

**Town of Urbana  
Zoning Board of Appeals  
Minutes  
MAY 21,2008**

**BOARD PRESENT:** Chairman Richard Watson, Nichole Dresser, Charlie Egresi, Robert Domras, and Richard Frey

**OTHERS PRESENT:** Edward & Delia Stull, Jan & Terry Harrington, Ian Wydra (Contractor for Stull) Dawn Hawley (Secretary)

The Town of Urbana Zoning Board of Appeals held a Public Hearing on May 21, 2008 at the Town Hall at 7:00 p.m.

Chairman Watson opened the Public Hearing at 7:00p.m.

Watson stated that we have a quorum.

Public Notice is on File with the Town Clerk Office.

Application 2008-019 Edward Stull at 9028/9030 West Lake Rd Hammondsport had resubmitted an application for a variance for a 3ft 6” side setback code 105-16 c1b for a set of stairs for the side of his home. Mr. Stull’s case was heard on April 16<sup>th</sup> and tabled until May 21, 2008.

Board Member Domras asked Stull if he could tell the board what changes were made with the drawing. Mr. Stull said that he changed the walkway in to steps to go down the side of house to a stone landing. The new plans show that the steps are 42” wide and the rise & run are up to code. Board Member Egresi asked weren’t the original step 36” wide and a 6x6 landing. Mr. Wydra said that the 42” would allow a railing system to bring large items up and down the steps.

Mr. Harrington a neighbor of Mr. Stull’s spoke to the Board and let them know he was opposed to this Variance request.

Chairman Watson asked if anyone had any question? No Reply

Chairman Watson closed the Public Hearing at 7:18p.m.

Chairman Watson opened the regular Board Meeting at 7:19p.m.

A quorum was present.

**OLD BUSINESS:** To approve Minutes from February 28, March 12, 19, and April 16.  
Board Member Dresser motion to approve minutes of Feb 28, March 12, 19 with  
amendments and corrections, seconded by Frey

**ROLL CALL VOTE**

Dresser aye  
Egresi aye  
Watson aye  
Frey aye  
Domras abstain

Motion to approve April 16 minutes with amendments and corrections was made by  
Board Member Domras, seconded by Dresser

**ROLL CALL VOTE**

Dresser aye  
Egresi aye  
Watson aye  
Frey aye  
Domras aye

The application from tonight public Hearing was discussed after discussion on history of  
different Variance that Mr. Stull has had in the past and the crowding of the neighbors.  
The Board completed a VR2 Variance Findings & Decision.  
Domras motion to accept the Findings & Decision second by Frey

**ROLL CALL VOTE**

Dresser aye  
Egresi aye  
Watson aye  
Frey aye  
Domras aye

Board Member Domras motion to deny the Variance second by Frey

**ROLL CALL VOTE**

Dresser aye  
Egresi aye  
Watson aye  
Frey aye  
Domras aye

Chairman Watson told Mr. Stull he would receive his notice of Action VR3 with in Five  
Business days of the Meeting.

**NEW BUSINESS:** Doug Malone letter of appeal

Board Member Egresi said that this letter from Mr. Malone was written back in December of 2007 and addressed to the ZBA, which Previous Chairman Scott Burg, Supervisor Gardiner and Attorney Flynn took upon themselves to write a letter back to Mr. Malone with out the whole ZBA Board to review it. The letter was asking for an Administrative Review Hearing regarding the SCAP Project at 41 Lake Street, Hammondsport NY. Malone concern was that Urbana Building/Watershed Inspector Terry DeBuck gave SCAP a Building Permit. Letter from Malone attached to Minutes.

Board Member Domras accepted the letter from Mr. Malone, but not able to appeal this decision because The ZBA has no Jurisdiction over Building/Watershed Inspector Terry DeBuck. The Board Asked the Secretary to write Mr. Malone a letter to let him know that we have received his letter at the May 21, 2007 meeting and to let him know what conclusion the Board came to.

Chairman Watson gave all the Board a training paper for future training for Zoning.

Frey Motion to close the meeting Dresser Second it all were in favor.

Meeting was adjourned at 9:05 p.m.