

Planning Board Minutes of September 15, 2015

Present:

Brian W. Murray, Chairman
Mary Jane Shonn
Daniel Kowalik
Robert Anderson
Darrin Folger
Andrew Borden - Village Attorney
Paul Bowers – Village Engineer
Michael Borth - Code Enforcement Officer
Jon Cummings - Public Works Manager

Absent:

Gregg Brown

Meeting Began: 7:01 pm.

Chairman Murray opened the meeting with a welcome to everyone.

RESOLUTION duly moved by Anderson and seconded by Kowalik to approve the minutes of the Planning Board Meeting of August 11, 2015. Carried unanimously

5 Exchange Street – Brian Borth – Side Yard & Height Variance

Brian Borth came before the Planning Board to request permission to build a 24' wide x 24' tall steel building with one side 40' and the other side 32' on the property located at 5 Exchange Street. Mr. Borth stated that an existing garage is there and will be removed to build the new bigger one. He would like to store his RV on the longer side and place a loft over the shorter side. The building will have two garage doors measuring 8' x 8' and 10' x 12' which will face Townsend Street and two man doors, one on the side and one on the back. The color of the garage would be either gray/cranberry or tan/cranberry.

Code Enforcement Officer Borth stated that the property is in the R-2 zone where the Village code calls for a 10' side set back and a 12' height for an accessory building. He informed the Planning Board that the NYS height requirement is 15'. Lastly, he felt that the larger garage would be more to scale of the large three story house. Discussion was held regarding the placement of the garage, the size of the garage and of other recent requests for large garages, but after the discussion the Planning Board agreed to forward the application to the Zoning Board of Appeals.

RESOLUTION, duly moved by Kowalik and seconded by Anderson to forward the request of Brian Borth at 5 Exchange Street for a minimum of a 5' side yard setback and a maximum height of 24' for the proposed garage to the Zoning Board of Appeals with the condition that a rendering of the proposed garage be included for their review be and hereby is approved. Carried unanimously

Vacant Land Hake Road – PM Development LLC – Minor Subdivision

Real Estate Agent Kelly Spurlock came before the Board to explain that new surveys of the 15.6 acres have been completed for the three parcels and a walk-over was done as well. The walkover shows there 2.83 Acres total of wetlands at the rear of the properties and between proposed lot numbers 1 and 2; which means there is a possibility of building new homes without disturbing the wetlands. Village Attorney stated that he sent the property paperwork to Erie County for their approval and will hopefully hear back from them shortly. Chairman Murray stated that he would like to review the Environmental Assessment Form with the Board and Village Engineer and Village Attorney as well as Public Works Manager Cummings. Village Engineer, Paul Bowers, stated that the Village Planning Board needs to review all the documentation, and then declare itself Lead Agency, prepare a determination statement and lastly declare a negative or positive Declaration. Further discussion was held regarding utilities. Public Works Manager Cummings stated that the supporting electric in that area could manage one more home, but would have to be upgraded when the two other lots need electric, there is no water or sewer at this point, but if sewers are extended, the DEC would need to be involved. Village Attorney Borden said that Town of Newstead Attorney Neill stated that the Village and Town have an agreement to allow the Village side of Hake Road residents to hook up to Erie County Water which has a water line across the Street. At this time the properties would have septic systems. Also, natural gas would be the main heating source. Village Engineer Bowers also recommended that a grading and drainage plan be required as part of the building permit and the Planning Board could specify an amount of space between the wetlands and the new building.

RESOLUTION duly moved by Anderson and seconded by Kowalik to review the Minor Subdivision documentation, wait for the comments of the Erie County Planner, Declare the Village Planning Board Lead Agent, and be ready to declare a negative or positive declaration at the next regular scheduled Planning Board Meeting be and hereby is approved. Carried unanimously

Akron Village Commons – Hake Road/Clarence Center Road Subdivision

No activity from the Akron Village Commons this month

66 Main Street – Andy Kelkenberg – Restaurant/Apartments

Code Enforcement Officer Borth updated the Planning Board on the project at 66 Main Street. He reported the owner of Pizzabella, Sandro Passalacqua, and proposed new tenant in the restaurant at 66 Main Street, would like to move his current sign/awning located at 42 Main Street to the new location of 66 Main Street. According to the Village Code book the sign/awning should be 10' from the ground and according to Mr. Borth the current sign on the new building would be approximately 8.5'-9' from the ground which would be consistent in height to the other canopies along that section of Main Street. After a lengthy discussion the Planning Board is not in favor of moving the current sign/awning to the new location. The Planning Board had passed the application for the project at 66 Main Street with the condition that the Building remain consistent with the architecture of the

Central Business District. The Planning Board agreed a new sign/awning reflecting the style of the new building is in order.

Meeting adjourned at 8:21 P.M. on a motion from Kowalik and seconded by Folger. Carried Unanimously

Next Planning Board meeting: Tuesday October 6, 2015 at 7:00 pm

Submitted by:

Brian W. Murray, Planning Board Chairman