



## Monday, November 18, 2024, 7PM - ZBA Meeting Minutes

## Brant Town Hall

### I. Call to Order:

Chairman Broughton, noting a quorum was present, called the meeting to order at 7:05pm.

### II. Attendance Roll Call:

All members were present along except alternate Hannah Broughton who was excused.

### III. Approval of Previous Meeting Minutes:

Previous meeting held was on August 26, 2024. A motion to approve the August 29, 2024 minutes as presented was made by Paul Cesana and seconded by Christopher Czech. A roll call vote was called, all were in favor, motion carried 5-0.

### IV. Reading of Open Hearing Public Notice:

#### Case # 2024-04 - 1207 Milestrip Rd - Setback Area Variance: Joseph & Allison Braxton, SBL 283.00- 4-8

The Open Hearing Public Notice was read by Secretary Barbara J Daniel.

### V. Motion to Open Public Hearing:

A motion to open the Public Hearing was made by Paul Cesana and seconded by Richard Vespa. A roll call vote was called, all were in favor, motion carried 5-0. The public hearing was opened at 7:10pm.

The Planning Board recommendation letter was read by Secretary Barbara J Daniel. A complete case package with relevant information for the case was presented to the board, this included the planning board recommendation letter that the case be approved. All paperwork was in order. The applicant Joseph Braxton presented his case addressing the variance request. The board asked some questions to the applicant and they were answered satisfactorily. No other interested parties attended or sent in letters of comment.

### VI. Motion to Close Public Hearing:

A motion to close the Public Hearing was made by Frank Broughton and seconded by Christopher Czech. A roll call vote was called, all were in favor, motion carried 5-0. The public hearing was closed at 7:18pm.

### VII. Deliberation & Decision:

**SEQR Determination:** A motion was made by Frank Broughton and seconded by Richard Vespa acknowledging this case is a Type II SEQR set back variance, no other action is required. A roll call vote was called, all were in favor, motion carried 5-0.

After discussing the case, and working through the required 5 considerations, on occasion asking for input from the applicant, the following motion was made by Paul Cesana, after considering all the factors presented during the deliberation and presentation from the applicant I make a motion to approve with no conditions the area variance application for the side yard setback approved to 35 ft. Also for the ZBA Chairman to file the case in the Town Clerk's office within 5 days in resolution form per town code. The motion was seconded by Christopher Czech. A roll call vote was called: Paul Cesana - Aye, Richard Vespa - Aye, Frank Broughton - Aye, Christopher Czech - Aye, Kathy Vespa - Aye. Motion Carried 5-0. The application was approved.

### VIII. New Business

Paper work was passed out for ZBA Case 2024-05 - 1078 Milestrip Rd. This case is for five separate area variances and needs to be sent to the Erie County Planning Board and the Town of Brant Planning board for their recommendation. The Board discussed who we are requiring the applicant to notify when the hearing date for this case is determined by the ZBA chairman. A motion was made by Frank Broughton and seconded by Paul Cesana to require the applicant to notify the following addresses: 1071, 1073, 1074, 1077, 1091, and 1100 on Milestrip Rd. A roll call vote was called, all were in favor, motion carried 5-0.

### IX. Motion to Close the Meeting

A motion to close the meeting was made by Frank Broughton and seconded by Kathy Vespa. A verbal vote was called and all were in favor, motion carried 5-0. Meeting was closed at 8:10pm.

Respectfully Submitted,  
Barbara J Daniel - Secretary