

Zoning Board of Appeals Minutes  
July 25, 2012

Present: Michelle McIntyre, Chairwoman  
Douglas Hooper  
Robert Whitman  
Richard Nygren

Also present: Chris & Leslie Charles, Craig Underwood, Cathy & David Koebelin, Donald & Theresa Budzinski, Janet S. Nowak, Gerald A. Egner, Mike & Maureen Goodman, Cherrie Lictus, Mark L. Luciano, Peter Radka, John Shetler, Tad Wright, Judy Schultz, Clayton Nickerson, Amanda McKane, and Nancy Morrison.

A public hearing before the Zoning Board of Appeals of the Town of Busti was held on Wednesday, July 25, 2012, at 7:00 p.m. at the Town of Busti Administration Building, 121 Chautauqua Avenue, Lakewood, New York, on the following applications:

Application of Craig Underwood, 2137 Southwestern Drive, Lakewood, New York, for an area variance to build an addition to his home. Property is owned by him and known as Section 386.00, Block 1, Lot 8 of the official tax map of the Town of Busti. Property is in the Multi-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. Douglas Hooper made a motion to grant the application of Craig Underwood. The addition is to be built on the north side of the house, between the house and the driveway. The addition is to measure 9' x 14', it is one story and to be no closer than 25' to the north boundary. Seconded by Richard Nygren, all aye. Carried.

Application of Christopher & Leslie Charles, 962 Pewter Rock, Lakewood, New York, for an area variance to add an in ground pool on said property. Property is owned by them and is known as Section 385.03, Block 1, Lot 25.7.4 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 a motion to grant the application of Christopher & Leslie Charles. The construction of the in ground pool will be in the rear of their property. The fence and concrete will be no closer than 12' to the north boundary and no closer than 12' to the east boundary. It will be enclosed by a 54" high metal fence. Seconded by Richard Nygren, all aye. Carried.

Application of Amanda McKane, 3584 Mead Road, Jamestown, New York for a Special Use Permit to operate pet grooming shop out of her home. Property is owned by Nancy Morrison and is known as Section 420.00, Block 1, Lot 30.1 of the official tax map of the Town of Busti. Property is in the Conservation Agricultural District. Richard Nygren made a motion to grant the application of Amanda McKane for a 3 year Special Use Permit, expiring January 2016, to operate a pet grooming shop. The hours of operation will be 8 am to 5:30 pm, Monday through Friday; or by special appointment. Seconded by Douglas Hooper, all aye. Carried.

Application of Michael & Maureen Goodman, 138 Clarence Street, Bradford, Pa. for an area variance to build a new home located at 2474 Lakeside Drive, Ashville, New York. Property is owned by them and known as Section 367.20, Block 4, Lot 12 & 13 of the official tax map of the Town of Busti. Property is in the Multi-Residential District. There was discussion, regarding the new home, with the Board, Mr. & Mrs. Goodman, and area residents along with their attorney. 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 a motion to grant the application of Michael and Maureen Goodman. They will be constructing a two story home on the existing property. The house will be a maximum width, including the overhangs, of 42'. It shall be no closer than 5' to the southeast boundary and no closer than 9' to the northeast boundary. The owners have agreed to position the home 5' closer to the garage from the original drawing. There will be a deck with a pergola off the front, the pergola will not have a solid roof and no awnings should be added to the house. The new home will meet all specs as required by the Building Inspector. Seconded by Douglas Hooper, all aye. Carried.

Motion made by Richard Nygren to adjourn the meeting at 8:12pm, seconded by Robert Whitman. All aye. Carried.

Respectively Given,

Darlene Nygren  
Deputy Town Clerk