

PLANNING BOARD  
FEBRUARY 14, 2012  
7:00 PM

Members Present; Pat Rice, Steve Senske, Louis Rieg, Richard Johnson, John Warner, J. Phil Strand, Walter Geist

Others Present; Don McCord, Brad Lawson, Richard Sena

Mr. Rice opened the meeting at which time Mr. Lawson reported that January has been a typically slow month in the zoning department. He has issued one permit and he has issued several violations; one on Route 394 for tractor trailer bodies and vehicles stored on property and the owner has agreed to have it cleaned up by May or before and one for building without permits. Mr. Lawson said that he has continued inspections on permits that are in the process of completion.

Mr. Sena reported on the closed bridge located at Cheney's Point- Chautauqua Ave, he stated that Mr. Strickland and he have been talking with Chautauqua County as well as bridge companies that do this sort of work and they both reported that the cost to repair the bridge, not including the engineering and D.E.C permitting, would be around \$50,000.

Mr. Sena reported that the new highway building was discussed during the town board meeting on February 13, 2012 and when asked if there were a lot of upgrades to the building he stated that there were and it was a bit of contention with him because he keeps getting voted down 4 to 1 on all of the upgrades. He went on to report that the town procurement policy states there must be two bids for any expenditure in the amount of \$3,000 to \$6,000 and after that the expenditure must go to public bid etc. Mr. Sena reported that the town is not getting two bids and he felt that some of the extras are totally unnecessary, he went on to say that he feels that engineers should not design a building with components that they now say would not be used, in summary he said that he feels that a lot of components were forgotten during the drafting and Mr. Sena feels that the engineer should be responsible for some of the things. Mr. Sena concluded on his highway building report that B.O.C.E.S students in construction class have helped with framing on the interior walls and this has saved the town a lot of time and money.

Mr. Sena reported that Connie Spas has been appointed and the new deputy court clerk.

Mr. Rice asked Mr. Lawson if the town board made any decisions on the property maintenance law. Mr. Lawson said that nothing has been done to this point because the board has not gotten together as a group to discuss it. He did state that he and Mr. McCord met to discuss it and stated that he reported to the town board that he would be willing to (with the planning board's approval) pull the recommendation and with the help of Mr. McCord redraft portions of the recommendation in order to make it more palatable to the town board as well as to the residents of the town. He went on to say that in all fairness everything that has been included in the recommendation is already written in the zoning, however it is relatively "hidden" so to speak. He stated that if the board were to reword it so that it not so much a property maintenance law but rather a junk law, rubbish law and trash type law, knowing that the property maintenance law in the N.Y.S Building Codes would still be referred to, it would make it more palatable to the town board and residents. Mr. Rice stated that he thought one of the reasons it was written as it was, was so that it would make it easier for the Zoning Officer to enforce, Mr. Lawson said that it was, however, he said he did not believe that recommended as it is the town board would pass as it is currently written. Mr. McCord said, referring to comments made on the community survey,

which most comments made were about physical issues such as junk, rubbish and trash. He said the board could work on drafting a recommendation on those specifics and the Zoning Officer would refer to New York State Property Maintenance Code when he needed to rather than having a specific law in the Zoning Ordinance. The board discussed their ideas and opinions with Others Present and after discussion;

**MR. WARNER MADE A MOTION TO RESUBMIT THE PROPERTY MAINTAINANCE RECOMMENDATION TO THE TOWN BOARD AS IT IS CURRENTLY WRITTEN, WITH THE EMPHASIS THAT THE PLANNING BOARD HAS SPENT A LOT OF TIME DRAFTING THE RECOMMENDATION. MR. GEIST SECONDED THE MOTION AND ALL WERE IN FAVOR.**

Mr. McCord gave the board copies of Section 408 – Tourist Commercial District (TC) and stated that it was a bit different than what the board has been working on, he said that it has been confusing working on the four different areas within the “H-C-1 District” and he stated that he came across a table format in the American Planning Association. Mr. McCord explained that by using the table format it would allow the board to look at all four areas as a one Tourist Commercial Zone and then sub districts can be created within that zone. The board reviewed and discussed all four quadrants of the Tourist Commercial District (TC) and its uses. Mr. McCord will make changes to the draft and return to the March meeting with an updated version of the draft for the board members approval.

Mr. Rieg stated that he has started to compile photographs of several different types of commercial building and business and will share them with the board as examples that they may consider when the board reaches the point of describing detail and architecture.

The next regular meeting is scheduled for March 13, 2012 at 7:00 PM

Respectfully Submitted,  
Planning Board Clerk,  
Penny Best