

City of Olean

ZONING BOARD OF APPEALS

P.O. Box 668, 101 East State Street, Room 212
Olean, New York 14760, (716) 376-5683

Minutes for Zoning Board Meeting held Wednesday, August 13, 2025 **Olean Municipal Building Council Chambers**

Present: Kelly Sweet, Steve Rogers, Bill Eaton, Otto Tertinek

Absent: Jim Rucinski, Tom Enright, Jim Dwaileebe

Staff: Shawn Wing, Jacob Herbert

Other: Lynneesa Mitchell

CALL TO ORDER

K. Sweet called the meeting to order at 5:45 p.m.

ROLL CALL

O. Tertinek read roll call. J. Rucinski, T. Enright, and J. Dwaileebe were absent.

READING AND APPROVAL OF THE MINUTES FROM July 23, 2025

K. Sweet noted that J. Dwaileebe and herself voted no on the area variance at 825 E. State Street. She also suggested changing the sentence structure in the motion the board made to amend 1502 W. Henley Streets application from a use variance to home occupation.

S. Rogers made a motion to approve the minutes as amended, seconded by B. Eaton. Voice vote, all ayes. Motion carried.

OLD BUSINESS

- **1502 W. Henley (Home Occupation Permit #2025218)**

O. Tertinek read the application from Wade Green, requesting a use variance to allow for an auto detailing business on the property. This request will vary from the requirements of Article 28, Section 4.2.2 of the City of Olean Zoning Law.

K. Sweet reminded that at the previous meeting, the board amended the application to be for a special use home occupation. She noted that the public hearing was originally set for this meeting but due to the public hearing not being published, the meeting will have to be re-scheduled to prevent violation of meeting law. K. Sweet made a motion to set the public hearing date for Aug. 27, 2025 at 5:47 pm, seconded by O. Tertinek. Voice vote, all ayes. Motion passed.

NEW BUSINESS

- **129 N. 3rd Street (Home Occupation Permit #2025265)**

O. Tertinek read the special use application from Lynneesa Mitchell to allow for a secondary use of the residence as a non-profit animal shelter. This request will vary from the requirements of Article 28, Section 4.2.2 of the City of Olean Zoning Law.

The Board reviewed the SEQR Part II. K. Sweet made a motion to declare the project an unlisted action and to make a negative declaration. Motion seconded by S. Rogers. Voice vote, all ayes. Motion carried.

O. Tertinek made a motion to declare the application complete, seconded by K. Sweet. Voice vote, all ayes. Motion carried.

Noting that the applicant was present, K. Sweet requested further background and details about the project be presented. L. Mitchell explained she started to rescue cats during the past winter due to subzero temperatures and has since made a point to try and help reduce the stray cat population. She says she has recently acquired her nonprofit designation and hopes to eventually have a permanent location for her shelter. She explained that she has some cats stay with her, using her spacious living room, and some others will stay at a number of foster homes that work with her.

S. Rogers asked how many she typically has at any given time and how she manages the waste from the animals. L. Mitchell explained that she can only manage around twenty cats at maximum but will only have around ten with her in her home with the rest being in different foster homes. She also stated that she disposes of the waste with multiple trips to the transfer station throughout the week.

O. Tertinek asked if she provides the cats with any medical care. L. Mitchell explained that she does provide them vaccinations, spaying, and neutering through multiple different veterinary locations.

O. Tertinek made a motion to set a public hearing for August 27, 2025 at 5:50 pm, seconded by B. Eaton. Voice vote, all ayes. Motion carried.

ADJOURNMENT

O. Tertinek made a motion, seconded by B. Eaton, to adjourn the meeting at 6:32 pm. Voice vote, all ayes. Motion carried.

Respectfully submitted,
Jacob Herbert