

Town of Pomfret  
Zoning Board of Appeals  
Pomfret Town Hall  
9 Day Street  
Fredonia, NY 14063

**May 5, 2026**  
**Hearing # 2-26**  
**6:30 PM**

***DRAFT MINUTES***

APPLICANT/OWNER:

Lawrence Gollnitz  
4272 Osborne Rd  
Fredonia, NY 14063  
SBL: 147.00-1-7  
Area Variance

PRESENT: David Fridmann (Chairman), Ruth Eckstrom, Michaelene Comerford, Jonathan Townsend (Alternate), Nicole Waite (Zoning Clerk)

ABSENT: Ray Lewnadowski, Alex Moon

PUBLIC PRESENT: Lawrence Gollnitz Sr. (Applicant), Lawrence Gollnitz Jr.

1. **CALL TO ORDER:** Chairman Fridmann called the meeting to order at 6:30 PM.
2. **ACCEPTANCE OF MEETING MINUTES:** A motion was made by Michaelene Comerford to accept the minutes of Public Hearing #1-26 Lisa Boarman. The motion was seconded by Ruth Eckstrom and carried unanimously.
3. **NOTIFICATION OF MEETING:** Chairman Fridmann read the published Public Hearing Notice aloud.

**“NOTICE IS HEREBY GIVEN** that Public Hearing #2-26 will be held by the Pomfret Zoning Board of Appeals on May 5, 2026, at 6:30 PM at Pomfret Town Hall, 9 Day Street, Fredonia, NY 14063 to consider the appeal of Lawrence Gollnitz, for an Area Variance for property located at 4272 Osborne Rd, Fredonia, NY 14063. This property is described on the tax map as SBL:147.00-1-7.

The proposed action is the construction of a 24x30x12 pole barn for farm equipment storage. The structure does not meet the Town of Pomfret’s Zoning Code Section 300-3-1 B4 “Yard Setbacks – Primary yard street”. The property is zoned Agricultural (AR).

This Area Variance application is open to inspection at the Town of Pomfret Planning & Zoning Office, 9 Day Street, Fredonia, NY 14063.

**PLEASE TAKE FURTHER NOTICE** that the environmental significance of the proposed request under SEQRA will be reviewed by the Board at said hearing.

Any person may appear in person, or by agent or attorney. Please contact the Zoning Office at (716)672-7496 Ext. 7 with any questions. Communication in writing in relation thereto may be filed with the Zoning Clerk or at such hearing. All interested persons shall be heard.

4. **CORRESPONDENCE:** Clerk Waite received a response from the Chautauqua County Department of Planning and Development regarding the 239 Mandatory Referral, which states: “the proposal would be a matter of local concern.” Copies were distributed to the Board. No other correspondence was received.
5. **SEQR PART 1 REVIEW:** The board reviewed the Part 1 SEQR submitted by the applicant. It was agreed that #9 should be changed to ‘Yes’. No other changes were made.
6. **PROJECT DISCUSSION:** Chairman Fridmann asked the representative to introduce themselves and describe the project.

Lawrence Gollnitz Sr. explained that he’s proposing to put the new pole barn in front of his existing barn, using the existing driveway to access it. No alteration will be made to the road entrance. The building will be used for agricultural storage. It will be constructed mostly by himself and made of metallic gray corrugated steel. It will have a gravel floor, with plans for a cement floor in the future. The building will have no windows, only an overhead door and man door, which will face east towards the house. It will not have electricity or water.

He reported that the existing barn is roughly 100 feet from the road, which is the minimum front yard setback in Pomfret’s Zoning Code. The proposed pole barn will be 55 feet from the road, with approximately 25 feet between it and the existing barn. This will provide enough space for a hay elevator to go between.

When asked where the well and septic tank are located on the property, he answered that the well is on the west side of the property. His septic tank is located behind the house, where nothing is driven over. There is also lean-to on the property that is old but has been fixed up recently due to wind damage.

7. **PUBLIC COMMENTS:** Chairman Fridmann opened the public comment portion of the hearing. No comments were made.
8. **SEQR DECLARATION:** The board reviewed the Short Environmental Assessment Form Part 2 and discussed each question. The decision for each was ‘No, or small impact may occur’. Chairman Fridmann noted that this action qualifies as Type II action, under 617.5C(9).

Ruth Eckstrom made a motion that a Negative Declaration for a Type II Action be made for the requested Area Variance for the construction of a 24x30x12 pole barn at 4272 Osborne Rd, NY 14063 [SBL: 147.00-1-7].

The motion was seconded by Michaelene Comerford and carried unanimously by roll call vote.

**ROLL CALL:**

1. Ray Lewandowski – ABSENT
2. Alex Moon – ABSENT
3. Ruth Eckstrom – AYE
4. Michaelene Comerford – AYE
5. Jonathan Townsend (Alternate) – AYE
6. David Fridmann – AYE

**9. DECISION:** The Board reviewed its criteria for granting area variances and determined the following:

- a. The addition of an agricultural building will produce no undesirable change in the character of the neighborhood nor would a detriment to nearby properties be created by granting the variance. Osborne Rd and the surrounding area are predominately agricultural and rural residential;
- b. Upon a visual review, the terrain of the lot does not appear to have another area that would allow construction of the pole barn without yards of fill;
- c. The requested area variance is 45% of the minimum front yard setback, making it significant;
- d. The proposed variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or district. The building fits into the typical use of an Agricultural District; and
- e. The applicant inherited the property, including the existing barn. Therefore, the alleged difficulty is not self-created.

Ruth Eckstrom made a motion to grant an Area Variance to Lawrence Gollnitz of 4272 Osborne Rd, Fredonia, NY 14063 [SBL: 147.00-1-7] for the construction of a 24x30x12 pole barn 55 feet from the road.

The motion was seconded by Michaelene Comerford, and carried unanimously by roll call vote with the following conditions:

- The pole barn must be constructed in compliance with NYS Building Codes; and
- Any future electrical improvements to the barn must be installed to NYS Codes and inspected for compliance by an appropriate professional.

**ROLL CALL:**

1. Ray Lewandowski – ABSENT
2. Alex Moon – ABSENT
3. Ruth Eckstrom – AYE
4. Michaelene Comerford – AYE
5. Jonathan Townsend (Alternate) – AYE
6. David Fridmann – AYE

- f. **ADJOURNMENT:** Michaelene Comerford made a motion to adjourn the hearing at 6:56 PM. The motion was seconded by Jonathan Townsend and carried unanimously.

Respectfully Submitted,

*Nicole Waite*

Nicole Waite

Planning & Zoning Clerk, Town of Pomfret