

ZONING BOARD OF APPEALS
Town of Lewiston 1375 Ridge Road
Lewiston, New York 14092
Thursday – May 14, 2026

Agenda- Jason Lombardi Area Variance 4194 Lower River Road (A), Frank/Selena Holody Area Variance 4509 Porter Center Road (B), Dennis Salemi Use Variance 5235 Lewiston Road (C),

Present: Conti, Fontana, Heuck, Machelor, Warnick

Presiding: Norman Machelor, Chairman

Pledge of Allegiance

A motion to approve the minutes of March 12, 2026, was made by Conti, seconded by Warnick and carried.

Machelor: If you have not attended the zoning board of appeals meeting before, the task of the board is to grant or deny requests to allow a project brought to us because it cannot be built or performed as presented. Without a hearing, to determine whether, upon presentation of the details of the request, the board will grant a variance to continue the project or denial prohibiting project as presented. And with that, I'm going to open the public hearing we are going to start with Jason Lombardi 4194 Lower River Road SBL 73.00-1-44. Is anyone here to deal with this?

Lombardi: I am Jason Lombardi.

Machelor: Yes, sir. Come up to the microphone if you would. So, tell us your name and address and what you want to do.

Lombardi: I am Jason Lombardi. I currently live at 4439 Williams Road, Ransomville. I am building a new house at 4194 Lower River Road.

Machelor: Okay. And the reason you are here is because you are too close to the side yard.

Lombardi: For the generator, correct.

Machelor: For the generator. Is there a reason why it has to be that close?

Lombardi: It's just there's all the utilities: the transformer box, the big transformer box is five foot off the property line. The cable box is five foot off the property line, so I just wanted to keep it in line because I'm going to, you know, obviously landscape around it and so you don't see it. If I put it fifteen foot off the road when you're going by the house, you're going to sort of see it in the middle of the side road or side yard. And the house that's to the south of me is not, it's one hundred and twenty feet away from the property line, so...

Machelor: Okay. That was going to be my next question.

Lombardi: Yeah, So it's not like the houses; the next door, neighbor's close— he's one hundred and twenty feet away.

Fontana: How many kW is it?

Lombardi: Sixty.

Machelor: And there is no other alternative.

Conti: How loud is it compared to a normal house generator?

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Lombardi: Um, actually it. I don't have the decibels, but I mean it's an insulated, um you know, I mean an insulated core around it.

Conti: Is it a generac?

Lombardi: It's a generac yes, yep

00:03:34Speaker 4

Yeah. Because I because I know normally, well use what the decibels is how loud it is when it runs.

Lombardi: Yeah.

Conti: And this is a larger one than that normally that most people put in.

Lombardi: Yeah 6 k yeah, yeah.

Machelor: But you're 100 feet from your other neighbor.

Lombardi: 120 feet from the...

Conti: You can't really go by that because that's not his property. I mean that person could come and build 18 feet from his lot line and all of sudden that generators almost on top of his house. I get it; it's far away right now, but it doesn't mean in the future. This guy doesn't decide to

Lombardi: He couldn't build there because he wouldn't have enough. He couldn't put another house in.

Conti: Well, I mean, but we worry about your lot.

Lombardi: Right.

Conti: The other lots next to it. I mean that's...

Machelor: You see here, here is his issue he has a transformer on the sight line between him and the neighbor.

Lombardi: I Was just going to keep it in line with that. It's sort of imp eave like because of those that transformer there and the cable box, if I put that fifteen feet in in that, then it's like you can't get really anything if you ever need to drive around the house as well. So, I was just trying to keep it in line and keep it visually pleasing.

Machelor: Questions? No questions?

Fontana: No, I don't have a problem.

Conti: How Far back from the road is it?

Lombardi: I want to say close to 300 feet.

Warnick: 330 to the front of the house.

Lombardi: Pardon.

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Warnick: 330 from the house so it's more than that.

Talking

Machelor: Okay. Would you like to ask Gary Have any questions?

Heuck: No, nothing.

Machelor: Okay, well thank you.

Lombardi: Thank you.

Machelor: This is an open public hearing. Anyone wants to speak about this issue? Okay, thank you. All right; well, I'll close the public hearing and ask for a motion.

Conti: I'd like to a motion and based on the board's discussion, The following considerations, whether the undesirable change will be produced in the character of the neighborhood or detriment to nearby properties. No, because it's going to go over three hundred feet away, and it's being lined with a generator or the uh not generator.

Fontana: Transformer.

Conti: Transformer. Thank you. Uh, whether there's been some effort to be achieved by feasible alternatives or variance? It could be put closer to house but it's gonna look worse Because of where the other stuff are sitting at. Whether request variance substantial, it is because it's normally fifteen feet; It's going to go down two - thirds to five. Whether, the variance has an adverse impact on the physical environmental conditions of the neighborhood? No, if it does not. And whether the alleged difficulty was self-created? Yes, it was self-created because he wants to put a generator on there. But with those considerations. The zoning board of appeals determines that the benefit of the variance to the applicant outweigh any detriment to health, safety, and welfare of the community and that variance request is the minimum necessary, and variance be granted.

Machelor: Do I have a second?

Heuck: Second.

Machelor: Okay. I have two seconds. Okay. Further discussion? Any further discussion? Okay, I'll call the question. All those in favor say" aye." Aye. Opposed? Tim, would you pull the board?

Masters: Lou Fontana: AYE. Dave Warnick: AYE. Norm Machelor: AYE. Joe Conti: AYE. Gary Heuck: AYE.

Machelor: Mr. Lombardi, it's approved.

Lombardi: Thank you

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Machelor: Okay. Our second thing is Frank and Selina Holody from 4509 Porter Center Road Lewiston requesting an area variance for a proposed 18 foot by 46-foot-long addition along the south side of an existing ranch house with a yard setback from 15 degrees 15 feet to 7 feet. Is anyone here to speak for this? Yes, sir.

Hi, I am my name is Giona Paolercio with Paolercio Architecture. I am their architect. Okay, so uh,

Conti: Do we have a letter for you representing them? Ok state your name

Frank Holody.

Conti: And tell us if you are allowing him to.

Holody: Yes, he is able to speak for me.

Conti: Okay, thank you. We just have to get it on record so.

Machelor: Ok Thank you!

Paolercio: So, they currently uh have a growing family. They're uh they want to stay put there. The house is about less than nine hundred square feet. It's a ranch, so they were hoping to add on uh added a master bedroom with a closet, bathroom, and a large living room. So, what we did is we evaluated each side of the house uh to the north. They have a barn Frank has a, A business, a better business called Perfect Pitch. And, so he has a wide driveway and he stores materials and puts his trucks in that area. That's a few feet away from the house, the driveway is. So, the north side, if we added on to that side, it would it would impede his ability to get to the barn. The rear yard has their, their septic tank is a few feet away, or I want to say about eight feet away from the back of the house. And then the wheat fields are back there, so that proves infeasible. So, in the front, I talked Tim Masters when we were going through some options. Any home within three hundred feet, they can't go further past that in the front, and it would also cause some issues with the current layout. So, what we are trying to do is trying to keep the project cost conscious. The south side seemed like the best option with the fifteen-foot setback. Unfortunately, it only allows for a nine-foot addition, and so if you are trying to add a master bedroom, a walk-in closet and bathroom, and a decent sized living room, just challenging. So, the applications asking for few extra feet. We're not going right to five. We're right now. We have laid out at seven feet from the property line. The house to the south is about thirty-three or thirty-four feet from their south property line, uh which makes it, it would be about forty feet away from the addition. So, they, they, the, the addition will be built near the neighbor's driveway, and their garage is detached and set in the back. So, it just seemed like the best option. So, we're, we're hoping we can get that through to keep this family on this property.

Conti: What's a variance you are looking for exactly?

Paolercio: Exactly, it's eight feet.

Conti: Because I am looking at the prints here and shows that that side of the house is 24.39, 24.31 feet from the lot line. Right, you subtract 18 which would be the width of that.

Paolercio: It's actually seventeen. Uh It's 18, if you align the foundation wall, but if you go right off of the existing foundation wall, it's a little bit over 17. I think it's 17.3 or 17.4 so comes out to exactly 17 feet off the property line. It's not exactly 18 feet; it's a little less than.

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Machelor: What's the one here that says 24 feet?

Paolercio: I have the surveys.

Talking

Machelor: Any questions from the board?

Heuck: Is there a Reason you didn't go upward.

Paolercio: Upward?

Heuck: Yeah, on top of the verticals.

Paolercio: I think that in terms of cost, there was a particular budget that Frank and Selina had, and we felt they felt that they wanted to have the extra basement space as well. So, the intention is to have a full basement underneath the addition that they can use for their particular purposes.

Machelor: Thank You. This is a public hearing. If anyone else would like to speak to this issue, you can come to the microphone.

Conti: Thank you.

Machelor: We'll see.

Conti: Can you come up there? Got a question. This is shown eighteen feet here, right?

Paolercio: This but it goes back so the dimension off of here seventeen. I can get go up and get the floor plan as a matter of fact. Okay, so see how the foundation walls get in line with that. So, there's your dimension right there off the face. That's so it's 17, I want to say 17 foot 5, but that's with the siding. But the foundation wall would be a little less than that. So yeah, we're aligning we're aligning the foundation walls of addition with the existing foundation. Does that make sense? So, it's 18 foot here but.

Heuck: From here to here

Paolercio: Yeah, that's that dimension. Yeah, well, whatever it is, we would hold the 7 feet. So, we have to push it this way we will push it.

Machelor: Well, Of course, I have a question Why does it have to be 18 feet wide? You are approaching further onto the next guy over.

Paolercio: Yeah, I think I think it was what the holidays envisioned. In terms of the circulation with the living room size. Their living room right now, their living room size is this is their living room, It's very small. We're converting that to a kitchenette area. So, they're in here under their overhang to make their kitchen more usable. And this is like a dining area so it will give them a dining room.

Machelor: It was the same question though same question was, would the same thing be achieved by having it only 16 feet wide? And then you have to ask for less. That's just a consideration.

Paolercio: It is, it is a consideration. Saying 16 as opposed to 17. 16-foot total.

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Conti: No, you'd basically be 9 feet from the lot line. 9 feet versus 7 feet. I guess. Which is what she's referring to.

Paolercio: I think so. You said no.

Holody: We have a growing family, but we wanted our house is tiny right now. So, we need it as big as possible. So, we could stay in this area where we're at now. And with a 16 foot, you are just creating less of a great room, less of a bedroom.

Machelor: Come to the mic, sir. You can come to the mic.

Paolercio: Now, just. Why don't I have to come up here so you can actually see the floor plan? So, 16 so right now. Your 18. You are 18 where the foundation wall draw line.

Holody: Yeah

Paolercio: Okay, So the actual dimensional off the face of your house is about 17 foot 5 because we're lining the foundation walls. So, they're saying

Conti: Come in.

Paolercio: 16 from here, so basically that would be 1 foot 5. It would be 17 inches, less

Holody: Off the front only?

Paolercio: Off the face, which means that over here, you'd be 16-foot 8 in the back because we're adding 8 inches for the foundation. So, it would be sixteen from the foundation wall here, but it'd be 16 foot 8 here, which means that on the inside we have about a 16-foot clear width. 16-foot clear width is what I am saying. We have about a 16-foot clear width on the inside.

Holody: And there is no way we can make this work, even with our neighbor that butts up to that property they have no problem with it because they can never build out to the left of their driveway. Well, they've been there for this is two generations now.

Machelor: We can't listen to that.

Heuck: It's just a driveway.

Holody: Well, that's the only entrance into their property.

Machelor: Well, somebody else could buy the property? And do what you are doing?

Holody: Yeah.

Conti: Go back to that side and then all of sudden there like well you them go 6 feet from the property line. We want to go that far. And all of a sudden you get into a city, basic city setup. Kind of what we try to avoid if possible. And I said, dropping that foot and a half on your interior would go to 9 feet.

Holody: What if it was just a foot instead of a foot and half?

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Paolercio: So instead of asking for a variance, they would be getting just uh 7 feet.

Conti: You're at 7.

Holody: 7 feet off the property line, but 8 feet off the property line is what I'm saying. So yeah, we would be asking for a 7 foot.

Paolercio: Right now, we're asking for an 8-foot variance.

Conti: I'm confused now. From the 15, right now you are asking for a 7-foot variance.

Paolercio: Well, we're 7 feet off the property; 7 feet off the property, so I am asking for an 8-foot variance.

Warnick: So instead of 18 it would be 17 by 46.

Paolercio: So, I am just taking a foot off. I am talking strictly that the variances that I am asking for is an 8-foot variance.

Conti: With this.

Paolercio: Correct.

Conti: You just told us it was 7 foot or 8-foot, I am sorry to make it 7 feet.

Paolercio: Correct.

Conti: Right.

Machelor: To make it 7 feet off the property line.

Paolercio: Correct.

Conti: That's what you are asking for right now.

Paolercio: That's what we're asking for. That's what we'd like to have it Frank would like to have.

Machelor: We're asking you if you accept 9 feet from the property line and make the building 16 foot wide.

Paolercio: I think 8 feet; 8 feet would be better if we can do that. Because that kind of splits the difference. He's looking for the biggest width as possible. And right now, the way I have this laid out to get you know a pathway into his room, a decent closet for him and his wife can share, good size living room. I mean, I think.

Conti: So, you're saying you want to go 8 foot you want a 7-foot variance. You will be 8 feet off the property...

Paolercio: We will be 8 feet off the property line at least that'll you know give us some options.

Machelor: So, we're going to adjust what you're asking for, and then it comes down to be an 8 foot from the property line.

Paolercio: Yes. Frank you good with that?

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Holody: Yeah.

Machelor: You'll make the adjustments accordingly.

Talking

Machelor: Thank you. Okay, the public hearing is still open. Does anyone want to speak to this issue? If not, I'll close the public hearing and ask for a motion.

Heuck: I'd like to make a motion. Based upon the criteria that has been presented to the board tonight. Whether it could be an undesirable change would be produced in character of the neighborhood or detriment to nearby properties. No. It's a very rural area, and there is no real close adjacent neighbor. Whether, the benefits sought by the applicant can be achieved by feasible alternatives to the variance, you know, limited by different circumstances such as leach bed and septic tank. Plus, On the other side, there is a concrete driveway that exists to house his vehicles. Whether the request that variance is substantial, no, it's less than 50 percent from 15 feet to 8 feet. Would the variance have an adverse impact on the physical or environmental conditions of the neighborhood? No. Whether the alleged difficulty was self-created? Yes, but it doesn't impact anything that would be adverse to the neighborhood. So. I would move to approve the benefit to the applicant does outweigh the detriment to the neighborhood and the community; therefore, the variance is approved.

Conti: With the change into an 8- foot side setback.

Warnick: We have to amend it from 7 to 8. I'll second that.

Machelor: All right Dave seconded. All right, any further discussion from the board? We I'll call the question. All those in favor say" aye." Aye. Opposed? Tim, would you poll the board?

Masters: Lou Fontana: AYE, Dave Warnick: AYE, Norm Mackler: AYE, Joe Conti: AYE, Gary Heuck: AYE.

Machelor: It's been approved. You can see Tim for the details.

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Machelor: Okay. Overcarrying held about Dennis Salemi 5235 Lewiston Road, Lewiston, New York requesting a use variance in order to lease a portion of the property to Lewiston Dance Studio. Is somebody here, yes, sir?

Can my wife join me?

Conti: Sure. Your name, address, and what you want to do?

Dennis Salemi. This is Ronnie Salemi, my wife. We live at 481 Mountain View and the property in uh Discussion is 5234 Lewiston Road, and we're interested in getting a use variance for the property. Um, because the current zoning does not give us the opportunity to rent to Lewiston Dance Studio that um, we found that we think to be a very good tenant, uh, not just for us, but for the community. And um you know I want to say that I am here not just as the property owner, I am a neighbor. I am a walking-distance neighbor to the property. So, my wife and I purchased the property, beautified the property, put over one hundred thousand dollars into the property that's in our neighborhood to make our neighborhood partially to make our neighborhood better. And as an investment. And we've looked towards some options with the property, one was a We started thinking about a rezoning, but it didn't seem like that could go anywhere. So, we decided that we would use try to rent the property, lease the property with the current zoning. And, we've had little luck finding what we would consider either a school or church congregation that either needed the space or could afford that size of space. Many of the people that had been interested, they're not really people that we thought were really appropriate for the neighborhood, you know. So, we, you know, we've had some patience, but it's been a while. We've got a lot of money into the property. And were, you know, we came across some really nice folks that have operated in the village, the dance studio. And we thought, if we felt very good about them being in there for. A couple of reasons: one, as the property owner, their impact is going to be really identifiable. We know what they're going to do there versus if we rent it to a church congregation, who knows? You know, same with the neighborhood. We know we have a very clear understanding they're here, and they will talk about what you know their impact—the amount of cars, times of days—and things like that. Church congregation. Who knows? It could be a hundred cars; it could be five hundred people. There is a big, large lot around it. We as property owners and neighbors feel much more comfortable knowing who is going to come into the property. And we think they'll have very not just like anything substantial, but in fact we think they're going to make the community better. They're cute young kids and they're going to have quiet fun. And we're like I said, as property owners and neighbors, we think that they're a very, very good addition to our property.

Machelor: Thank you! So, this is a public hearing and this is a use permit. This gets complicated, So I am going to read something: The zoning board of appeals for the Town of Lewiston commonly deals with two main types of appeals. The first is an area variance request. The board rules on appeals concerning the dimensions of space, where the property is, how close it is to its neighbors and the like. The board considers five main criteria for variance of area. Two such petitions are before us today, which you have seen happen: one for distance from the generac and another for an addition to a home. We use a reasonable standard. Most cases end well for the petitioner and the town. Our second general variance is for the use of the property. This has always been contentious because the rights of an owner to use his or her property is at risk. Accordingly, the state has developed use variance criteria that the zoning board employs to assist us in the decision. These criteria are quite strict, And the rule is that a petitioner must satisfy the zoning board that he/ she has met all 4 of these items. These 4 items are the unnecessary hardship, that's what it is. That's what you are asking for. The petitioner cannot realize a reasonable rate of return on his or her investment with competent financial evidence. A petitioner must present that the hardship is unique and does not apply to a substantial portion of the neighborhood. Number 3, the requested variance will not alter the essential neighborhood characteristics, and finally the Hardship has not been self- created. For a use variance to succeed, the petitioner must convince the board that if denied by the board, an unnecessary hardship will occur. So, I'm going to so now if anyone else would like to speak about this, Mr. Salemi, Uh, anyone who would like to come up state your name and...

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Machelor: Yes, ma'am you can go ahead.

Um, my name is Ronnie Salemi. I've grown up in Lewiston. I was born here, raised here, lived here my whole life. Paid um town of Lewiston taxes since uh 2008 so, we pay for our home and we pay for this commercial property. Um, we are really invested. We have three young daughters in the community. Only want to enhance and you know, grow the community to be something that we all want to be part of. We do have the expenses and the you know hardship of that and holding the property, and this test is a perfect fit that could work for the community, the neighborhood. And like he said, we live down the street. So, we do have some paperwork to just show you what, what you might know our taxes are every year, our utilities, you know all the expenses that come. And we have had interest from churches specifically from Niagara Falls one from UB. Uh, we've had some places that you know, we know don't count like uh physical therapists, yoga studios. We've had so much interest in the property. This is the closest that wouldn't change the look on the outside. It wouldn't really change the use it from 4 to 8 pm on weekdays. Uh, close on Sundays. A church open on Sundays is going to be hundreds of cars. So, we have had interest, but the churches that can rent can't afford the expenses to keep that big property. So, it's just not in line. So that hardship is on us and the churches that can't exist. You know, could we charge lower rent? Sure, and then you're going to have hundreds of cars coming in on Sundays when they're closed.

Mr. Salemi: And it wouldn't be financially feasible

Mrs. Salemi: And it's not financially feasible for anyone us.

Machelor: Well, you know, for here, our only objective here is to look at the zoning regulations and apply them to what you are doing and some of that's interesting but not, not to not to, definitive, what we are going doing here.

Mrs. Salemi: And which pieces?

Machelor: Well, of course, What I am saying is that you bought a property that was on R one. And the rules for R ones are pretty strict because we're protecting individual homeowners.

Mrs. Salemi: Absolutely. But the hardship of it is that a church can't afford it, you know.

Machelor: Well, and it doesn't say that in the regulations. All it says is that you can have a church there. You could have a school there a real school, not a trade school there is a lot of stuff you can have there.

Mrs. Salemi: Right? Right? We understand that. But then the hardship of it and someone being able to afford it.

Machelor: Well, yes, you created your own hardship when you purchased the property. That's on you. That's on you I mean, if you wanted a piece of property, you could rent for any kind of uses, then you get something different than a house thing.

Mr. Salemi: And we're trying to create a solution.

Machelor: Yeah ok.

Conti: You said the dance studios are open 4 to 8 weekdays. What about Saturday?

Mrs. Salemi: Saturday in the morning.

Novelli: I run the dance studio. Hi, my name is Rachel Novelli. I grew up in Niagara Falls. I now live in Grand Island. I opened the dance studio in 1993, So we have been in the village of Lewiston in the mini plaza for 33 years now, and probably you didn't even know we were there because we're really under the radar. So, I have here, The

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reasons that neighbors might be weary or leery of us, so if I could just read through. If you need to stop me, if you have any questions or concerns, please just stop me and I'll answer them right then and there.

Machelor: Yes, ma'am go ahead

Novelli: So again, I have operated Lewiston and Dance continuously since 1193, We provide structured scheduled dance education to hundreds of local families. The proposed use of the property as a dance studio is a continuation of a longstanding community - based service that emphasizes youth development, discipline, and educational enrichment. So, the proposed use will not alter the essential character of the neighborhood. The dance studio we operate on a fixed, predetermined schedule. All the classes are planned in advance; there are no drop-in sessions. There are no unregulated attendance spikes, class sizes, times, traffic flow. They're all predictable and controlled. Um and it results in minimal disruption to the surrounding properties. Additionally, the property that's located adjacent Sacred Heart Villa School Um our proposed use is really consistent with the existing character of the neighborhood. So, what they do is, is kind of like what we do except our hours are less than that. Um, the use is consistent with the community and provides a public benefit. Uh, we've served the community for over 30 years. We're offering not only dance instruction but we're fostering important life skills: teamwork, responsibility, self-discipline uh confidence. The continuation and expansion of this service will provide ongoing benefits to local families and children. And we're teaching these young people skills necessary, to really become positive and productive members of the community, which is what we all want. Next, our operation is stable; it's predictable and professionally managed. We operate on a seasonal schedule. We again it's established well in advance. We have accurate planning of class sizes, staffing, and faculty usage. We've successfully navigated decades of operation. Um, that includes the challenges of COVID 19, which was very challenging to say the least. A lot of small businesses went under, and we did not. We were able to make it through that. Um, we managed the business with no adverse impacts on the surrounding area, and we are directly in the middle of the village in a mini plaza with not only other businesses. But people living upstairs in all these other businesses. Um, my next one is, the property is particularly suited for this use. The existing structure is perfect. The layout makes it well suited for us. We would only need half of the building. There's I made a poster so everyone can see, we would close off the back parking to Fairway Drive. We would not allow anybody to go in or out through Fairway Drive, it would be through Lewiston Road only. They come in one way; they go out the other. There's a drop-off section, there is a parking lot for the parents of our very young children, they're really the only ones that come in and they come in and watch their half an hour class. And then they leave. But we have no we have no problems with any of this. It's very smooth, it's very controlled. The parents understand that there is rules, they follow them. So, the building is perfect. Our hours you asked about the hours we go um; these are representative of our typical dance season. So, Monday through Friday, anywhere between 3:45 or 4 o'clock, usually 4 o'clock to about 8 o'clock p.m. We don't like to go any later than that. Obviously, we're teaching young ones. They have to get home go to bed. Take a shower do their homework. We're closed on Sunday on Saturdays we run from 9 am until 2. And our summer schedule right now, our summer schedule is going to be Mondays and Wednesdays for June and July from 4 to 7 that is it; it's the only time we'll be there on Mondays and Wednesdays. I do have an example.

Conti: You said 4to 7 at night on Monday, Wednesday.

Novelli: Mondays and Wednesdays for the summer. Mhm. Yep. Um, we don't have anything during the day at this point. We have nothing going on during the day. Um And I mean, we've been doing this a long time; we never have.

Machelor: You could, you could though.

Novelli: We could, yes, um, but we probably won't because the kids are all in school. So, what are we going to do? Um, to sum up for you guys and then if you have any questions, um our use of the space results in minimal daytime impact. Just like we said, the majority of the classes are held after school hours. Uh traffic associated with our studio is very limited and well managed. The majority of the families participate in our structured drop-off

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pickup system with well-established traffic flow procedures for arrival and departure. Um, importantly, this property does include a dedicated on-site parking lot. There will be no student entrance or exit from Fairway Drive, and no on- street parking will be utilized whatsoever. Um, this ensures that the surrounding streets remain unaffected and eliminates concerns related to the congestion or neighborhood disruption. Um, the use is compatible with the surrounding neighborhood. It is low intensity, operates during predictable hours, does not generate late night activity, is designed to minimize traffic and parking impacts. We have no classes during holidays. We follow the school district calendar, very closely, and all activities take place indoors of the building. The sound is contained within the space, and we also have baffling in our dance studios to also further, you know, keep the sound in. We have no problems with this. Again, we're in the mini plaza now, next door to Favorite's Pizza and people live above us. We have no complaints and we've been there for 33 years. Um, we've successfully operated under similar conditions for 30 years in the community, demonstrating a consistent ability to manage our operations in a way that respects and supports the surrounding areas. Do you guys have any questions for me? I do.

Warnick: I do.

Novelli: Yes.

Warnick: So is the square footage going to be quite a bit bigger on the, new facility as opposed to the one in the...

Novelli: It is.

Warnick: So, do you think there'll be more families that will be participating?

Novelli: Um, we hope we hope there will be. Um, right now.

Warnick: You have to tell me how many?

Novelli: Right. Oh, yeah, no I have. Um yeah, we don't know yet.

Machelor: How many square feet are you renting?

Novelli: We are renting right now.

Machelor: I mean, what's the difference between your current rent and the new rent one, square feet?

Novelli: Oh, it'll be at least a thousand more square feet

Warnick: Okay so, like quite a bit.

Novelli: Quite a bit and also, right now the studio we have we utilize downstairs and upstairs, so you know it's not if grandma wants to come and watch, it's difficult. You know so stuff like that, we like we like parents and the, you know families to be able to come and watch a class if they so choose. You know, and we also have um it's a little separated because our office isn't central, so we like to see all of the children that come in. And some come in and go straight downstairs to their classes. We want to see everybody this this building that they have beautiful high ceilings, a wonderful feeling. Just when we walked in there, we were just overcome with. We were just thinking of the kids. They are just going to absolutely love this. It has a big break room for kids that come for, Multiple classes and then sometimes they have a break. They can eat their lunch; they can do their homework. It's right there where we can see them. It's just it's every single perfect thing that we want for our kids. Yeah, it's everything we want.

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Conti: So, all of people dropping off their kids and coming back out. Is there any other outside activity?

Novelli: Absolutely not. No, we have our recitals at the Pack at Niagara Falls High School. Um, and that's our only big. That's our only big.

Conti: No kids going outside and running around the neighborhood.

Novelli: Absolutely not. No, we don't allow any of that. No, cause we're responsible for them when they're with us so. Yeah, we're in total I can teach a class of, you know, twelve 3-year-olds. So, we're in total control of our children that are in there at all times.

Conti: And even if you are, if you increase in size as far as amount of students, is that going to change your hours?

Novelli: No, because this the um the, the place has room to for a third studio. So, we have two studios running now. It has a small third studio where we could put overflow and everything. So, it's just it wouldn't in fact, I think that we're going to be able to take a day off. I think we're going to be able to knock it down if we get this space. I think we're going to be able to knock a day down because we'll be able to put you know more classes. At the at the times where we're you know, yeah, anything else.

Machelor: It's uh, thank you. Okay, it's a public hearing. So, is there anyone else? Ma'am? Just state your name and address for the record?

Sure, Diane Perry Roberts. Um my address is 707 Northridge in Lewiston. Um but I am a property owner at 494 Meadowbrook. Uh the property. Is occupied by my 89-year-old mother, Dolores Perry. The remainder owners are myself, my brother who lives in Amherst, and my sister who lives in Arizona. None of the 3 of us received any notice of this meeting, by the way. I find it interesting that people are talking about Fairway. I don't think most of the neighbors on Fairway have any idea that this is even being proposed. Notices went out to People I know within 500 feet, and this is something that's going to have an impact on people that live more than 500 feet away from this particular person.

Machelor: Your mother was notified.

Roberts: My mother was notified; that's why I know about this.

Machelor: 494

Roberts: Yes, that's why I know about this, but she's not the property owner. The property owners are myself, my brother, and my sister, and we didn't get noticed at any rate. Nobody's talking about the impact on Meadowbrook Drive, which is the most directly impacted parcels. There are 3 houses, of which my mother's is the second in from Lewiston Road. It sits directly on the road that everybody's going to be driving in on. Shutting the road off to Fairway does nothing to help anything; in fact, it even makes it worse because that means everybody's going to be going in and out through the same entranceways onto Lewiston Road. It's going to create traffic backups that are going to basically be sitting in my mother's Backyard, um, lights during the winter months. You know we've got like six months of darkness, starting at like 4 o'clock in the afternoon. Um, the hours that this will be in operation, those headlights are going to be coming directly into those 3 parcels that are around Meadowbrook. So, they're going to be the most directly affected. Um, the 4 criteria I've been through the 4 criteria that you mentioned Mr. Machelor Uniqueness, there is nothing unique about this parcel. When it's being referred to as a commercial parcel, it's not a commercial parcel. My parents owned that house since 1988. It was a church; it was the Church of Latter-Day Saints. There were services; it was never a problem. They occurred during the day on Sunday morning. There weren't hundreds and hundreds of people. It wasn't an everyday for 8 or 9 months out of the year, 4 or 5 hours every day cars coming in and out because that's what happens. And I have a 43-year-old daughter who has

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been involved in dance since she was 3 years old. I know the traffic. I know what goes on. I am very familiar with it, So there's nothing unique about this parcel in terms of the first criteria of uniqueness. It's same elevation, Same terrain as all of the other properties on Meadowbrook and Fairway and across the street on Lewiston Road. Reasonable return. I know the owner is saying that he can't make money because the land is zoned for use as a church, and that's what it was when he bought the parcel. He knew it was an R one parcel at the time he owned it. That's not the neighbor's problems. It's R one just like all their properties were when they bought. You know, His highest rate of return is not to be considered a hardship under the law. The neighbors are aware that the owner has been using the property for other purposes other than a church. Probably a violation of the zoning laws. I understand that there's filming, video or podcasts that have been going on. It's not been disruptive in any way. It's not involved traffic going in or out. I think we've already heard, you know, we're talking evening hours when people who do work that live in the area are at home, that their quiet enjoyment of their property is going to be interrupted because they're going to have all that traffic coming in and out. That isn't there now, and isn't there on weeknights when you have a church on operation for the most part. You know, I know they're saying no that there's not going to be a lot of music, but you can't control what goes on in parking lots as people are waiting to pick people up.

Machelor: You know, I don't have my phone if I had my phone I would look at the map and see what they're talking about because I'm just in my head I don't get it why anybody would drive into Meadowbrook in order to get the Lewiston Road. Why wouldn't they just go to Lewiston Road directly?

Roberts: I'm not talking that they're going to drive into Meadowbrook Drive they are not going to go into Meadowbrook Drive. The driveway, you can see it right on this drawing. You can see it right there. The road in is here. Three houses right along there, right along the road that everybody's gonna be driving into the dance studio.

Talking

Salemi: We own the property.

Warnick: That's part of the entrance.

Roberts: We own the property there's actually about twenty feet of grass that goes right directly blends into my mother and the other two houses

Conti: Where in this picture here is your mother's house? So, here's Lewiston Road Here's Fairway drive.

Roberts: This is the three houses on Meadowbrook. This is the road that people will keep going in and out of right here.

Conti: Well, that's not they own that so it's beyond this.

Roberts: They do own it. The three houses are literally right there.

Machelor: This is Meadowbrook Drive?

Conti: No

Roberts: This is the driveway that services the property.

Conti: So, then they have houses, and then at the street.

Roberts: 3 houses and then Meadowbrook Drive is here.

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Salemi: But We own the street. Can I show you on there?

Conti: Yeah, sure. Come on up.

Salemi: Because a lot of the town, including town cars, you know, park the big trucks in our bog, which we've opened to people pick the apples from our trees, which are open to so this is Lewiston Road. This is our property. This is where Dolores lives and we do love trimming her bushes for her. We know Dolores very well, and we like, Dolores.

Roberts: Actually, they're your bushes.

Salemi: Yeah ok. So, this is ours though, and this grass here is ours and Dolores house is right here, and this what we trim.

Conti: OK.

Salemi: So, but this ours, this ours, this ours, this ours, that's the school, but their property line is pretty much like right back there.

Conti: Okay.

Salemi: So, I can understand that this would be used for the dance studio, but realistically with the Lewiston Dance School showing the parents are going to pull in, drop their kids off, pull out they really aren't going to use this, and they're not having recitals. We do have this that they're not using um so there won't be recitals here because she's Right. And this is ours. She has 8 to 10 cars max on the biggest day, right? Parking?

Novelli: Yeah.

Machelor: For your staff?

Salemi: Yeah

Novelli: My staff is only three.

Salemi: 3 people. So, if a couple parents sit in the lot, it might be 8 to 10 idling cars of toddlers. But we do own all of this.

Conti: Right.

Salemi: All of this but right now. I actually think if they close this, because we own this, we let the neighborhood use this They cut through here, like it's a thoroughfare.

Member: I do.

Salemi: Yeah, and we're okay with that. And I'm telling you; there's apple trees here, And the kids come and pick the apples, and they go back up to their house, and we're okay with that. And the neighbors come and walk through all the time, and we're okay with that. But this from here all of this is ours.

Conti: Okay Can I ask one question there? And I don't know where we're at, at this point.

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Salemi: Yeah.

Roberts: I haven't finished with my statement so.

Conti: Wellum. Okay give me one second, it's alright. I will get right back to ya. If we get to that point, would you be willing to put a six-foot fence up to where the neighbors are.

Salemi: Sure, right now it's actually green covering.

Conti: To Block it from.

Salemi: Yeah, A hundred percent.

Roberts: I can tell you my mother does not want a fence back there.

Salemi: No. Because she loves being part of everybody's like its community activity for your mom included. We like we your mom we communicate with your mom regularly.

Roberts: Yeah, because she has to call you to complain about the grass not being cut around, you know?

Salemi: God Bless your mom.

Roberts: Yes, I know why she's calling you okay?

Salemi: But we would do a fence. But if, if you do a drive by this is all greenery. I understand in the winter, but. But this is not public property. This is ours.

Conti: Okay, all right. Thank you.

Roberts: I've also been contacted by several neighbors on Fairway who were not able to be here today and were happy that I was going to be here to voice displeasure with any thought of this happening because it has not been a commercial property. And you're talking about turning it into a commercial operation. The other thing about these streets is that when Military Road has an accident, it's shut down. And there's going to be the state DOT is going to be coming in. I think it's in 2027 they are going to be shutting down Military Road beginning at where Fairway comes into Military, and they are going to already be diverting traffic on concert nights. Military Road gets backed up, everybody drives through these neighborhoods to start with. That's enough of a problem, let alone with it going on in the backyard as well. In Meadowbrook is barley wide enough for and Fairway as well for two cars to get through it to start with. You're talking about, as it was said, hundreds of families. You're not talking about 8 or 9 idling cars. You're talking about a number of vehicles, you know 50, 75, driving in and out between the hours of 330 and 7 or 8 o'clock at night picking kids up in and out. That's a lot of traffic in somebody's backyard and through a residential neighborhood. This is not a commercial strip it's a residential area. This was always the church. The people that bought there, it was a church. We have services once a week, maybe twice a week, not 4 or 5 days out of the week. This is the owner purchased knowing full well that it was owned for R I and that they could not R 1 and that they could not use it for any other purpose. And I see no reason why that should be changed right now.

Heuck: Just a hypothetical question, what if the owner decided to allow a mosque to come in, which is a place of worship. What would happen then?

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Roberts: That's, that's within the use, And I don't think they're going to be there every day from 3 to 7. That's an allowable use. I would have no complaint. It's an allowable use.

Heuck: Well, call to prayer every day at least three times a day.

Roberts: I don't know that I don't know that that's the case

Heuck: But oh, I've been I've been to a mosque in Istanbul, I'll tell you. Six times a day, prayer call. You are supposed to go three times a day by law under the Sharia law. So, I mean they could do that if they wanted to.

Roberts: The law says that these owners has to meet four factors. I don't see what the neighborhood what the neighbors are complaining. I don't see that the factors are met, and you know, I think it's your job as a board to, Maintain the zoning laws unless they meet the criterion, and don't believe they do.

Conti: Well, that's you know it also I agree with you, but it's also up to us to determine if it meets criteria or not.

Roberts: I totally understand all totally understand that. That's why I am here to voice my opinion as a property owner or adjacent.

Machelor: Okay, thank you. Thank you. Uh, It's an open public hearing. So, anybody else something new?

Novelli: I Just want to say um at the at the max, at any one given point, we have 30 children in the building. That's our max, so and they get dropped off at all different times. Some of them stay for three classes, some of them stay for five. There is never 40 or 50 cars driving through. Never that wouldn't happen too many.

Machelor: Yeah, state your name, please.

Hi, good evening. My name is Kevin Zhang. I am a homeowner at 505 Meadowbrook Drive. I just want to say that this is the I heard about this yesterday. And um this is kind of shocked, there was not provided notice on this.

Machelor: Speak up.

Conti: 505 oh Meadowbrook.

Zhang: I live at 505 Meadowbrook. Kind of appalled, honestly, that I haven't received notice of this at all until today. Just to kind of echo what was previously said before, you know, I purchased the property as a thinking that I was in a residential neighborhood and a school neighborhood. And that's what I hope it stays as. You know, I am concerned about the increase in traffic around the surrounding area. I can say that I speak for a number of the neighbors that weren't able to be here, um, that also heard about this kind of last minute. That they are also opposed to it. Um, and you know, we would like to keep it uh, a residential neighborhood and not allow any kind of variance that you guys are. Uh, considering tonight.

Machelor: Thank you.

Heuck: Thank you.

Machelor: Miss.

Good evening, gentlemen.

Machelor: Hello.

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Belvaca: Hello. My name is Kate Belvaca. I grew up in Youngstown and spent my entire childhood and early life in the community. Although my husband, two children, and I now live in North Tonawanda to be closer to our work, we still choose to drive 30 minutes each way. So, our daughter can attend Lewiston Dance Center because of how special it is to our family. I first walked into the studio as a young girl in the early to mid-1990's as a student of Miss Rachel Novelli. Back then, it became like a second home to me. I learned not only to dance there, but more importantly, I learned self-confidence, discipline, resilience and how to believe in myself. Some of the friendships and relationships I built there have lasted a lifetime. Now years later, watching my own daughter, walk through those same studio doors and experience the same encouragement, support and sense of belonging is an incredibly meaningful to me as a parent. There is something very special about a place that positively shapes one generation and then continues doing the same for the next. Lewiston Dance Center has been a positive part of this community for decades. It provides children with a safe, structured, indoor activity with predictable hours and very little impact on the surrounding neighborhood. Families come, drop off or pick up their children and leave. It is responsible, community focused business that has already shown a long history operating respectfully in Lewiston. The studio's growth reflects how families value what it offers. The students simply need a larger space so they can continue to grow, learn, and experience the love of dance in this community for years to come. I respectfully ask the board to support this variance and support a business that continues, continues to positively impact local children and families, and generations to come. Thank you.

Machelor: Thank you! Yes.

Hi, good evening. My name is Marie Kilmer, and I'm, a resident of the town of Lewiston and a supporter of Lewiston Dance Center. My daughters, Kensley and Marlowe, attend classes there. I support this variance because I believe this is a positive community-oriented use that fits well within the neighborhood. Structured activities that are student-centered will take place here. This will not be a high-impact commercial operation. The activity occurring would be indoors and the hours very predictable with no late-night activity. It will not have any type of negative impact on the surrounding area. LDC has been a part of this community for decades and has built a strong reputation with local families. It provides our children with a safe structured environment where they learn discipline, teamwork, confidence, and commitment. Lewiston Dance also provides students with positive mentorship from teachers and assistants. From my experience, the studio operates in a very controlled and respectful way. This new location will promote efficient drop-off and pick-up procedures as well as no parking on the street. A business that has successfully operated for more than 30 years demonstrates stability, responsibility, and commitment to the community. Lewiston Dance Center has shown that they can operate respectfully, while continuing to serve local families in a positive way. Lewiston Dance Center has become a second home to many families in our area. This is a place where our children grow, not only as dancers but as people. This establishment provides them with a positive outlet that keeps them engaged in something meaningful. Thank you for your time.

Members: Thank you

Machelor: State your name and address

Brittany Makowski, 4713 Perry Court Lewiston New York. Um, thank you for having us here today. Again, my name is Brittany Makowski. I am also uh, a resident of the town of Lewiston, a mom of 3, an educator, and of course a dance mom of Lewiston Dance. Right next door, my daughter also attended dance where they were able to volunteer their time, and she was able to get dance education right there at Sacred Heart, right next door to the property in which we're speaking of. I've also been the previous cheer coordinator for LPYF and cheer, where I have spent a lot of time involved with the families in the community and the amount of. Traffic that has been brought to our community with those sports and Lewiston Dance has nothing like that, so I am happy to let everyone know that. I wanted to speak from a parent's perspective and share how much places like Lewiston Dance matter. It's been such a positive part of my shy daughter's life, where she's gained confidence and

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friendship. Someone that generally doesn't come out of their shell, who is not very social in school, but she is able to open up and be herself in an environment where she feels supported. She's being disciplined, and more importantly, she's exposed to life skills. She knows to be responsible. She has to show up to class on time, she has to be prepared. Um, she has teamwork and commitment, uh respect and perseverance, which is something that we, as Lewiston residents want to, to produce and bring into our community. We want our children to be productive citizens of this community in which we are. Um the studio's indoor and for all the years that I have gone there, she's been there the previous 5 year, but I've been a resident longer. There is not even traffic to get in and out with favorites there, so that hasn't become an issue at all. And it's been a major part of our own household. The local businesses, they continue to thrive for decades because they care about the families. That's why they're surviving; they are family, not just a business. So as a mom and someone who works with children every single day. I truly believe our community benefits from places like this. Our kids need positive outlets and families need local organizations that we trust. I'm grateful that our community has places like Lewiston Dance for children and families, And I'm hopeful that these relationships will continue to grow, and more students will have the opportunity for a positive experience just as mine has. Thank you.

Machelor: Thank you. Miss Just wait a minute, just wait a minute, Miss uh, I'm, just going to insert these because there are comments that came from the community about this and I want to make sure that they're in there. Uh, uh, Lorraine Backs of 498 Meadowbrook Road. She wrote an email to the building department that she voted against uh, the changes. And so. Uh we have another letter from a woman named Maureen Phillips; she lives at 508 Meadowbrook. She sent a long letter that we're going to enter completely into the record. She's opposed to any zoning changes. Miss?

Good evening, my name is Kingsley Kilmer and I am 11 years old. I've been a dance student at Lewiston Dance for 10 years. I wanted to speak tonight because this studio has had a huge impact on my life. Dance has taught me confidence, commitment, and perseverance. This commitment is something I use every day. I have been balancing dance, school, chorus, and softball. Dance has taught me the discipline to manage my busy schedule and keep working out, keep working hard. It has also given me friendships in a place where I feel supported and encouraged to grow. I believe moving to the new location would be a positive step for us. The thought of a larger, more accessible facility is exciting because it means we will have the space to try new steps and learn even bigger routines. For many students, the studio is like a second home. It gives kids a positive outlet after school and a place where we can express ourselves, stay active, and be a part of something truly worthwhile. Melissa Nance has created so many opportunities for children in these area in this area over the years. And I know it has made a positive difference in the lives of many families, including mine. Thank you for taking the time to listen to my thoughts.

Machelor: Thank you

Conti: Thank you.

Machelor: Anyone else? Yes, ma'am.

Hello, good evening. Thank you for allowing me the opportunity to speak tonight. My name is Nina Sweete, I live in Youngstown, I'm a teacher at the Lewiston Porter PEC, a lifelong member of the community and am a parent of two children who have attended the dance school for the past 7 years and take a combined 16 classes. I also grew up dancing there myself alongside two of the current owners, So I've had the unique opportunity to see this business impact our community across multiple generations. What stands out to me most is that this is not just a dance studio. It is a stable, positive, Community centered organization that has already proven itself in Lewiston for the past 33 years. They provide a safe environment for children and families, and they do it with professionalism and consistency. From a practical standpoint, the requested use is very compatible with the surrounding area. It's an indoor operation with scheduled hours. They do not have late night party activity, and there is little to no daytime activity. Families arrive and leave in an organized way, and there has been an

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established history of operating responsibly within our community. As someone who works with children every day, I firmly believe it is vital that we continue supporting positive businesses that invest in young people and give families constructive opportunities close to home. Keeping organizations like this in Lewiston matters. The relocation is a reflection of their success and growth. I believe approving this request allows a well-established local business to continue serving families in a way that benefits the broader community. Thank you for your time.

Machelor: Thank you, thank you, yes,

Hi. I'm Jamie Zuccaro, and I live at 542 Meadowbrook Drive. Um, I can walk right to the proposed facility. Um, I have no objection to the studio at the proposed site. Um, I'm fully in support of the variance. Um, the proposed site has been previously occupied for community center use. So, it is ideal being that it does have the um um on off- road parking. Uh it has consistent reasonable hours we have all mentioned that. And the instruction does take place inside. My daughter has been dancing there for years too. I can see it firsthand. They manage it in a professional way. The dance center has been a successful business serving our community and our children respectfully for 30 years. You've heard that repeatedly, and like she said earlier, A lot of people don't even know they're there because they do a good job at managing with the children. They've been longstanding positive reputations in that area for a long time. The owners and teachers aim to instill strong values with a commitment to excel in all their students, both on and off the dance floor. That's the kind of students that are at this facility. As a parent currently attending, I see it firsthand that this business is Operate in a professional manner with respect for its neighboring community. Backing local organizations, such as this reinforces the tight knit community that we cherish in Lewiston, and it's important to our youth. The Lewiston Dance Center moving their home to this location would have a positive influence on the local community. And the neighboring private school, which has unfortunately experienced a decline in their student population in recent years. This bringing in some parents and guardians of school-aged children, a close proximity is going to be a great potential for some increased enrollment. My daughter went to Sacred Heart Villa for 7 years. I think we all know the nuns very well who are in support of this. I spoke to them yesterday. I am very close to them. Miss Rachel helped in their school a lot. I only see a positive impact there for them. I want to say that for 7 years, having to drive in and out of the villa, which their parking lots are very similar. You access in, you access out on Lewiston Road, and I had to drop off and pick up during rush hour. There's never been any issues with traffic. I have experienced it 7 years myself. It's very it's very smooth. The proposed park uh the proposed site having its own parking lot instead of Shared with multi businesses that it's currently in is so much safer for our children. As a parent, that is important to me first and foremost. It's always going to be the safety of the children. Growing up in a neighboring city of Niagara Falls and being a Lewiston resident myself for 18 years, I would never advocate for something I felt had a negative impact on the place I call home. Lewiston dance being present in our neighborhood will continue to be a safe and healthy opportunity for the children of this town. I'd also like to add, there are owners of this building currently and they maintain it, but lately it feels vacant. And as a neighbor in there, and I see the vacant feel to me. I just feel like unoccupied buildings tend to be a blight on a neighborhood and provide no positive gains for our community. And we're talking about a company that's well established, not one that is going to come in, a church that's going to close and always present an empty, unsafe building. I don't want that near me, to be honest. And are we knowing that there's something going in there that's already successful, that has a powerful impact on this community? I just think. I truly feel. You'd be hard pressed to find a better business to share our neighboring community with.

Machelor: Thank you.

Conti: Thank you.

Machelor: Yes, sir.

Adjust the mic a little bit here. So, my name is Tim Rogers. I'm at 534 Morgan Drive in the town of Lewiston. I've been a Lewiston resident my entire life, so my connection to Lewiston Dance is my wife teaches there. She's been

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a part of Lewiston Dance since she was about 3 years old. So, she didn't just grow up there she never left in 2015 she became an instructor, and for the past 3 years, has also taken on the role of director, working directly under Rachel. She grew up contributing too, and that's one of the things that Lewiston Dance does so well. She was able to as a younger dancer serve as a demonstrator in classes, helping with the younger students, and that was long before she ever held the title of instructor. So that's a lifelong connection to this institution. That's nearly 30 years of one family's life just woven into a place. That's not a customer relationship; that's a community bond. So, Lewiston Dance has called 781 Cayuga Street home for many years now, and in that time, it has built a reputation as one of the most trusted and well-run youth programs in the area. Their operation, as we heard, is organized well managed. The hours are predictable. Activity is entirely indoors the families drop off and pick up students in a calm, structured way. Which, if anyone's been at favorites at night, can get a little crazy. So, the safety of the children is one of the things that we talk about too. Traffic and noise never been a concern, and that's not going to change at the new location. So, what brings us here tonight is a good problem to have because Lewiston Dance has grown beyond the capabilities of what Cayuga Street can accommodate. They're not going anywhere they've proven that they've gone through COVID; they've been there for 30 years. This move to Lewiston Road will allow them to expand their reach and offer more classes and serve even more local children and families than they can today. This property at Lewiston Road definitely deserves a new life. I've seen the vacancies as I drive by every day. Um, I can think of few better uses than a thriving community rooted based dance studio, uh given its proximity to Sacred Heart Villa and the character of that area, um this is a compatible low impact use for the property. This is not an intensive commercial operation by any means. It's children just learning to dance in a building that has always served the community. So, approving this variance is an opportunity to invest in the growth of something that already works. It's proven, we're keeping those students, those families, and this positive energy right here in Lewiston, where we want it and where it belongs. So, I respectfully ask for you to support this variance request. Thank you.

Machelor: Thank you!

Good evening. Hi, my name is Karen Jorgensen. I live here in the town of Lewiston at 4724 Hickory Lane. I am a mom of 4 children who I have raised here. I am also an educator here in the village of Lewiston for over 20 years. Um, I am here in support of the use variance at 5234 Lewiston Road for Lewiston Dance. Um, my family has been a part of Lewiston Dance for over 10 years. I currently have my two children, Amelia and Caroline, dance there. Lewiston Dance has a very special, very special part of our lives. They mean the world to me. Over the years, this studio has become much more than just a place for my girls to dance. It has given my girls confidence. They've built friendships. They have positive role models from older dancers from their teachers. And we have formed so many great memories there. Dance is something they truly look forward to every week. That's also something I look forward to. From my experience as a dance mom, this studio is very well managed. They are very organized and they are very respectful of the community. Pickups and drop-offs move very quickly. I've never seen an issue with parking or traffic. All activities take place indoors on a very regular schedule. I do not see or believe it would create any problems with traffic or noise. Sorry, I get shaky when I talk about it. Lewiston Dance has already been a part of this community for many years, and they've had a very positive impact. I think this move would allow them to continue growing. While also giving this older building a new purpose, I strongly believe this is a positive step for the studio and the children it serves. I hope you will approve this request, so children can continue benefiting from everything Lewiston Dance has to offer, including confidence, a safe place to grow, and everlasting friendship. Thank you.

Machelor: Thank you! Yes ma'am.

Good evening. My name is Kristen Olszewski. I live 359 Bratton Drive, but I am the office manager at Lewiston Dance. I am also a parent of dancers and a mom of 4 active children in this community. From a parent's perspective, Lewiston Dance provides a safe, structured environment that teaches discipline, teamwork, confidence, and builds everlasting friendships. As an employee of Lewiston Dance, I have witnessed firsthand the

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growth and development of these children. It's incredibly rewarding to watch our youngest dancers turn into leaders and role models for the next generation. Last weekend was our dance recital. The support these kids have for one another is so uplifting. My 8- year- old sobbed the entire ride home after learning that the senior dancers were going off to college and would no longer be their assistant teachers. The bonds that these kids form are unmatched. Regarding the property's location, we are certain we can handle the traffic effortlessly. Our current location in the mini plaza is less than ideal for parking and / or traffic, and we have managed this without incident for the last 33 years. We plan to uphold the same standards in respect for the neighboring community. Our community our community needs more positive youth activities like this, and opportunity for a larger studio means we can offer this outlet to even more children. Please consider this opportunity for the future of our youth. Thank you.

Machelor: Thank you!

Conti: Thank you!

Heuck: Thank you!

Good evening. My name is Mara Gagliardo and I am an 11th grade student at Lewiston Porter High School. I have danced at Lewiston Dance for over 10 years now, And I wanted to speak because the studio has been a very important part of my life. It is more than just dance classes. It is a place where students learn discipline, teamwork, responsibility, and confidence. As a young girl, I was quite shy and would never leave my mother's side. But when I had first entered Lewiston Dance, I was met with complete kindness and understanding. I was greatly encouraged by my new teachers supporting me. To this day, I thank my dance teachers and especially Miss Kathy because without her, I wouldn't have even gone in. She helped me come out of my shell and built my confidence. The teachers truly care about us, and the studio gives many kids a positive place to go after school. I've personally grown a lot because of being there, both as a dancer and as a person. I have also built some of the greatest friendships through the studio. Some that I will always cherish and hold for many years to come. By seeing these younger dancers throughout the week, practicing the same passion that I've always had, I can't help but feel so thankful for such an incredible studio where children can grow and have a place that I consider a second home. When we are at dance, we are inside taking class. I don't think I've ever been outside of the studio playing around, uh focusing on learning and practicing. It is respectful, a respectful and family-oriented environment, And I support the request for the new location because our studio has outgrown its current space. And this new building would allow more students and families to continue participating. I also believe the studio would be a positive addition to the community. Thank you for taking the time to listen and consider supporting Lewiston Dance Center.

Conti: Thank you!

Machelor: Thank you. Public hearings open any further comments? Yes, Ma'am?

Hello everyone, my name is Julie Berrigan and I reside at 451 Fort Gray Drive. Thank you for being here. I really know this is an important ask and process ahead of you. I stand here as a parent of a dancer and also as a neighbor just on the other side of Lewiston Road. I had the honor to know the previous owner of the building, Louise Morgan, who was extremely generous to academic institutions and uh Christian faith. She was a kind woman who knows maybe even a dancer at some point. I'm also a runner and sometimes visit this immediate neighborhood that we were speaking of tonight. Dennis and Ronnie, I probably cut through your illegal road there or I illegally cut through it often. Um, I can tell the homeowners take pride in their homes rightfully in the neighborhood. And I can also tell you that the owners and the many caring and committed teachers of Lewiston Dance take pride in their studio and have a sincere desire to give a new opportunity to the many different dancers that grace our studio. We're a caring group of parents who know this studio is sincerely interested in expanding opportunities. For our children, please do not think of us as the typical dance moms you may see on TV. I am a

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middle child and I firmly believe that when we all work together, we can create win-win-win situations. Should Lewiston Dance have the honor to move up the hill, I know parents will be respectful of whatever parking and drop-off procedures need to be put in place for the neighborhood. Parents are grateful to Lewiston Dance for the life skills it instills in the future leaders of our community. As you've heard, dance in my humble opinion is both an art and a sport. My daughter puts countless hours into her routines. She becomes stronger and more mature each year through her competitive team. She helps her fellow dancers, and she simply has fun in a safe space. It's truly her second home, and we could not be more grateful. We can't predict the future, Yet I can guarantee the residents of this neighborhood, and the council members serving tonight have a big win with Lewiston Dance should be, should we be able to adopt a variance. I've recently seen other buildings in Niagara County, churches in particular, sold to outside non-local groups and other religious organizations. Who knows what will become of those buildings and those neighborhoods in the future? Yet I do know, Lewiston Dance would not disappoint you in the consideration of this variance. And I'm just nearly certain Louise would be smiling down to see such young women, praising her old building. Thank you for your time.

Machelor: Thank you! Thank you. Is there anyone else that would like to speak to this issue? Okay, I'm going to close the public hearing.

Conti: Do you want to close the public hearing or leave it open? I would Leave the public hearing open at this point. **Like the motion, just to the table, considering that some, we heard that some residents in the area were not notified, and we need some additional information from uh Salemi's as far as your financial resources. So, I want to the table this until...**

Salemi: We have some here if you need like taxes, utilities, all that.

Conti: Yeah. Um. But not now. Yeah, I mean present...

Salemi: You know our taxes. So, you know that rent would barely cover the taxes, but we would love for the property to not be vacant.

Conti: Right. But we got we'll get that information to the building department and then we'll table this till our June meeting, uh, which will be...

Novelli: Can I say as a business, they kind of need to plan.

Machelor: You know, I think we have to remain that the comments about the dance, dancers and education and all that are kind of secondary to what we're here for. It's nice to know all of those things; I call them mitigations, but you know, we have what we have to do is fairly complicated. Whether we can actually do what he would like, we don't know that we can. **So, we're going to study it, table it, and we'll have to meet here next month and render a decision. So, do we have a second?**

Conti: Hold on a sec hold on one second.

Novelli: No, I just I'm wondering because all these people were so kind to say such wonderful things about us.

Conti: They're all on the record.

Novelli: Okay, thank you.

Conti: Yes, everything is was being taped so.

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Audience member: So, what would be the next notice to the neighbors? I guess is within 500 hundred feet. What is the next step on this?

Warnick: Same considerations as with the first one.

Machelor: The same considerations as with the first one.

Masters: We don't send out another for a table.

Conti: Okay, right? And we did follow code.

Masters: All the surrounding properties were notified.

Conti: Ok.

Audience member: So, we received our letter notifying us that this was happening too. You can look at the postmark date so, I mean, everyone has. There were dates on the envelopes.

Machelor: Well, there was testimony that an owner wasn't notified. Because...but the...

Conti: They were notified by mail though. The house was notified.

Machelor: The property was notified. You can't always know who the owners are.

Audience member: Right.

Machelor: Okay, so we have a motion on the floor.

Heuck: Seconded

Machelor: Okay, motion made and seconded any discussion on board. Okay? Hearing none, I'll call the question. All those in favor of table say AYE

Members: Aye.

Machelor: Opposed?

Fontana: Me. Aye.

Machelor: Are you an "aye" or a "nay"?

Fontana: I'm an "aye." Opposed

Machelor: You're not opposed, Tim Poll the Board.

Masters: Lou Fontana: No, Dave Warnick: Aye, Norm Machelor: Aye, Joe Conti: Aye, Gary Heuck: Aye

Machelor: Four to one. Ok that's it. Vote for adjournment

Heuck: Motion

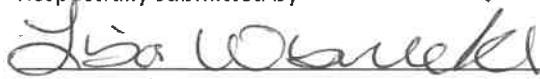
Warnick: Second

Machelor: Motion made in second to adjourn all those in favor say AYE

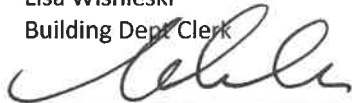
Members: AYE

Machelor: Ok we are adjourned. Thank you for coming.

Respectfully submitted by

A handwritten signature in cursive script, appearing to read "Lisa Wisnieski", written over a horizontal line.

Lisa Wisnieski
Building Dept Clerk

A handwritten signature in cursive script, appearing to read "Norman Machelor", written over a horizontal line.

Norman Machelor
Chairman

