

**TOWN OF SOMERSET  
ZONING BOARD OF APPEALS  
OCTOBER 17, 2023  
6:00 pm**

**CALL MEETING TO ORDER**

**AREA VARIANCE HEARING**

- Owner/Applicant: Christopher Graham  
Project Location: 8716 Lakeview Drive  
Project: Construction of a 24' x 58' principal dwelling having a 13' side-setback on the east and west side property lines where a minimum of 15' is required on each side and also having 50' of frontage where 100' is required

- Owner/Applicant: David & Pamela Straitiff  
Property Location: 9533 Somerset Drive  
Project: Construction of a 215 square foot addition to the southwest side of the principal dwelling to be located 6' from the west line of the premises where a minimum of 15' is required

**APPROVAL OF MINUTES**

September 5, 2023

**COMMUNICATIONS**

**OLD BUSINESS**

**NEW BUSINESS**

Decision regarding variance applications for C. Graham and D & P Straitiff

**ADJOURNMENT**



Date: 9-13-23

TO: ZONING BOARD, TOWN OF SOMERSET

Pursuant to Article \_\_\_\_\_ Section \_\_\_\_\_ of the Code of the Town of Somerset, application for a Variance is hereby made:

Size of Lot: 50 x 194

(Include Site Plans showing frontage and setbacks and construction plans showing all facilities and proposed uses.)

Location: 8716 Lakeview Dr SBL # 2.14-1-82

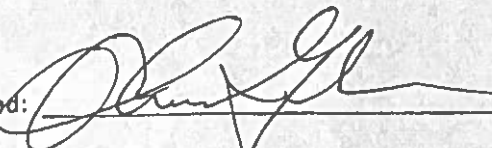
Use District: \_\_\_\_\_

Owner: Chris + Penny Graham Applicant: Chris + Penny Graham

Address: 8716 Lakeview Dr Address: \_\_\_\_\_  
Barcker NY 14012 \_\_\_\_\_

Site Plan

See Attachment

Signed: 

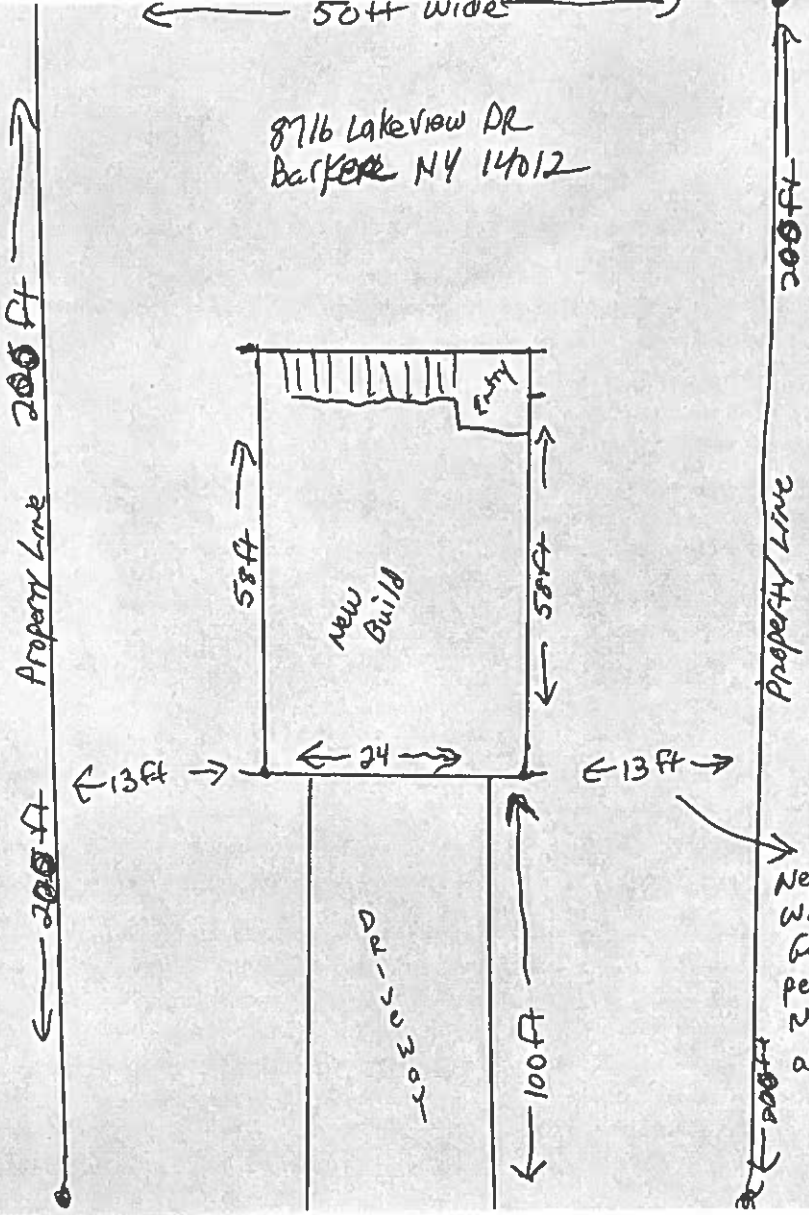
Date: Sept 13, 2023

Neighbors property

Neighbors property

50ft wide

8716 Lakeview Dr  
Barker NY 14012

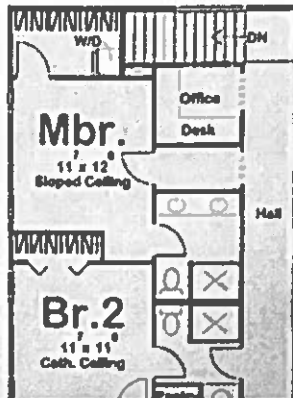
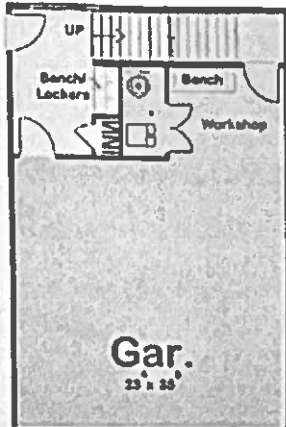


Please Note  
New Build is same  
width as old existing  
Garage. We have obtained  
permission from both  
neighbors to build back  
at the same widths

05-20-2023

# LAKE FRONT HOUSE PLAN 963-00420

SQ FT	BEDS	BATHS	1/2 BATHS	STORIES	CARS	WIDTH	DEPTH
1,318	2	2	0	2	2	24' 0"	58' 0"



CLOSE

er modification.





## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

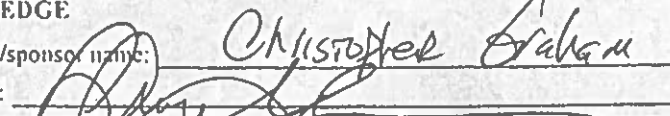
**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
Chris Graham - New Build @ 8716 Lakeview Dr.			
Name of Action or Project: Building of New - Garage / Apartment - 3 Bedroom / 2 Bath			
Project Location (describe, and attach a location map): 8716 Lakeview DR Barker NY			
Brief Description of Proposed Action: Build 3 bd, 2 bath apartment over garage for residential use.			
Name of Applicant or Sponsor: Christopher Graham		Telephone: 540-533-5764	
		E-Mail: CJS66GRAHAM@yahoo.com	
Address: 8716 Lakeview Dr			
City/PO: Barker		State: NY	Zip Code: 14012
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:		NO	YES
		<input checked="" type="checkbox"/>	<input type="checkbox"/>
3 a. Total acreage of the site of the proposed action?		.25 acres	
b. Total acreage to be physically disturbed?		<del>1300 SF</del> acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.25 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify) _____			
<input type="checkbox"/> Parkland			

5. Is the proposed action,	NO	YES	N/A
a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	NO	YES	
	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	NO	YES	
	<input type="checkbox"/>	<input checked="" type="checkbox"/>	
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input checked="" type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
16. Is the project site located in the 100 year flood plain?	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES b. Will storm water discharges be directed to established conveyance systems (runoff and storm drains)? If Yes, briefly describe: _____ <input checked="" type="checkbox"/> NO <input type="checkbox"/> YES	NO	YES	
	<input checked="" type="checkbox"/>	<input type="checkbox"/>	



18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)? If Yes, explain purpose and size: _____ _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>
19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility? If Yes, describe: _____ _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>
20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste? If Yes, describe: _____ _____	NO  <input checked="" type="checkbox"/>	YES  <input type="checkbox"/>
I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE. Applicant/sponsor name: <u>Christopher Graham</u> Date: <u>9-13-23</u> Signature: <u></u>		





Date: 9/18/23

Zoning  
TO: ~~PLANNING~~ BOARD, TOWN OF SOMERSET

Pursuant to Article \_\_\_\_\_ Section \_\_\_\_\_ of the Code of the Town of Somerset, application for a ~~Special Use Permit~~ is hereby made:  
Variance

Adding to the front of the house, maintaining the side setback that already exists. The setback does not conform to existing code.

Size of Lot: 78' x 221 +/-

(Include Site Plans showing frontage and setbacks and construction plans showing all facilities and proposed uses.)

Location: 9533 Somerset Dr. SBL# 3.10-1-8

Use District: Residential

Owner: David & Pamela Straitiff Applicant: Pamela Straitiff 716-870-8978

Address: 9533 Somerset Dr Address: 9533 Somerset Dr  
Barker, NY 14012 Barker, NY 14012

Site Plan

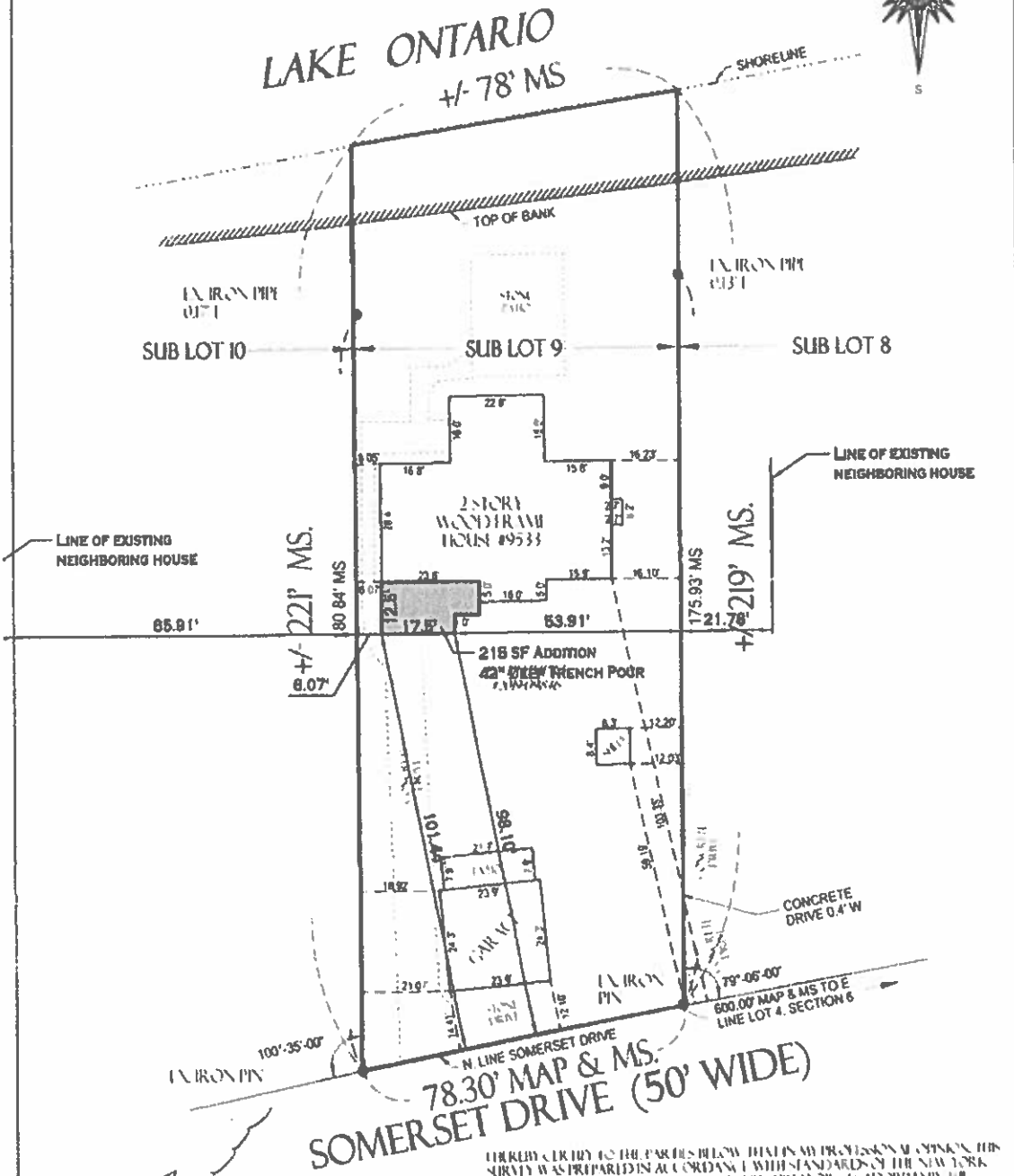
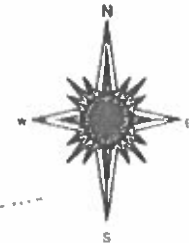
see attached

Signed: *Pamela Straitiff* Date: 9/18/23

**LEGEND**  
 EX=EXISTING C=CENTERLINE L=LINER P=PAGE MS=MEASURED D=DEED  
 N=NORTH S=SOUTH E=EAST W=WEST STY=STORY WF=WOOD FRAME  
 CONC=CONCRETE OH=OVERHEAD PP=POWER POLE P=PORCH GAR=GARAGE  
 CH=CHAIN OL=ONLINE TJB=TELEPHONE JUNCTION BOX YN=WITH  
 FJB=ELECTRIC JUNCTION BOX

Project # 2021-08-DD  
 May 6, 2021

SURVEY OF  
 PART OF LOT 4, SECTION 6, TOWNSHIP 16, RANGE 5  
 OF THE HOLLAND LAND COMPANYS SURVEY  
 TOWN OF SOMERSET, NIAGARA COUNTY, NY  
 SCALE: 1" = 30'



SUBJECT TO:  
 WATER DISTRICT #2 OF THE TOWN OF  
 SOMERSET EASEMENT L - 1443 P - 533

MAP REFERENCE:  
 BOOK 41 OF MICROFILMED MAPS AT PAGE 4077

ONLY PRINTS OF THIS SURVEY MAP MARKED WITH AN ORIGINAL SIGNATURE AND  
 AN EMBOSSED SEAL SHALL BE CONSIDERED TO BE VALID TRUE COPIES  
 UNAUTHORIZED ALTERATION OR ADDITION TO THIS SURVEY MAP IS A VIOLATION OF  
 SECTION 7209 PROVISION 7 OF THE NEW YORK STATE EDUCATION LAW

HEREBY CERTIFY TO THE PARTIES BELOW THAT IN MY PROFESSIONAL OPINION THIS  
 SURVEY WAS PREPARED IN ACCORDANCE WITH STANDARDS OF THE NEW YORK  
 STATE ASSOCIATION OF PROFESSIONAL LAND SURVEYORS AS ADOPTED BY THE  
 NIAGARA COUNTY LAND SURVEYORS ASSOCIATION. THIS SURVEY IS VALID  
 ONLY TO THOSE SAID PARTIES DURING THE PERIOD THAT THE CURRENTLY ISSUED TITLE  
 INSURANCE POLICY IS IN EFFECT. NO CERTIFICATE WITH SURVEY EXTENSION IS  
 SUBSEQUENT OWNERS, MORTGAGEES OR THE INSURORS UNLESS THIS SURVEY IS  
 EXTENDED FOR THE PURPOSE BY THE SURVEYOR

David M. Straiff  
 Pamela T. Straiff  
 Premium Mortgage Corporation its successors and/or assigns, as their interests may appear  
 D'Aurizio Law Offices, PLLC  
 Chicago Title Insurance Company

**BICKLE LAND SURVEYING**

4063 DAY ROAD  
 LOCKPORT, NY 14094  
 PHONE: 716-434-8401  
 FAX: 716-434-2255

517 A MAIN STREET  
 MEDINA, NY 14103  
 PHONE: 585-798-6357

## Short Environmental Assessment Form

### Part 1 - Project Information

#### Instructions for Completing

**Part 1 - Project Information.** The applicant or project sponsor is responsible for the completion of Part 1. Responses become part of the application for approval or funding, are subject to public review, and may be subject to further verification. Complete Part 1 based on information currently available. If additional research or investigation would be needed to fully respond to any item, please answer as thoroughly as possible based on current information.

Complete all items in Part 1. You may also provide any additional information which you believe will be needed by or useful to the lead agency; attach additional pages as necessary to supplement any item.

<b>Part 1 - Project and Sponsor Information</b>			
<b>Pamela Straitiff</b>			
Name of Action or Project: <b>9533 Somerset Dr. addition</b>			
Project Location (describe, and attach a location map): <b>9533 Somerset Dr. Barker, NY SBL #3.10-1-8</b>			
Brief Description of Proposed Action: <b>small master bathroom addition to front of the existing house</b>			
Name of Applicant or Sponsor: <b>Pamela Straitiff</b>		Telephone: <b>7168708978</b>	
		E-Mail: <b>pstraitiff@carminawooddesign.</b>	
Address: <b>9533 Somerset Dr</b>			
City/PO: <b>Barker</b>		State: <b>NY</b>	Zip Code: <b>14012</b>
1. Does the proposed action only involve the legislative adoption of a plan, local law, ordinance, administrative rule, or regulation? If Yes, attach a narrative description of the intent of the proposed action and the environmental resources that may be affected in the municipality and proceed to Part 2. If no, continue to question 2.			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
2. Does the proposed action require a permit, approval or funding from any other governmental Agency? If Yes, list agency(s) name and permit or approval:			NO <input checked="" type="checkbox"/> YES <input type="checkbox"/>
3 a. Total acreage of the site of the proposed action?		.39 acres	
b. Total acreage to be physically disturbed?		.005 acres	
c. Total acreage (project site and any contiguous properties) owned or controlled by the applicant or project sponsor?		.39 acres	
4. Check all land uses that occur on, adjoining and near the proposed action.			
<input type="checkbox"/> Urban <input type="checkbox"/> Rural (non-agriculture) <input type="checkbox"/> Industrial <input type="checkbox"/> Commercial <input checked="" type="checkbox"/> Residential (suburban)			
<input type="checkbox"/> Forest <input type="checkbox"/> Agriculture <input type="checkbox"/> Aquatic <input type="checkbox"/> Other (specify): _____			
<input type="checkbox"/> Parkland			

	NO	YES	N/A
5. Is the proposed action, a. A permitted use under the zoning regulations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Consistent with the adopted comprehensive plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6. Is the proposed action consistent with the predominant character of the existing built or natural landscape?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Is the site of the proposed action located in, or does it adjoin, a state listed Critical Environmental Area? If Yes, identify: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
8. a. Will the proposed action result in a substantial increase in traffic above present levels?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Are public transportation service(s) available at or near the site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c. Are any pedestrian accommodations or bicycle routes available on or near site of the proposed action?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
9. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
10. Will the proposed action connect to an existing public/private water supply? If No, describe method for providing potable water: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
11. Will the proposed action connect to existing wastewater utilities? If No, describe method for providing wastewater treatment: _____	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
12. a. Does the site contain a structure that is listed on either the State or National Register of Historic Places?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Is the proposed action located in an archeological sensitive area?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
13. a. Does any portion of the site of the proposed action, or lands adjoining the proposed action, contain wetlands or other waterbodies regulated by a federal, state or local agency?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b. Would the proposed action physically alter, or encroach into, any existing wetland or waterbody? If Yes, identify the wetland or waterbody and extent of alterations in square feet or acres: _____	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
14. Identify the typical habitat types that occur on, or are likely to be found on the project site. Check all that apply: <input checked="" type="checkbox"/> Shoreline <input type="checkbox"/> Forest <input type="checkbox"/> Agricultural/grasslands <input type="checkbox"/> Early mid-successional <input type="checkbox"/> Wetland <input type="checkbox"/> Urban <input type="checkbox"/> Suburban			
15. Does the site of the proposed action contain any species of animal, or associated habitats, listed by the State or Federal government as threatened or endangered?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
16. Is the project site located in the 100 year flood plain?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
17. Will the proposed action create storm water discharge, either from point or non-point sources? If Yes, a. Will storm water discharges flow to adjacent properties? <input type="checkbox"/> NO <input type="checkbox"/> YES	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b. Will storm water discharges be directed to established conveyance systems (minoff and storm drains)? If Yes, briefly describe: _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>



<p>18. Does the proposed action include construction or other activities that result in the impoundment of water or other liquids (e.g. retention pond, waste lagoon, dam)?</p> <p>If Yes, explain purpose and size: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>19. Has the site of the proposed action or an adjoining property been the location of an active or closed solid waste management facility?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>20. Has the site of the proposed action or an adjoining property been the subject of remediation (ongoing or completed) for hazardous waste?</p> <p>If Yes, describe: _____</p> <p>_____</p>	<p>NO</p> <p><input checked="" type="checkbox"/></p>	<p>YES</p> <p><input type="checkbox"/></p>
<p>I AFFIRM THAT THE INFORMATION PROVIDED ABOVE IS TRUE AND ACCURATE TO THE BEST OF MY KNOWLEDGE</p> <p>Applicant/sponsor name: <u>Pamela Straitiff</u> Date: <u>9/19/23</u></p> <p>Signature: <u>Pamela Straitiff</u></p>		

**PRINT FORM**