mechanic Street, Jennifer Courtney and Bill Stoll area variance requests for discussion.

Mr. Keyser presented the area variance requested:

1. Section 3A.2.C.2-Side Yard. Requirement: The minimum side yard for any structure is 10 feet. The existing structure is 8 feet from the south property line.

Proposed: 8 feet from the south property line for the renovation plans including raising the building's roof line, expanding the second floor and extending the front porch along the front facade.

Variance: 2 feet or 20% relief from the minimum requirement.

2. Section 3A.2.C.2-Side Yard. Requirement: The total side yard for any structure is 30 feet. The existing structure has a total side yard setback of 24 feet.

Proposed: 24 feet for the renovation plans including raising the building's roof line, expanding the second floor and extending the front porch along the front facade.

Variance: 6 feet or 26% relief from the minimum requirement.

3. Section 3A.2.C.4-Front Yard. Requirement: The minimum depth of the front yard for all main buildings is 25 feet. The existing structure has a front yard setback of 17 feet 6 inches.

Proposed: 17 feet 6 inches for the renovation plans including raising the building's roof line, constructing an addition to expand the second floor and extending the front porch along the front facade.

Variance: 7 feet 6 inches or 30% relief from the minimum requirement.

Mr. Weissman stated that the ZBA must take into consideration the benefit to the applicant as weighed against the detriment to the health, safety and welfare of the neighborhood or community if the variance was granted. He presented the Balancing Tests and staff comments for the board to consider.

1. Whether an undesirable change will be produced in the character of the neighborhood or a detriment to nearby properties will be created by the granting of the area variance.

Staff Comment: Will the dimensional alteration being proposed result in a structure, configuration or use that will be seriously out of place in the neighborhood? The project is subject to architectural design and landscape approval.

2. Whether the benefit sought by the applicant can be achieved by some method feasible for the applicant to pursue, other than an area variance.

Staff Comment: There does not appear to be any other alternative options under the Village Zoning Law that would not require a variance.

3. Whether the requested area variance is substantial.

Staff Comment: While the ZBA approved a footprint expansion in 2023 the current proposal focuses on increasing height and floor area while largely adhering to the existing building footprint. Aside from the front porch, the proposed changes do not increase the degree of any existing non-conformities. The ZBA should determine whether a larger structure adhering to the same setbacks intensifies the current non-conformances.

4. Whether the proposed variance will have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district.

Staff Comment: The proposed project meets the criteria for a Type 2 action under SEQR. This is an indication that the project is not anticipated to have adverse effects or impacts.

5. Whether the alleged difficulty was self-created, which consideration shall be relevant to the decision of the ZBA, but shall not necessarily preclude the granting of the variance.

Staff Comment: The difficulty appears to be self-created.

Board members agreed with the analysis of the criteria for the Balancing Tests.

Moved by Ms. Northrup that the benefit to the applicant outweighs any detriment to the health, safety and welfare to the neighborhood or community and grants a 2 foot variance to the side yard setback, a 6 foot variance to the total side yard setback and a 7 foot 6 inch variance to the front yard setback at 16 Mechanic Street as per materials in VZP-2026-14 submitted by Jennifer Courtney and Bill Stoll, applicants. Seconded by Mr. Painter. Ayes all. Carried.

The Minutes of the April 7, 2026 meeting were read. Corrections were made.

Moved by Mr. Mergenhagen to approve the Minutes of April 7, 2026 as corrected. Seconded by Mr. Painter. Ayes all. Carried.

Moved by Mr. Mergenhagen to adjourn. Seconded by Ms. Saunders. Ayes all. Carried.

The meeting was adjourned at 5:50 p.m.