

PRESENT: Patricia Hacker, Chairman
David Stringfellow, Vice Chairman
Kevin Maxwell, Secretary
Margaret Andrzejewski
J. David Early
Paul Jusko
Jeff Mendola
Michael Pohl

ALSO	Dennis Mead	Town Board Liaison
PRESENT:	Dennis Kramer	Code Enforcement Officer
	Kelly Vacco	Town Attorney
	Richard Brox	Planning Consultant
	Paul Speich	CAC Liaison
	Karl Simmeth	Councilman
	Ray T. Webber	Applicant
	Don Baco	Webber Contractor
	Dana Darling	Applicant
	Glenn Cooley	Darling Contractor

Chairman Hacker called the meeting to order at 7:30P.M.

MINUTES

Mrs. Hacker asked if there were any additions or corrections to the minutes of April 22, 2003. Being none, Mr. Jusko made a motion to approve the minutes, seconded by Mr. Stringfellow. All were in favor.

CORRESPONDENCE

Secretary Maxwell reported the following correspondence:

- Received information regarding Second Annual Conference for at Lake Placid
- Rural Health Planning Meeting at Buffalo Greater International Airport
- Received letter from Gary Eckis – to be on next meeting agenda
- Letter of April 24, 2003 to Town Board with majority recommendation on the rezoning request of Robert Rucker
- Received Town Board referral for rezoning request of Ronald Wierzba, to be an agenda item at next meeting
- Received from Town Board Site Plan Review from Three Girls Café for addition to existing building
- Received from CAC member Mary Alice Tock advising of Livable Western New York presentation on Thursday, May 15, 2003
- Other correspondence to be read at point in agenda

LIAISON – COUNCILMAN MEAD

Councilman Mead reported from the Town Board meeting of May 7, 2003:

- Referred Three Girls Site Plan to Planning Board
- Set date for Public Hearing for Robert Rucker rezoning request

Liaison – Councilman Mead, con't.

- Approved Nick Charlap request with all Planning Board stipulations

Mr. Mead said that he had attended South Towns Planning meeting and invited Chairman Hacker to attend these meetings.

RAY WEBBER – SITE PLAN REVIEW

Secretary Maxwell read Mr. Brox's letter of May 11, 2003.

Chairman Hacker asked for comments and discussion.

Mr. Jusko said that the letter of intent is self-explanatory of the project.

Mrs. Hacker said that she asked Patricia Bailey to add the existing mature trees to the site plan; and, the size of the existing paved area.

Mr. Maxwell asked Mr. Webber if his intention was to utilize same parking area.

Mr. Webber replied yes.

Mr. Stringfellow made a motion to return the application to the Town Board with a favorable recommendation, seconded by Mr. Jusko. All in favor.

DANA DARLING – REQUEST FOR REZONING

Secretary Maxwell read Mr. Brox's letter of May 11, 2003.

Chairman Hacker asked for comments and discussion.

Mr. Jusko reminded the members that tonight's issue is rezoning, not approving the sub-division. The sub-division application has it's own process which will be thoroughly followed at that point in time, and issues concerning the sub-division will be addressed at then.

Mr. Maxwell asked that a copy of Mr. Brox's letter be made available to the developer.

Mr. Jusko made a motion to send a favorable recommendation to the Town Board for rezoning request of Dana Darling, seconded by Mr. Maxwell. All in favor.

PRELIMINARY DISCUSSIONS

THREE GIRLS CAFE SITE PLAN – ADDITION

Secretary Maxwell read Mr. Brox's letter of May 11, 2003.

Mr. Jusko said that the Planning Board sent a letter to the owners of the café on November 19, 2002, and as of yet no response has been received. He suggested that until the other issue is resolved that this request not be approved.

Mr. Stringfellow said that the addition is not indicated on the site plan submitted.

The Three Girls Café – Site Plan, con't.

Mr. Kramer explained that the addition is going on the south side of the building.
Mr. Stringfellow asked if the addition was a structure or a lean too over the cooler, is it enclosed?
Mr. Maxwell said that based on the sketch it does appear to be an enclosed structure.

Mr. Brox asked if the Building Code allowed an addition to a foundation structure.
Mr. Maxwell said that the specs would have to satisfy Mr. Kramer before a building permit is issued.

Mr. Jusko made a motion to table any discussion until this Board receives a response to the letter of November 19, 2002 addressing concerns of the installation of additional parking area that was not part of the original site plan approved. In addition to this information and on the same site plan the location of the addition should be indicated, the size of the building and correspondence be changed to reflect the same addition size, seconded by Mr. Maxwell. All in favor.

Mrs. Hacker said that the letter should advise them that they would be on the agenda following receipt of all requested information.

RONALD WIERZBA – REZONING REQUEST

Secretary Maxwell read Mr. Brox's letter of May 11, 2003.

Mr. Kramer advised the members that the attached old residence has been torn down. Mr. Wierzba originally requested a variance. On the advice of, the then, Town Attorney Perley the Zoning Board withheld any recommendation until a request of rezoning was addressed.

Mrs. Hacker asked what the bottom of the building was going to be used for?
Mr. Kramer said for a private garage, the remainder of the building for a single-family dwelling. Mr. Kramer said that there are two garage doors in the rear and one in the front.

Mr. Early stated that years ago there were DEC issues, that oil tanks were to be removed.
Mr. Kramer said '2 buyers ago got a clean bill of health for the property.'

Mrs. Hacker asked if a business could be opened on site.
Mr. Kramer said only what applies to R-2 Zoning, a home occupation.

Mr. Brox added that the Master Plan is recommending medium density and other uses in the hamlet areas, and this request fits into that category.

Mr. Early asked if this definitely is a single- family dwelling.
Mr. Kramer said that R-2 allows for single family dwelling only.

Mr. Jusko suggested that discussion be tabled until the next meeting and the Planning Board members go to the property and take a look around.

Chairman Hacker asked that a letter be sent to Mr. Wierzba stating that discussion on his request will be on the May 27, 2003 meeting agenda and that he be in attendance to answer any questions.

CODE ENFORCEMENT OFFICER KRAMER

Mr. Kramer advised the Board member that another request for rezoning is going to be referred to them, for property just two doors south of the Wierzba property, for the construction of a single-family dwelling. There was a single residence at that location, which was torn down over a year ago, and so the grandfather rights have expired.

Mr. Kramer explained, on the Wierzba request, that Mr. Perley felt that rezoning that to residential, rather than a variance, would put more control on the use of the property. This gentleman is a mason contractor by trade and we don't want him running a business out of there; however, there may be some storage of equipment, which I don't have a problem with as long as the equipment is inside the garage.

Mrs. Hacker asked about parking of the equipment outside the garage.

Mr. Kramer said that Mr. Wierzba does drive a pick-up truck in relation to his business, so let's be reasonable about that, the other equipment, if any, will have to be stored inside.

He added that we have to let someone do something to that property. The back and the south side of the building have already been sided.

Mr. Kramer suggested too, that the members take the time to inspect the property before the next meeting.

Mrs. Hacker asked if there were any further business?

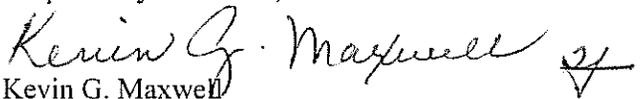
Councilman Mead added to his report:

- Town Attorney Vacco has been instructed to review regulations for fences and signs.

Mrs. Hacker asked if there were any further business?

Being none, Mr. Stringfellow made a motion to adjourn at 8:05 P.M., seconded by Mr. Maxwell. All in favor.

Respectfully submitted,


Kevin G. Maxwell
Secretary

KGM:tjf