

**Minutes of the Village of Williamsville Zoning Board of Appeals held at Village Hall, 5565 Main Street, Williamsville, New York, on Wednesday, April 19, 2023, at 7:00 p.m.**

Chairman Andrews opened the meeting at 7:00 pm with the Pledge of Allegiance.

Roll Call: Present: Richard Andrews, Chairman  
William Tuyn, ZBA Member  
James Celeste, ZBA Member  
Patricia Fulwiler, ZBA Member  
Christine Petrie, ZBA Member

Also present: Charles Grieco, Village Attorney  
Bridget Prichard, Building & Zoning Clerk  
Dan Delano, Trustee Liaison

Rick Andrews asked if everyone received the Minutes.  
Bill Tuyn stated he had not. A copy was given to him to review.

**On the agenda:**

**(1) PUBLIC HEARING**

**ZBA LOG #-2023-ZBA-02**  
*Special Use Permit*

**47 Milton St. (R-3)**

**PUBLIC HEARING**

**Log #2023-ZBA-02**

**47 Milton St. (R3)**

**Special Use Permit**

*Applicant wishes to apply for a special use permit to operate a Short Term Rental within The Village.*

Rick Andrews opened public hearing for 47 Milton St.

Rick Andrews read the items in the file. He confirmed the Fire Inspection was completed on 4/18.

Mary Pryshlak from 47 Milton St. was present.

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Rick Andrews read from section 112-12A (2) (b) of the Village code regarding short term rentals.

Mary Pryshlak stated she owns the duplex and it has not been rented out in 10 years because she has three children who have lived there. She said they have all moved out, and the right apartment is now empty. She does not want to rent the apartment. She stated she has two parking spaces, she lives there full time, and she will maintain the property herself. She also stated they just did updates on the property.

Rick Andrews asked if she knew how she was going to rent it out.

Mary Pryshlak advised she planned on doing Airbnb, and word of mouth.

Rick Andrews stated he did not see anyone in the audience to speak in favor, or against the request so he asked the Board if they had any questions.

Bill Tuyn asked if there was a separate entrance.

Mary Pryshlak stated the front door opens up to two separate doors.

James Celeste asked if she spends most of her time at the residence.

May Pryshlak stated she does, other than going on vacation.

No other questions.

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**(2) PUBLIC HEARING**

**ZBA LOG #-2023-ZBA-03**

*Area Variance*

**5 Arend Ave. (R-3)**

**PUBLIC HEARING**

**Log #2023-ZBA-03**

**5 Arend Ave. (R3)**

**Area Variance**

*Applicant wishes to apply for a Variance regarding fence height, and Transparency*

Rick Andrews read the contents of the file, and the permit denial emailed from The Town of Amherst.

Robert Mckeehan the owner of 5 Arend Ave. was present. He stated prior to the meeting him, and his wife met with their immediate neighbors Mr. Gregory Woodrich at 46 Belmont, and Abbey Bacak of 13 Arend to discuss the plans for their yard, and the proposed variance for the height, and layout of the fence. He said there was nothing about transparency in his application. He said both neighbors had no objections. He said the reason he wanted a variance was for the fence height to meet the pool code. He is on a corner lot, and the Belmont side of his property would require a three foot fence, or a variance.

Rick Andrews asked where the in ground pool would located.

Robert Mckeehan asked to approach with his survey. He showed where the pool, fence, and his shed would be located.

Rick Andrews asked why he is not putting the fence directly around the pool.

Robert Mckeehan answered that him and his wife were working with a landscape designer, and she did not want a fence directly around the pool. They wanted to do stone, and a lounging area around the pool. He stated he did not have a drawing from the landscape designer yet.

Rick Andrews stated he just wanted him to be aware that a fence could still be 10-20 feet away from the pool, and would not require a variance. He entered a photo of the fence Mr. Mckeehan is proposing into record.

Robert Mckeehan advised that he had spoken with Tim and the second Variance he applied for was for distance, not transparency. He stated he wanted to take the Belmont side fence towards the property line, about 12 feet. He stated they wanted this variance to contain the children while

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they are outside playing, he discussed the distance at 12 feet from the property line, and 19 feet away from the street, and the fence will not obscure the view for traffic.

There was discussion about the distance from the property line, and fence location.

Bill Tuyn stated he has a problem moving forward without a drawing. He stated they needed specific drawings, and surveys.

There was discussion about the different requirements for different fences.

Bill Tuyn stated he would like to table until they can see some detailed drawings.

Rick Andrews stated that due to the transition Tim Masters wasn't able to sit down and go over all this information with him. He stated would like to hear it again next month so that he has time to get more information together.

**ON MOTION** by Patricia Fulwiler and seconded by James Celeste it was moved to **Adjourn** until the May 17, 2023 Meeting.

**Motion Carried. 5-0**

Rick Andrews adjourned the Public Hearing.

Rick Andrews began to discuss 47 Milton St. He stated all the criteria has been met as far as the code goes.

Bill Tuyn advised the applicant she needs to be present when she is renting it out.

Rick Andrews asked Chip Greico what would trigger a revocation of the Special Use Permit.

Chip Greico advised any violation of the code could trigger a revocation. He also advised they are able to put reasonable conditions on the approval.

There was continued discussion about terms, and conditions for a short term rental.

Bill Tuyn believes the Village Board should look at the code so they are not discussing the conditions on every application.

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The Board agreed.

Dan Delano will bring it up at the first Village Board meeting in May.

**ON MOTION** by Bill Tuyn and seconded by Pat Fulwiler it was moved to **Approve** to grant the Special Use Permit.

**All in favor.**

**.Motion Carried. 5-0**

**ON MOTION** by James Celeste, seconded by Bill Tuyn, it was moved to adjourn.

**All in Favor.**

**Bridget A. Prichard**

Building and Zoning Clerk

**Date of the next scheduled Zoning Board of Appeals meeting: May 17, 2023 at 7:00 p.m.**