

**Town of Urbana  
Zoning Board of Appeals  
Minutes  
October 21, 2009**

**Board Members Present**

Richard Watson	Chairman
Charlie Egresi	Board Member
Richard Frey	Board Member
Bob Domras	Board Member
Robert Magee	CEO
Carly McConnell	Recording Secretary

**Board Members Absent**

Nichole Dresser  
Michael Adams

**Others Present**

Bob & Pat Stuart      Ken Sofio  
Keith & Bonnie Gustin

The Town of Urbana Zoning Board of appeals held a public Hearing on October 21, 2009 at the Town Hall.

Chairman, Watson opened the Public Hearing at 7:03PM.

Chairman, Watson stated he had a quorum.

Public Notice was placed in the Corning Leader. Notice was read by Chairman, Watson. Notice on file with the Town Clerk's Office.

Keith & Bonnie Gustin, 8976 Trio Drive, Hammondsport; has applied for a variance to build a new home at 8976 Trio Drive.; pursuant to Town code 105-16 R. They are applying for a 2' variance on the northeast and southwest corners of the proposed project.

Chairman, Watson indicated that meeting notification letters were sent to all neighbors. The Board received a letter from Edgar Sanford; who objects to the project.

The Board received the M239 response from the County Planner; deferring judgment to the Board.

The Board received a written response from the Town Planning Board; recommending a denial for area relief and asked the Board to pay attention to the 10' right of way as it pertains to the new construction and neighbors lot. Mr. Gustin addressed the Board, stating the 10' right of way was extinguished when Ken Sofio purchased the property. Mr. Gusting provided the Board with a copy of the new deed.

This project has been declared a Type 2.

Mr. Sofio addressed the Board (Lot #5, to the north). Mr. Sofio is in favor of variances being granted. He stated that if the applicants were denied the variances; the new structure would restrict his view.

Mr. Shuart (neighbor to the south) addressed the Board and is in favor of the variances.

CEO, Magee stated that the applicants will still have to go the Planning Board to determine if they can build on the site.

Mrs. Gustin addressed the Board, regarding a notice of decision dated 9/9/06 from CEO, Robert Magee; indicating the lot #6 is a buildable lot.

Mr. Domras made a motion to close the public hearing at 7:40PM. Seconded by Mr. Frey. All in favor.

Chairman, Watson opened the Regular Meeting at 7:42PM

Minutes were reviewed from the June 19, 2009 meeting. Mr. Frey made a motion to approve the minutes of June 19, 2009 as submitted. Seconded by Mr. Egresi.

Planning Issues:

A meeting will be held on Nov 4; regarding the Cavallaro application

New Business

Keith & Bonnie Gustin Application#2009-063: The Board reviewed and completed the VR2 Variance Findings & Decision. Mr. Domras made a motion to approve the findings and decision conditional that any new construction will not be closer than 8' from the side yard lot lines & meets all applicable building codes and permits. Seconded by Mr. Frey.

Roll Call Vote

Frey	Aye
Egresi	Aye
Domras	Aye
Watson	Aye

Mr. Frey made a motion to adjourn. Seconded by Mr. Domras. All in favor.

Meeting adjourned at 8:21PM

Respectfully Submitted

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Carly McConnell, Recording Secretary

