

ZONING BOARD OF APPEALS
Town of Lewiston 1375 Ridge Road
Lewiston, New York 14092
Thursday – September 11, 2025
Agenda- Randy Kirker 2045 Langdon Road (A)

Present: Conti, Fontana, Heuck, Machelor, Warnick

Presiding: Norman Machelor, Chairman

Pledge of Allegiance

A motion to approve the minutes of August 14, 2025, was made by Heuck, seconded by Warnick and carried.

Machelor: If you have not attended a Zoning Board of Appeals meeting before, the task of the Board is to deny or grant requests to vary the Town of Lewiston Code, hence a variance request to allow or disallow 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 to prohibit a project as presented. With that I will open the public meeting on...given the public meeting on given the public hearing on the zoning board of appeals Town of Lewiston on September 11th 6 pm for Randy Kirker Ransomville 2059 Langdon Road. Are you here. Would you approach the microphone and tell us your name and address and what you want to do.

Randy Kirker 6363 Ward Road in Sanborn right now, going to be moving to Langdon Road and I am getting a pole barn put up and I want to make it 24 feet 8 inches instead of 20 whatever the max is right now.

Conti: 18 right now.

Kirker: 18.

Machelor: Ok. So, you know that's a code and that's why we are here. Can you tell us why you need 24 feet 8 inches.

Kirker: Well, I race cars and I restore cars and I gotta be able to get my trailer in the door. Ok. And the way Tim figured it and the guy at Parco building figured it in order to get the building at the right angle the roof would have to raised up. So, I can get the trailer and the lift inside the building.

Machelor: Are they larger equipment than normal.

Kirker: Yeah.

Machelor: Well, I certain not an expert in that equipment. A lot of people come here and ask for variances height of pole barns and so on and so forth and we approve them or disapprove them every once in a while.

Kirker: Right.

Machelor: That's pretty substantial, that's like 6 feet a third bigger than it's supposed to be.

Kirker: Right yeah, I know.

Machelor: And so... Who would like to ask a question about that, would that be necessary?

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Fontana: Is this an enclosed car trailer that you use.

Kirker: Yes.

Fontana: And you put it on the lift and then you raise...

Kirker: The trailer I don't.

Fontana: Oh.

Kirker: I take the trailer into the garage its like 10 feet high, the garage door gotta be so high.

Fontana: Yeah, yep.

Kirker: And once I get it in there, I put the cars on the lift so I can work on the vehicles.

Fontana: I have one in my garage and my ceilings only 11 feet I got a 4 post and is it a 4-post lift or what is it.

Kirker: Well, I'm going to have a couple lifts one is going to be a 4 post lift the other ones going to be one of lifts that you drive out of raise it up and put another car underneath it.

Fontana: That's what I have now.

Kirker: That's what you have now.

Fontana: Yeah.

Kirker: Then I am going to have the other one that goes underneath it.

Fontana: 2 posts. I still don't think they need the 24 feet. Have you looked into the lifts? Or do you have them now?

Kirker: I've looked at them and everything. I know guys that have gotten them and everything.

Fontana: What are they telling you ceiling wise?

Kirker: They told me when the ceilings like 14 foot high.

Fontana: They make all kinds of lifts today for low...but anyway I have one in my garage that was put in in March and my ceilings only 11 feet. What kind of car do you have that you work on?

Kirker: Well, I got a whole bunch of them. 2 pickups, antique cars, regular someday I plan on getting motor home too, I don't have it right now but someday I plan on. So, the roof would have to be higher to get that in there.

Fontana: To put it on the lift and rise that. The doors would have to be higher not the roof.

Kirker: Yeah, the doors would have to be higher.

Fontana: I mean you have plenty of space.

Talking

ZBA- 09-2025 (A)

Fontana: Well, you got 12-foot doors you really got probably a foot above that for the ldl that they use for the headers so you're at 14 feet. I don't know why they need 24 feet.

Members talking

Conti: Just a quick question about the size of the pole barn is going to be 60 by 80 correct.

Kirker: Yeah.

Onti: Does that have any bearing as far as the height of the roof.

Kirker: Well yeah it would I would imagine because it would have to be a certain angle.

Conti: Right so I am wondering if that's going to be part of the issue Lou.

Fontana: Well, it all depends on what pitch they are using. Does it show you does it fall on 12 or 3 on 12. 4 on 12. It doesn't say on the paper I have it looks like a 4 on 12 from what I am guessing.

Talking

Warnick: Yeah 4 12 so that's not super steep.

Fontana: Because its 60-foot width the further you go out to try and get that 4 12 the higher the ridge is going to be. So...

Members talking

Fontana: I don't know much they would be able to drop the width and they could run on a like a 3 12.

Members talking

Conti: How far back?

Kirker: From the Road?

Conti: Yeah

Kirker: Lets see the house is 140 probably 180 feet back from the road.

Members talking

Conti: The new building would be how much from the road.

Kirker: It should be the house is 140 I think so I'm thinking...

Conti: That's what this shows.

Kirker: Oh ok.

Conti: This shows 140 so I would say its probably going to 180

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Members talking

Kirker: That 120 is this way I think.

Talking

Conti: How much of it can you see from the road? Will you be able to see the pole barn from the road?

Kirker: Oh yeah you will be able to see it This part here.

Conti: Can you go back up to the mic. It just makes it easier for...

Kirker: How much will you see? Well, if you pull in the driveway there's woods on this side and there's woods on this side so you will be able to see the house and you would be able to see the front of the pole barn but that's about it. Because there's woods on both sides.

Conti: Ok.

Machelor: Ok. Any further questions?

Conti: Does it effect the wetlands where you are putting this at all?

Kirker: No, the wetlands on the other side of the creek.

Conti: Ok.

Machelor: Ok so I think what we are looking at here is the reason that you need that height is because of the width of the building.

Kirker: That's what Tim says I am not a builder.

Machelor: In other words, if we said well why don't you just make it 40 feet wide then no problem.

Kirker: Right.

Machelor: But you want 60-foot-wide building that's going to mean your going to need a steeper roof.

Kirker: Right.

Machelor: Ok. Well, I'll take a motion.

Conti: No, you got to ask if anyone else...

Machelor: Oh ok. This is a public hearing so if anyone else would like to speak to this issue. No one here. Ok. I will close the public hearing and ask the Board if anyone would like to make a motion.

Conti: I'll make a motion.

Fontana: I'll second it.

ZBA- 09-2025 (A)

Conti: Well, I gotta make the motion first. I am getting there. Based on the board's discussion and the following considerations. Whether an undesirable change would be produced in character of the neighborhood or detriment to nearby properties no, he's got 8 ½ acres you're not going to see just the front of the property.

Heuck: You got a SEQRA to do.

Conti: That's right ok. Let me do this I will set this put and then we will do the SEQRA. Does it matter?

Seaman: No, you're ok to do it that way.

Conti: Ok. And then the side road there is actually zoned industrial I think if I am not mistaken. Whether the benefit sought by the applicant can be achieved by a feasible alternative to the variance it can but then it wouldn't produce what he needs to get the cars and his lift and stuff in there. Whether the variance request is substantial it is and it isn't considering that we have been trying to get the law changed the zoning law changed for height variances. So, the way the law states today yes, it is substantial but. Would the variance have an adverse impact on the physical and environmental conditions of the neighborhood no. Whether the alleged difficulty was self-created yes, its self-created because you want it.

Kirker: Right.

Conti: Based on those 5 determinations factors the Board...The Zoning Board determined the benefit of the variance to the applicant outweighs any detriment to health, safety and welfare of the community and the variance request is minimum necessary and the variance be granted to 24 foot 8 inches. Because I think the original variance showed just 24 Foot.

Kirker: Right, Tim...when I seen Tim he said see if they will give you another 8 inches.

Conti: So that's what we are doing 24 foot getting approved for 24 foot 8 inches.

Machelor: Second?

Fontana: I'll second.

Machelor: We have a motion made and seconded. Any further discussion from the Board?

Conti: Real quick.

Machelor: Can we do this motion first?

Seaman: Typically, you do your SEQRA first. I really don't think its going to make a difference today.

Talking

Conti: Briggett, you want to poll the Board.

Cogland: Joseph Conti: AYE, Lou Fontana: AYE, Gary Heuck: AYE, Norm Machelor: AYE, Dave Warnick.

Machelor: Ok the motions passed. We have another motion.

Heuck: So, I would like to make a motion that a negative declaration for the SEQRA.

Warnick/Conti: I'll second that.

Machelor: Dave seconded it.

Conti: Dave second it.

Machelor: Ok motion on negative declaration on SEQRA. I'll call for the vote. All those in favor say yes, AYE.

Members: AYE

Machelor: Ok that's approved.

Conti: So that was approved 24 foot 8 inches approved.

Machelor: So, see Tim for all necessary stuff.

Kirker: Ok that you guys very much.

Talking

Machelor: Alright motion to adjourn.

Warnick: Second

Machelor: All those in favor say AYE

Members: AYE

Machelor: We are adjourned.

Respectfully submitted by



Lisa Wisnieski
Building Dept Clerk



Norman Machelor
Chairman