

## **Planning Board Minutes of March 24, 2014**

**Present:** Brian Perry, Chairman  
Daniel Kowalik  
Robert Anderson  
Richard E. Forrestel  
Mary Jane Shonn  
Brian Murray, Alternate  
Don Shonn, Attorney  
Michael Borth, Code Enforcement Officer

**Absent:**  
Paul Bowers – Wm. Schutt & Associates  
Jon Cummings – Public Works Manager

**Meeting Began:** 7:01 pm.

Chairman Perry opened the meeting with a welcome to everyone.

RESOLUTION duly moved by Forrestel and seconded by Anderson to approve the minutes of the Planning Board Meeting of February 10, 2014. Carried unanimously

### **Kurt Schie – Rezoning of 42 Jackson Street**

Kurt Schie along with his legal representative Mark Romanowski and Engineering representative Paul Case came before the Board to request a Special Use Permit, site plan approval, and area variance for the project located at 42 Jackson Street. Mr. Romanowski stated that the Village Board will make a final decision on March 31, 2014 regarding the request to re-zone the property from R-3 to I-1; the Village Board did declare a negative declaration as to the SEQRA application on March 17, 2014.

Mr. Romanowski also presented to the Planning Board a letter in response to comments contained in a memo from the Village of Akron's Attorney Shonn dated March 20, 2014 concerning the Site Plan for the proposed project at 42 Jackson Street. Highlights of that conversation were that Mr. Schie will install a fire hydrant, 13 parking spaces including a handicapped spot; will not create a pathway to the bike path from his building site; but will determine if there is a need to place a buffer of trees between the project site and the Westgate Apartments after the project is complete. Letter and Memo attached.

RESOLUTION duly moved by Shonn and seconded by Forrestel to recommend to the Zoning Board of Appeals a Special Use Permit for the purpose of assembly, storage and distribution of power equipment and related office duties at 42 Jackson Street with the stipulation that the following conditions are completed by March 28, 2014: Zoning Summary, Parking Space Plan, Setback indications on site plan, addition of a fire hydrant on site plan, business signage on the site plan, and drainage calculations for drainage plan. Also, Chairman Perry will have the authority to extend the date of completion if necessary be and hereby is approved. Carried Unanimously

RESOLUTION duly moved by Anderson and seconded by Shonn to recommend to the Zoning Board of Appeals approval of the side and rear yard variances for the addition to the existing building at 42 Jackson Street with the stipulation that the following conditions are completed by March 28, 2014: Zoning Summary, Parking Space Plan, Setback indications on site plan, addition of a fire hydrant on site plan, business signage on the site plan, and drainage calculations for drainage plan. Also, Chairman Perry will have the authority to extend the date of completion if necessary be and hereby is approved. Carried Unanimously

RESOLUTION duly moved by Shonn and seconded by Anderson to approve the Site Plan for 42 Jackson Street with the stipulation that the following conditions are completed by March 28, 2014: Zoning Summary, Parking Space Plan, Setback indications on site plan, addition of a fire hydrant on site plan, business signage on the site plan, and drainage calculations for drainage plan. Also, Chairman Perry will have the authority to extend the date of completion if necessary be and hereby is approved. Carried Unanimously

### **Akron Village Commons Subdivision –**

Discussion was held regarding the Akron Village Commons. Comments regarding the phases suggested that the Planning Board would like to recommend revising the Phases in such a way as to prevent construction trucks and equipment from going through completed phases to reach the current building phase. The amount of cuts and fills on the property has the Planning Board wondering if the entire site should be prepared with a Grade and Fill permit before any of the actual infrastructure is begun, which would alleviate any drainage issues going forward and lessen the burden of construction chaos on completed phases. Village Attorney Shonn recommended that a meeting between Code Enforcement Officer Mike Borth, Village Engineer Paul Bowers and AVC Engineer Mike Metzger be scheduled to discuss the possibility of a Grade and Fill permit.

### **Code Enforcement Update –**

Code Enforcement Officer Borth updated the Planning Board on the project at 66 Main Street where a new building was erected to house a restaurant on the first floor and 2 apartments on the second floor. Code Enforcement Officer Borth placed a “stop work” order on the project due to lack of drawings for the restaurant area, the sprinkler system and the fact that it appears they plan to use electric as the heat source without proper insulation. If the proper paperwork is not received in a reasonable amount of time, the next step would be to revoke their building permit.

Member Kowalik asked for an update on Guy's Sub Banquet Room. Code Enforcement Officer Borth stated that the project was closed out before he was hired, but has inspected the room and found it to be in complete compliance with NYS code.

Code Enforcement Officer Borth did report a building permit has been submitted for a new house in the Cornerstone Subdivision.

**Training:**

**Meeting adjourned at 8:24 P.M. on a motion from Kowalik and seconded by Anderson. Carried Unanimously**

**Next Planning Board meeting: Monday, April 28, 2014**

Submitted by:

Brian Perry, Planning Board Chairman