

## **Planning Board Minutes of January 14, 2013**

**Present:** Brian Perry, Chairman  
Daniel Kowalik  
Richard E. Forrestel  
Robert Anderson  
Mary Jane Shonn  
Brian Murray, Alternate  
Don Shonn, Attorney  
Paul Bowers, Engineer  
Ralph Migliaccio, CEO

**Meeting Began:** 7:00 P.M.

Chairman Perry opened the meeting with a welcome to everyone.

Chairman Perry noted that the agenda item for Susan Zeliff at 51 Main Street regarding a hand rail will be removed from the agenda this evening. The item does not need to be reviewed by the Planning Board.

RESOLUTION duly moved by Forrestel and seconded by Kowalik to approve the minutes of the Planning Board Meeting of November 6, 2012. Carried unanimously

### **Akron Village Commons**

Tony Zinaty was present with the new owners of the Akron Village Commons. He introduced James Stephen of Stephen Development and Noel Dill from Rock Oak. They have purchased the project from Mr. Zinaty. Mr. Zinaty wanted to thank the Planning Board for all of their hard work and effort that they have put into trying to get this project completed. He has had to sell the project and the new owners are committed to finish this project. Mr. Zinaty will be a consultant to the new owners for the next 12 months. They have stated that the approved plat that the Planning Board approved has not been submitted to Erie County as of yet. Their engineer, Mike Metzger, is currently looking at the plans and they might want to make some minor alterations to the original plat. They

stated that they are only looking at making the phases larger and doing the project in fewer phases. Village Engineer, Paul Bowers, noted that if they make any changes to the plat that it might lead to additional health department approvals.

Daniel Kowalik is excited about the new owners as he has work with them in the past. The layout will be pretty similar to the original plan. Village Attorney Shonn reminded them that the Village still has Sewer Moratorium in place that only allows for 50 residential units to be added to our sewer system that is in effect until June 30, 2013 and will be re-evaluated at that time.

## **The Cloisters/Meadows**

Neil Hourihan and Christina Rogers addressed the board regarding their upcoming renovation project at their facility. The original Cloister facility was constructed in 1977 and the Meadows was completed in 1985. They are in the process of submitting a tax credit application for affordable housing to fund this project. The complete cost of the project will be \$5 million. They will be replacing windows, renovating the kitchens and bathrooms, renovating the second story decks and first floor concrete patios. Additional work will be done to the down spouts, new sidewalks, parking lot pavement and striping along with new dumpster pads. More of the residents are in need of accessible units and they must be compliant to the new regulations. All of the new appliances will be energy efficient. Village Attorney Shonn noted that most of the apartments have electric heat and that the heaters might need to be replaced and if they are the facility needs to be compliant with the new insulation requirements for electric heat. Mr. Hourihan noted that back in 2011 a weatherization project was completed to most of the units with new attic insulation.

The awards for the grant are expected to be announced in March or April. If they are granted one of the awards then they would be able to begin on August 1<sup>st</sup>. The general contractor for the project is located in Rochester but that have done a lot of work in the Western New York area. Dan Kowalik noted that there will need to be a Knox Box installed on each of the buildings for fire protection.

## **42 Jackson Street**

Kurt Schie came in to address the Board about building another pole barn on his property at 42 Jackson Street. The purpose of this building will be to warehouse tractor implements that he is selling and shipping across the world. He is a worldwide distributor of these attachments. He receives one tractor trailer delivery a day and the truck is able to pull in and then there is enough room for him to turn around and pull out onto Jackson Street. The building will be located 125' from the bike path and 400' from the road. The new building would be located behind his existing building. There is no excessive noise that is created by this operation.

The discussion then moved towards the issue of possibly rezoning the complete parcel to a light industrial district or having Mr. Schie apply for a Special Use Permit. The concern is that Mr. Schie's business will continue to grow and he would be back in front of this Board in another year for another permit. He currently owns 4 acres that are already zoned limited industrial (I-1). Village Attorney Shonn laid out the options for Mr. Schie and it looks like he will be leaning toward having his property rezoned to limited industrial (I-1). Mr. Schie needs to petition the Village Board of Trustees to ask for the rezone and then if the Board agrees it will be referred to the Planning Board for final approval. The rezone of the

property would be the proper long term solution to his issues. Village Attorney Shonn noted that the complete rezone process could be complete within 60 days.

### **60 Jackson Street**

Charles Kelkenberg from Kelkenberg Homes appeared to discuss a variance for putting a roof over an existing deck at 60 Jackson Street. This is just placing a roof over an existing deck and Village Attorney Shonn stated that the statute of limitations has run out on the pre-existing deck and since the roof is just covering the exact same area as the deck, then a variance is not needed. The owner just needs to file a building permit with the Village.

**Meeting adjourned at 8:35 P.M. on a motion from Kowalik and seconded by Anderson. Carried Unanimously**

**Next Planning Board meeting: February 19, 2013 at 7:00 pm.**

Submitted by:  
Brian Perry, Planning Board Chairman