

REGULAR MEETING
September 2, 2008

Supervisor Sullivan called the special board meeting to order at 12:10 p.m. on September 2, 2008 at the Town Administration Building, 121 Chautauqua Avenue, Lakewood, New York with the following members present:

Supervisor Kathleen A. Sullivan
Councilman Paul R. Hazzard
Councilwoman Marsha L. Hern
Councilman Lyle T. Hajdu - absent
Councilman Richard A. Sanders - absent

Tim Sullivan and Jay Eckert were in attendance for the adoption of Local Law No. 2 to amend zoning regulations for churches.

Supervisor Sullivan opened the hearing for Local Law No. 2.

Proof of publication was placed on file.

No one else was in attendance for the public hearing.

Supervisor Sullivan moved to close the hearing.
All aye.

Councilman Hazzard moved to adopt the following local law which was duly seconded by Supervisor Sullivan

Town of Busti
Local Law No. 2 of 2008
AMENDING ZONING REGULATIONS FOR CHURCHES

Be it enacted by the Town Board of the Town of Busti, County of Chautauqua and State of New York, as follows:

SECTION 1. DEFINITIONS

Section 91-202 is hereby amended to add a new definition of "Church" and amend the definition of "Semi-public", which now shall provide as follows:

CHURCH - Any structure used for worship or religious instruction, including social and administrative rooms accessory thereto.

SEMI-PUBLIC – Institutions for the aged and children, nurseries, non-profit colleges, hospitals, libraries, cemeteries, and institutions of a philanthropic nature. Also open space.

SECTION 2. CHURCHES IN THE C-A DISTRICT

Section 91-410(3) is hereby amended to add a new use permitted by special use permit

issued by the Zoning Board of Appeals, which shall be appended to the current list of such uses, as follows:

- *Churches, subject to site plan review under Section 1402.*

SECTION 3. CHURCHES IN THE C-R DISTRICT

Section 91-420(3) is hereby amended to add a new use permitted by special use permit issued by the Zoning Board of Appeals, which shall be appended to the current list of such uses, as follows:

- *Churches, subject to site plan review under Section 1402.*

SECTION 4. SITE PLAN REVIEW

The first sentence of Section 1402(6) is hereby amended to provide as follows:

To review, recommend and approve (prior to the issuance of a use permit) site plans for mobile home parks, churches, commercial or industrial buildings or uses.

SECTION 5. SEVERABILITY

The provisions of this local law are severable. If any provision of this local law is found invalid, such finding shall not affect the validity of this local law as a whole or any part or provision hereof other than the provision so found to be invalid.

SECTION 6. EFFECTIVE DATE

This local law shall take effect immediately upon its filing in the office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

Upon roll call vote, all aye.

Councilman Hazzard requested Town Clerk Diane M. VanDewark to send out a survey to residents on both sides of Busti-Stillwater Road on hooking up to water.

Councilman Hazzard offered the following motion which was duly seconded by Councilwoman Hern:

RESOLVED, that Tolman Engineering is authorized to do the plans necessary for water extension on Park Street off of South Main Street.

Upon roll call vote, all aye.

Supervisor Sullivan offered the following motion which was duly seconded by Councilwoman Hern:

RESOLVED, that Supervisor Sullivan be authorized and directed to pay the presented General Fund, Highway Fund, Joint Recreation and Hazeltine Public Library bills for Abstract No. 17 from warrant #610 to and including #641 in the amount of \$85,705.62.

Upon roll call vote, all aye

Upon motion made by Supervisor Sullivan the meeting adjourned at 12:40 p.m.

Diane M. VanDewark, Town Clerk

