



TOWN OF VESTAL
ZONING BOARD OF APPEALS
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TOWN OF VESTAL
ZONING BOARD OF APPEALS

In the Matter of the Application of

Vista Square, Inc./Pani Shah
2001 Owego Road
Vestal, NY 13850
BCTMP #172.15-1-14

DECISION

For the Zoning Board of Appeals of the Town of Vestal, Broome County, New York, to rescind two area variances approved on August 13, 2020 for the premises situate at 2001 Owego Road, Vestal, New York 13850.

At a meeting duly scheduled for July 14, 2022, the Zoning Board of Appeals of the Town of Vestal held a public hearing to consider the application of Vista Square, Inc./Pani Shah regarding premises situate at 2001 Owego Road, Vestal, NY 13850 (BCTMP #172.15-1-14) to rescind two area variances approved by the Zoning Board of Appeals on August 13, 2020. These area variances granted the current property owner relief from the requirements under Chapter 24, Article IV, Division 2, Section 24-185(b)(1)(b) and Chapter 24, Article IV, Division 2, Section 24-185(b)(3)(b) of the Code of the Town of Vestal, Broome County, New York (Zoning Ordinance) pertaining to having less than the required lot frontage (51.23' was approved where 150' is required by Code) and less than the required side yard setback (5.5' was approved where 20' is required by Code) in a C2 Community Business zoning district. The variances, as approved, provided the property owner the opportunity to reconfigure property lines for three adjacent parcels (2001 Owego Road, 1979 Vestal Parkway West and 1995 Vestal Parkway West). The reconfiguration of property lines was never implemented.

Appearing in support of the request to rescind the area variances is Pani Shah.

Proof of publication of the notice of the hearing in *The Town Crier* was submitted. The applicant submitted a letter asking that the variances approved on August 13, 2020 be rescinded. The package also included her original request for the variances and the Zoning Board's August 13, 2020 decision.

Board members present: Clayton Ellis, Acting Chairman; Eugene Burns; Patrick McPherson; and John Taylor. All Board members stated that they had visited the site and were familiar with the character and nature of the area and this property.

After due deliberation, the Zoning Board of Appeals makes the following findings of fact and conclusions of law:

The Applicant is requesting that the two area variances approved on August 13, 2020 for premises situation at 2001 Owego Road, Vestal, New York 13850 be rescinded. The applicant said development of the parcels has been stalled because of COVID. Her plan is to leave the parcels as they are and make no further investments in them.

The meeting was opened to the public and then closed as no members of the public were present or wished to be heard.

A motion was made by Patrick MacPherson to rescind the two area variances approved on August 13, 2020 for premises situate at 2001 Owego Road, Vestal, New York 13850. The motion was seconded by John Taylor. A vote was called and:

The request to rescind the two area variances is hereby GRANTED by a 4-0 vote. The vote was unanimous, and the votes were cast as follows: Acting Chairman Clayton Ellis-AYE; Eugene Burns-AYE; Patrick MacPherson-AYE; and John Taylor-AYE.

The Code Enforcement Officer is herewith authorized to take the necessary action to carry out the provisions of this Decision.

Dated: July 21, 2022

ZONING BOARD OF APPEALS
OF THE TOWN OF VESTAL

BY: 
Clayton Ellis, Acting Chairman