

ZONING BOARD OF APPEALS MINUTES

June 22, 2011 at 7:00 p.m.

Present: Michelle McIntyre, Chairman Robert Whitman
 Thomas Danielson Douglas Hooper
 Richard Nygren Attorney Joel H. Seachrist

A public hearing was held before the Zoning Board of Appeals of the Town of Busti on Wednesday, June 22, 2011 at 7:00 p.m. at the Town of Busti Administration Building, 121 Chautauqua Avenue, Lakewood, New York, to consider the following applications: (Legal Notice was placed on file.)

Application of Busti Church of God, 996 Forest Avenue Extension, Jamestown, New York, for an administrative variance (area variance under the sign provision of the zoning code, 91-804 [2]) to affix a 75th anniversary (announcement) banner to the Family Life Center building and leave the banner in place for the year of 2012.

Douglas Hooper made the following motion which was seconded by Richard Nygren. I make a motion to grant the application of Busti Church of God, 996 Forest Avenue Extension, Jamestown, New York to fasten an 8' x 40' vinyl banner to the family life center. The banner will be on the building for the entire calendar year of 2012. The property is located at Section 420.00, Block 3, Lot 37 of the official tax map of the Town of Busti.

All aye.

Application of Gerald Mazzetti, 4376 West Summit Street, Lakewood, New York, for an area variance to construct a fence on said property, which is owned by Gerald and Beverly Mazzetti. Property is known as Section 385.05, Block 4, Lot 20 of the official tax map of the Town of Busti and is in the Conservation Residential District.

The Board reviewed the balancing test for (Area Variance Findings & Decision which is part of the records).

Richard Nygren made the following motion seconded by Douglas Hooper: The record will show that the benefit to the applicant does not outweigh the detriment to the neighborhood. The application is denied.

Application of Mark and Carla Stringer, 1747 Forest Avenue, Jamestown, New York, for an area variance to construct a pavilion on said property. Property is owned by them and is known as Section 404.01, Block 1, Lots 12 and 13 of the official tax map of the Town of Busti. Property is in the Conservation Residential District.

The Board reviewed the balancing test for a variance and determined that the benefit to the applicant outweighed any detriment to the neighborhood. Robert Whitman made the following motion which was seconded by Thomas Danielson: I make a motion to grant the application of Mark and Carla Stringer, 1747 Forest Avenue, Jamestown, New York, for an area variance to construct a pavilion on said property. Property is owned by them and is known as Section 404.01, Block 1, Lots 12 and 13 of the official tax map of the Town of Busti. Property is in the CR District. They are going to be constructing a 24' round pavilion. The overhang on the pavilion can be no closer than 1'

from the north boundary to the property line.
All aye.

Application of Daniel Mangione, Director of the Goose Creek Corporation, 2429 West Lake Road, Ashville, New York for an area variance to subdivide parcels into three substandard lots for deeding purposes. The property is owned by Goose Creek Corporation and is known as Section 384.00, Block 2, Lot 3.2 of the official tax map of the Town of Busti. Property is in the Multi-Residential District. After review of the application it was determined that upon any building revision on these three sub-standard lots, the owner would have to apply to both North Harmony and Town of Busti for a use variance.

The Board reviewed the balancing test for a variance and determined that the benefit to the applicant outweighed any detriment to the neighborhood. The following motion was made by Thomas Danielson and seconded by Richard Nygren:

I made a motion to grant the Application of Daniel Mangione, Director of the Goose Creek Corporation, 2429 West Lake Road, Ashville, New York for an area variance to subdivide parcels into three substandard lots for deeding purposes. The property is owned by Goose Creek Corporation and is known as Section 384.00, Block 2, Lot 3.2 of the official tax map of the Town of Busti. They want to sub-divide three lots, indicated on survey done by Frederick M. Manguso Land Surveying, P. C., Project No. 2011156, Lot 1 will be .53, Lot 2 will be .42 and Lot 3 will be .58. The motion is to make the three separate lots depicted from the survey map.

All aye.

Motion made by Douglas Hooper, seconded by Thomas Danielson to adjourn at 8:20 p.m.

Respectfully given,
Diane M. VanDewark
Town Clerk