

ZONING BOARD OF APPEALS & PLANNING BOARD MEETING
VILLAGE OF LAKEWOOD
October 8th, 2026

A regular meeting of the Zoning Board of Appeals and Planning Board of the Village of Lakewood, NY was held on Thursday October 8th, 2026 at 6:30pm in the Anthony C. Caprino Municipal Building, 20 W Summit Street.

Present:	Gary Segrue	Chairman
	Louis Drago	Deputy Chairman
	Carrie Brown	Board Member
	John Jablonski	Board Member
	Mike Krauth	Board Member
Also Present:	Shaunah Pilling	Village Deputy Clerk/Secretary
	Jeff Swanson	Code Enforcement
Absent:	Marilyn Fiore-Lehman	Village Attorney

The meeting opened at 6:30 PM with the pledge of allegiance.

APPROVAL OF MINUTES

Motion by Mr. Jablonski, seconded by Mr. Krauth, to approve the minutes of the last meeting of the Zoning Board of Appeals held on September 10th, 2026.

Adopted: 5 ayes, 0 nays (Segrue, Brown, Drago, Jablonski, Krauth)

**VILLAGE OF LAKEWOOD
ZONING BOARD OF APPEALS**

AREA VARIANCE

5 Hawthorne Street

On December 11th, 2025 there was a motion by Mr Drago, seconded by Mrs. Brown to approve the area variance for Mr. Gary Mignogna & Ms. Mrya Jenkins, of 5 Hawthorne Street, Lakewood, New York 14750 for the construction of a Primary Bedroom Suite and Laundry Room Single Story addition at 5 Hawthorne Street, Lakewood, NY 14750. The Zoning Boards approved requests are as follows:

- Primary Use:

- A minimum lot width of 59.87ft rather than the required 75ft, approving a 15.13 ft variance;
- A minimum side yard setback of 6 feet 10 inches on the south side rather than the required 8ft, approving a 1 foot 2-inch variance on the southside;
- A minimum rear yard setback of 7ft rather than the required 25ft, approving an 18-foot variance;

NOT approved in this variance was anything to do with a fence, if they would like to put a fence up the owners will have to submit another application to have reviewed.

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According to New York State Building Code, this projects construction will begin and be complete within 12 months and that they will be following up with Code Enforcement Officer, Jeff Swanson with periodic inspections during the construction phase.

Ms. Myra Jenkins and Mr. Gary Mignogna formally asked for an extension on their project via a letter on September 18th, 2026. The letter read, "Please allow an extension of our exception approval to build our addition. The cost of our addition has resulted in our need to postpone the start until September 2027. Please advise if you need anything additional from us and thank you for your time and consideration."

After some discussion the Board came to a decision.

Motion by Mr. Jablonski, seconded by Mr. Drago to allow an extension to the Ms. Myra Jenkins and Mr. Gary Mignognas project. The project is to begin no later than October 1, 2027 and to be complete by September 30, 2028.

Adopted: 5 ayes, 0 nays (Segrue, Brown, Drago, Jablonski, Krauth)

AREA VARIANCE

35 Marvin Avenue

Mrs. Jennifer Schlick, of 35 Marvin Avenue, Lakewood, New York 14750 has submitted an application for the construction of a covered front porch with an integrated ramp at 35 Marvin Avenue, Lakewood, NY 14750. The proposed plan indicates the following requests:

- Primary Use:
 - o A minimum front yard setback of 15ft rather than the required 25ft.

The listed request goes against Section #25-10, [Single-Family Residential (R1) District], of the Village of Lakewood Zoning Code.

Chairman Segrue asked for the project to be explained.

John Nickerson, from Chris Cooke Architecture, as well as the Schlicks were present for the meeting. Mr. Nickerson stated that the goal of the project is to enhance the exterior with siding improvements and window changes, along with the front porch addition. He presented the Board with blown up renderings of the project. The intent with the front porch comes from the idea of putting a ramp on the front of the building to increase accessibility into the house because there's a few steps up to the front door, and there's a door into the garage. But as one would enter the garage, there's still steps to get up to that first-floor level. The reason they need to ask for a variance is because the house is currently right up against the setback line, so anything that they build on the front of the house requires a variance. They are asking for a 15 ft variance instead of the 25 feet to allow a 10-foot-wide front porch addition. They are proposing the ramp along the front of the front porch, along with some steps to get into the house, so it's much more accessible than it currently is now. The reason for the porch also is to kind of conceal that ramp, so it would look like the porch is cohesive with the rest of the house. They would have a covered front porch, that will help with the climate, with snow and rain. The overall height of the front porch

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doesn't exceed the existing roof line of the house. They believe this enhances the overall design and cohesiveness.

Mr. Drago asked how wide the front porch will be.

Mr. Nickerson replied that the porch will be 10ft wide. The ramp is proposed at 3ft wide between the railings and will be 38ft 3inches in length. The slope of the ramp and width will be within the Americans with Disabilities Act (ADA) requirements. There will be a seating area at the end of the porch for normal use.

CEO Swanson asked if there would be enough room for a medical gurney in case of emergency.

Mr. Nickerson believes so, but would confirm that the build would be able to accommodate one.

Chairman Segrue asked if there was anyone present to speak for or against the project.

The Village Clerks office did receive 4 letters of support for the project from 48 Marvin Avenue, 39 Marvin Avenue, 27 Marvin Avenue, and 32 Marvin Avenue.

With no additional comments or questions, Mr. Segrue and members of the Zoning Board of Appeals proceeded to review and answer the questions posed on the area variance findings and decision form.

1. Yes
2. No
3. No
4. No
5. Yes

Adopted: 5 ayes, 0 nays (Segrue, Brown, Drago, Jablonski, Krauth)

Motion by Mr. Drago, seconded by Mr. Jablonski to approve the variance for Mrs. Jennifer Schlick, of 35 Marvin Avenue, Lakewood, New York 14750 in which she had submitted an application for the construction of a covered front porch with an integrated ramp at 35 Marvin Avenue, Lakewood, NY 14750. The variance requested requires a 25-foot setback, the Board is approving an 11-foot variance or a 14-foot setback with the ramp to meet all American with Disabilities Act (ADA) slope percentage, and to also inquire of the Lakewood Volunteer Fire Department that the three-foot width of the handrails would be adequate for them to get a gurney in and out in the case of an emergency. This project is to be completed within 12 months and to be constructed in accordance with all New York State Building Code.

VILLAGE OF LAKEWOOD
PLANNING BOARD

Fairmount Commons

126 East Fairmount Avenue

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Mr. Andrew Johnson, EcoStrategies, of 1890 East Main Street, Falconer, New York 14733 has submitted a zoning code amendment request and planning documentation for Fairmount Commons, 126 East Fairmount Avenue, Lakewood NY 14750. The requested amendment would reclassify 4.35 acres of the property along Fairmount Avenue to B-1 commercial zoning while retaining the existing residential zoning (2.75-acres) and a conservation area (1.8-acres) on the remaining portion of the property. Mr. Johnson is looking for the Village of Lakewood Planning Board to review the proposed zoning amendment and recommend the amendment to the Village of Lakewood Board of Trustees.

Chairman Segrue asked Mr. Johnson to explain his proposed project and the need for the zoning amendment.

Mr. Johnson stated that his plan is to request the zoning amendment for 4.35 acres of that property, which is mainly the Fairmount Avenue frontage in the front corner of Shadyside Avenue and Fairmount Avenue, which is less than half of the total acreage. Surrounding that proposed commercial area, would be a 1.8-acre conservation area to basically buffer and protect the neighbor's privacy and to have the appropriate transitions from commercial in respect to residential homes and neighborhoods. Then, the third and final area is the 2.75 acres outback to the south, and that is going to remain undeveloped for now; he does not have any plans to do anything with it at this time. That is the acreage breakdown.

On the west side, which is where the Fairwood Drive houses are, Mr. Johnson will have a buffer area of about 50 feet along that stretch, and then to the south, where the other neighbors would be further up on Shadyside Avenue, and also Fairwood Drive, there would be at least 100 feet of buffer there. There is also major drainage that passes through the property. In fact, almost all of Fairwood Drives 32-acre watershed drains through this property at this area that he talks about, which has actually become a beautiful wetland. It's a wetland technically, but it's not a jurisdictional wetland. It's not State or Federal, so he could technically do whatever he wanted with it. It is an awesome filter, and he wants to do his own water quality improvement elements and other interesting nature features. Mr. Johnson stated eventually he would like to add some little ponds and further insulate that area naturally and provide the right separation from the neighbors in the commercial area. The lower area ponds he plans to create would be small, around 30 feet in diameter, more like little frog ponds and will be stormwater management ponds in the future. If he ever does develop the frontage on Fairmount Avenue, none of the water would be going directly towards Fairmount. It's going to first, flow back towards those two little ponds in the front, and then it goes over to a storm pipe on Fairwood Drive along the roadway. He shows the area that is 4.8 acres, which all includes his Fairmount frontage and a couple of the first houses on Fairwood Drive. They all drain out and go down to the creek through a pipe, and then all the other acreage is the other 32 acres, which is all of Fairmount and his, which then goes under the cemetery and goes out Shadyside. They both collectively meet up at Crescent Creek and then go to the lake after that. Mr. Johnson has given diagrams to the Board further explaining this.

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Mr. Jablonski states that he likes Mr. Johnsons conservation area idea, but questioned why the streamline along lot six is not a part of that plan.

Mr. Johnson states that is not a stream, it is more of a waterway that does not flow continuously.

Mr. Jablonski asked if there was a rainstorm would water flow through this waterway.

Mr. Johnson said it may, he has not been out there during a storm. He said he could look at this further, but this waterway is normally dry.

CEO Swanson stated this issue could be reviewed during the site plan review.

Mr. Jablonski stated this waterway should be looked at as part of the SEQR review for the possible zoning change.

Mr. Johnson stated they did do this; the waterway is unclassified. There is no jurisdiction whatsoever.

Mr. Jablonski replied that Mr. Johnson is looking at things from a technical statutory standpoint versus what's actually happening on the ground and a walk out of the site may alleviate any concerns he would have.

Mr. Johnson welcomed him to the property and any other members of the Board who would like to walk the property. He also offered that in the letter he delivered to each neighboring property.

Mr. Jablonski stated he has no other concerns on the possible rezoning of this property.

Mr. Johnson stated that right now there's not any plans to develop anything besides his office. If there ever is, there'll be an opportunity to revisit that in more detail. Mr. Johnson wants to do some creative water stuff in there.

Mr. Jablonski said it sounds like where the water comes in, it's soaking into the ground.

Mr. Johnson replied that it's already done that by the time it comes out to that diagonal. It's on open hardwood ground by the time it pops out there, so it's like nothing at that point.

Mr. Drago asked if the diagonal pipe could be redirected if need be.

Mr. Johnson answered it could be.

Mr. Jablonski understands these plans are for illustration purposes right now.

Mr. Johnson explained these plans are very hypothetical. He calls it hypothetical because it's a "crystal ball" guess. This is a reality that part of SEQR is that you're supposed to look holistically beyond just the initial proposed office. How could it unfold, and what would the density be? So that is where he shows on the hypothetical that it could comfortably fit six commercial lots in there and have a campus-like effect. But Mr. Johnson doesn't have any plans to do that. In reality, he is thinking two or three businesses.

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Chairman Segrue asked what Mr. Johnsons vision is for the property.

Mr. Johnson replied that his dream would be to see commercial buildings along the frontage that play off the old Victorian architecture of Lakewood, kind of similar to the old farmhouse that was there and Hattas across the way. As a commercial developer it would also be super neat to have some of the old Lakewood architecture weaved into the commercial frontage because then it would also kind of blend with some of the other houses around, and it's kind of a throwback to the history of Lakewood. For the interior, he would like to see the architecture have more flexibility and do more creative stuff. He brought in an artist rendering of what his office might look like back there, which would be like a low-profile timber frame type of thing tucked in the woods that would be very subtle and kind of nestled in there. His office would be a couple thousand square feet. His business is relatively small, having seven or eight employees, but the design would be for up to ten employees. He has been at his current location in Falconer for fourteen years, but they have outgrown it.

Mr. Krauth asked how did he come to the decision to have the driveway off of Shadyside Avenue rather than Fairmount Avenue.

Mr. Johnson stated the main reason was for safety and staying away from high volume roads. That intersection is already very busy.

Mr. Krauth asked if the driveway will be able to accommodate tractor trailers. He stated no matter how small the business is, tractor trailers are involved with delivery services. He also asked if it is even legal for Shadyside to have an 18-wheeler on it.

Mr. Johnson said initially they would keep the driveway where it is now off Shadyside Avenue and, in the future, they would have to widen it or move it up the road a bit. He stated that he would talk to DPW Supervisor Certo about the regulations on Shadyside. For now, there would be no plans for heavy trucks, just his office.

Mr. Krauth asked about bringing the front portion of the property down a grade.

Mr. Johnson said it is high. He has thought about cutting it down 2-4 feet. He does want to keep it slightly elevated so it reverse flows back which benefits everyone surrounding.

Mr. Krauth asked what the future looks like with the ownership of the property, like leasing or selling lots.

Mr. Johnson said that is undecided. He stated that he has thought about selling the frontage right on Fairmount as lots depending on who the buyer is and what they want to do there.

Mr. Krauth said if he sells after the Village decides to rezone this then it is up to the new owners since it would be their property then.

Mr. Johnson stated yes, but it would be Retail Business (B1) District rather than Highway Business (B2) District which would help mitigate vehicle volume.

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Mr. Drago stated that it is Highway Business (B2) District across the street, wouldn't it make sense that the Board approve B2 for all around cohesiveness.

Mr. Johnson stated that he would love to have B2, but asked for B1 because he thought it may be easier to achieve his goals that way.

Chairman Segrue said a major factor of this proposed rezoning is to ensure that it aligns with the current Village of Lakewood Comprehensive Plan. Mr. Johnson outlines this well in his proposal. Chairman Segrue asked if this is rezoned to commercial, would the subdivision come back to them?

CEO Swanson said definitely, it's not a matter of just looking at that location because the old dentist office that's still in the residential district, as well as the antique store that used to be up by Cherry Lane, that's still residential district. They came in and tried to get a use variance for that. He thinks maybe if the Planning Board does make a recommendation to the Board of Trustees, they should review from Shadyside Avenue to Cherry Lane. CEO Swanson brought up to the board if they recommend this amendment to also have the Board of Trustees look at the east side of Terrace Avenue for possibly a cottage district or something like that, because every lot down there is only 25 feet wide, so if anybody does anything down there, they need a variance.

Chairman Segrue asked what Mr. Johnsons timeframe would be.

Mr. Johnson said as soon as possible. He would love to begin building this Fall/Winter as he has outgrown his business in Falconer but understands this is a whole process. More likely Spring it sounds like.

Mr. Drago asked how long does this type of process typically take.

CEO Swanson stated it takes months. There would have to be a committee set up to review the amendment, then would go to the Department of State to be approved, six months would be fast tracked.

Mr. Drago stated that he believes there has been extensive discussion to rezone the entire length of Fairmount Avenue.

CEO Swanson stated that one of the Board of Trustee members would like to redo the entire zoning code, but nothing about the entire length of Fairmount Avenue to his knowledge.

Mr. Johnson commented on the discussion that he has met with some of the Board of Trustee members at his property one of whom mentioned that what they are talking about, that there's several properties throughout the Village that the zoning doesn't seem to make total sense in a nutshell, and that they wanted somebody to come in and take more of a look at the whole Village, and identify some of these other areas beyond his. However, for his proposal, since time is of the essence, he wouldn't want to be rolled into a whole Village wide thing. But, there's several properties like his that no one nowadays is probably going to want to build a house in

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busy intersection like that. It doesn't really make sense with the Village Comprehensive Plan, which is how he aligned all this stuff with and the full SEQR process. Mr. Johnson feels it really makes sense in that spot, at least for that front corner. And anything beyond my office would have to go through the site plan review and everything. Even though he has done some hypotheticals and said it's possible to add six lots and do a campus like effect. That's just for SEQR purposes. It'll really probably be just two to three lots, and so it wouldn't be overly populated. He has some ideas, and would be very sensitive to what gets built there and what we would sell the lot for.

Mr. Jim Johnson, 7 Fairwood Drive, stated he has lived on Fairwood Drive for almost twenty years and water has always been an issue. The Village has done some work to alleviate the issues and redirect where the water flows by adding rocks to try to slow it down. But, even then behind his house it is continually wet. The other thing that concerns Mr. Jim Johnson is that it is already wet back there and they always have an abundance of mosquitoes in the summer. Building a pond is not thrilling because that's going to be more water back there, and most of it's going to be right behind his property by the look of the plans, which that doesn't thrill him either. There's been an awful lot of work done back there already.

Chairman Segreue asked if there was anything this applicant could do to alleviate his concerns.

Mr. Jim Johnson stated more residents of Fairwood would have been here if they would have known about this meeting, he only discovered it on accident.

Chairman Segreue let Mr. Jim Johnson know that this was not a public hearing, there will be a public hearing from the Village Board of Trustees and will be well announced.

Mr. Andy Johnson said now that he is aware of Mr. Jim Johnson's concerns, he would like to address them. He stated that the ponds would be small and the ponds should actually dry that area out a little bit because it'll give it a place to concentrate. As for the mosquitos, he would put up a couple bat houses for the mosquitoes. One bat can eat 1000 mosquitoes. The ponds are going to be like 30- or 40-foot diameter, like little frog ponds. Basically, his idea is to insulate Mr. Jim Johnson and the neighboring properties more than anything, because the ponds would be kind of a natural deterrent instead of a fence. Mr. Andy Johnson stated he is willing to work with Mr. Jim Johnson on the water elements.

Mr. Jim Johnson asked what happens if these ponds overflow, where would the water go?

Mr. Andy Johnson stated that it goes straight down and out the corner of the property here on his diagram and into the pipe on the DOT road, then under and then into the creek. It won't go towards any of your houses. It's going to stay on my property until it gets to the very end beyond all the houses, and then it goes off. Mr. Johnson brought lidar maps to show the drainage. He also plans to increase the buffer between the properties with more pine trees and natural elements.

Mr. Jim Johnson asked about the walkway/bike path mentioned in the proposal.

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Mr. Andy Johnson noted that the old driveway that's abandoned on that could serve as pedestrian and bike access in the future for the commercial development. Part of the Comprehensive Plan wants to have developments encourage pedestrian and bike friendly access. With the new sidewalk extending there, they already have an existing sidewalk on the frontage that is overgrown, and so it would just play off that. There wouldn't be any cars on it, but it would be for pedestrian and bike access to tie into the sidewalk network.

Chairman Segrue encouraged Mr. Jim Johnson and fellow residents to attend the public hearing once it is set.

Mr. Drago asked if these ponds drain the various properties in Fairwood, and were to become saturated, filled with water year-round, is there a way to keep the water moving so mosquitoes don't lay eggs or have pests grow in them?

Mr. Andy Johnson stated there is not really a great way to do that with a five-acre watershed, in this case. And by pond, it's not going to be your normal pond, these would be like one to two feet of water - little wetland ponds.

Mr. Drago asked about semis and their downshifting. Is the tree barrier sufficient to keep that from rattling the lower end of Fairmount Avenue's windows? And his second question is if you're only looking at an 18- to 20-foot-wide driveway on Shadyside Avenue coming into Fairmount Avenue, is that big enough for a tractor trailer to get in there without swinging all the way out to the other side of the road?

Mr. Andy Johnson said the driveway is not wide enough, it would need to be widened. The turn off Fairmount is not either. He does plan to make a compliant driveway. Mr. Johnson did want to mention too that he was proactive with all the neighbors too. He wrote a little blurb in the report and then actually went around to all 12 properties that touch mine to speak to each one of them on Labor Day weekend. He did get to talk to most of them. He stated that he did talk to Mr. Jim Johnson via his ring camera and left him the package. But overall, it was very well received. He also visited another eight properties beyond it. In all, he visited 20 neighbors and nobody really had anything bad to say, so they've known before he even made it public. The alternatives would be you know I could cut every single tree and build houses eight feet from the property line. I could do dozens of them, and that's what I would do if I can't do my office and stuff there.

Mrs. Shaunah Pilling, 13 Fairwood Drive, received the packet and having only lived on Fairwood for a few weeks, but her family is in favor of the project. What Mr. Andy Johnson has already done is great.

Mr. Andy Johnsons preliminary plans and documents for Fairmount Commons are located in the Village Clerk's Office for public review.

Motion by Mr. Drago, seconded by Mr. Jablonski to send a positive recommendation to the Village of Lakewood Board of Trustees for Mr. Andy Johnson's requested amendment at 126 East Fairmount Avenue, Fairmount Commons, that would reclassify 4.35 acres of the property along Fairmount Avenue to B-1 commercial zoning while retaining the existing residential

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zoning (2.75-acres) and a conservation area (1.8-acres) on the remaining portion of the property. This recommendation is for Mr. Andy Johnson's office and one or two other commercial office type buildings.

REGULAR MEETING (Adjournment)

Motion by Mr. Krauth, seconded by Mrs. Brown, and unanimously carried to adjourn the regular meeting of the Zoning Board of Appeals at 7:49pm.

Adopted: 5 ayes, 0 nays (Segrue, Brown, Drago, Jablonski, Krauth)

Shaunah Pilling, Secretary

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