

**VILLAGE OF ELLICOTTVILLE
ZONING BOARD OF APPEALS
MEETING MINUTES JULY 7, 2026**

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

ALSO PRESENT: Gregory Keyser-Village Planner, Kelly Fredrickson-CEO, Chris Nenstiel-Architect, Alan Lahrs-Applicant, Theresa Lahrs

Mr. Harry Weissman, Chairman, called the meeting to order at 5:30 p.m. and presented the agenda with one application VZP-2026-23, 14 Elk Street, Alan Lahrs, area variance request to the side yard setback requirement.

Mr. Greg Keyser presented his staff report on the request for variances to allow the construction of an accessory 2-vehicle garage at the rear of the property. Following the June 9th Planning Board meeting, the applicant is proposing a 646 square foot one-vehicle garage instead of the 736 square foot garage. This modification eliminates the requested variance for the total side yard and reduces the required side yard setback from 25 feet to 20 feet. The corner lot has a 35 foot setback on Van Buren Place. He offered the June 9, 2026 Village Planning Board Meeting Minutes with their comments on the project.

Mr. Weissman asked, has the Planning Board seen the revised plan?

Mr. Keyser said no. The ZBA could make a condition of approval that the project be reviewed and approved by the Village Planning Board.

Mr. Chris Nenstiel, representing the applicant presented the revised plan with a smaller one-vehicle garage which has been reduced in size by 90 square feet. Privacy hedges are proposed along Van Buren Place. The driveway will remain off Elk Street. The tree in the back yard will be removed.

Ms. Northrup asked is the variance 20 feet or 15 feet?

Mr. Keyser said the variance request is 20 feet. The setback will be 15 feet from the property line where the requirement is 35 feet.

Mr. Weissman asked if it were not a corner lot would they need a variance?

Mr. Keyser said no. The setback requirement would be 15 feet which they meet.

Mr. Weissman asked are you removing the existing tree?

Mr. Lahrs said yes. The roots will interfere with the construction of the new garage.

Mr. Keyser noted that rotating the building with a curb cut off Van Buren does not solve the problem.

Mr. Lahrs said he has already spent thousands of dollars to construct the existing driveway and wants to use it.

Mr. Weissman asked if the Board members feel the application is complete? Board members said yes.

Mr. Keyser advised that the project meets the criteria for a Type 2 Action under 617.5(c)(12) and 617.5(c)(16) involving the construction of a residential accessory structure requiring an area variance. No significant adverse environmental impacts are anticipated and no further SEQR review is required. The ZBA should classify the project as a type 2 Action before acting on the application. A public hearing can be set for the August meeting.

Moved by Ms. Saunders to classify the project as a Type 2 Action under SEQR 617.5(c)(12) and 617.5(c)(16) involving the construction of a residential accessory structure requiring an area variance. No further review under SEQR is required. Seconded by Ms. Northrup. Ayes all. Carried.

Moved by Ms. Northrup to set a public hearing for VZP-2026-23, 14 Elk Street, Alan Lahrs, area variance request to the side yard setback requirement for August 4, 2026 at 5:30 p.m. Seconded by Ms. Saunders. Ayes all. Carried.

Mr. Weissman noted that neighbors within 200 feet will receive the public hearing notice.

The Minutes of the June 2, 2026 Meeting were read.

Moved by Ms. Saunders to approve the Minutes of the June 2, 2026 Meeting as read. Seconded by Mr. Weissman. Ayes all. Carried.

Moved by Ms. Northrup to adjourn. Seconded by Ms. Saunders. Ayes all. Carried.

The Meeting was adjourned at 5:40 p.m.