

OFFICIAL MEETING MINUTES-PLANNING COMMISSION

Present: James Allein, Chairman
Linda Parzynski, Vice-Chairperson
Robert Deutschlander
Richard Bulman
Mark Grucella
Mary Refermat
Neil Connelly
Mary Kless
Arthur Herdzyk, Village Attorney

Absent: Greg Young (Alternate)
Jeffrey Simme, Code Enforcement Officer
Jeff Stribing, Community Development Director

Meeting was called to order at 7:00p.m. by Chairman Allein in the Council Chambers of the Lancaster Municipal Building, 5423 Broadway, Lancaster, New York.

Scott Kuhlmeier was unable to attend the meeting to review the Fire Inspection Fee Ordinance. Chairman Allein discussed the Fire Inspection Ordinance with the Village Board and it was returned to the Planning Commission for further review.

Mark Grucella suggested that the fee schedule be based on time taken to inspect the square footage.

Arthur Herdzyk stated that the Town does not exempt churches from fees in their code. Chairman Allein stressed the impact of the fee schedule on the Central Business District based on their fragile financial status.

Neil Connelly stated that there are fragile businesses outside of the Central Business District and that this could be discriminatory.

Additional points were

1. Central Business District businesses may not be impacted as much since they are smaller.
2. Discussion on responsibility of payment vs. type of infraction.

Motion made by **Neil Connelly** and seconded by **Linda Parzynski** to delete #1, Revise #2 and change #3 back to original Town Schedule for Fire Inspection Fees.

Ayes: L. Parzynski, R. Deutschlander, R. Bulman, M. Grucella
M. Refermat, and N. Connelly
Nays: J. Allein
Motion Carried (6-1)

Changes to be made to the Village Code

Front Yard Parking

Correspondence received from Jeff Simme.

Robert Deutschlander stated that there is a large number of people parking in the front yard. The concern is for the ability of the Building Inspector to address such volume.

Art Herdzik stated that the proposed regulations look fine.

Motion made by **Robert Deutschlander** and seconded by **Richard Bulman** in favor of new ordinance as proposed.

Ayes: J. Allein, L. Parzynski, R. Deutschlander, R. Bulman, M. Grucella,
M. Refermat and N. Connelly
Nays: None
Motion Carried (7-0)

Broadway Rezone

Reviewed boundaries of potential rezone, from C-2 to C-1, to promote more retail businesses. Current auto repair shops would be fine as long as repairs were done inside. Mike Aspaugh of Erie County Department of Planning stated;

1. Must differentiate/describe section to be rezoned(give boundaries)
2. Notify property owners of intention as outlined in zoning law
 - a. None required per A. Herdzik
3. After public hearing a ZR-1 (county form) needs to be sent to the Department of Planning
4. SEQR form
5. Area measured at 12.85 acres
6. Submitted by Village Clerk
7. Negative Declaration by Village Board
8. Approve Rezone

Art Herdzik clarified that the ZR-1 form serves as notice to the county. Question remains as to timing of submission for approval.

J. Allein needs to notify Village of Depew and DEC because sections of rezone border their jurisdiction. 30 day notice is given for reply.

A. Herdzyk reviewed process as:

1. Draft map/color code area to be rezoned
2. Send map with ZR-1 and letters to neighboring properties(30 day notice)
3. Schedule public hearing after 30 days

The Master Plan was reviewed and this ordinance is in compliance with the Master Plan.

Motion made by Neil Connelly seconded by Robert Deutschlander to proceed with rezone procedure for Broadway.

Ayes: J. Allein, L. Parzynski, R. Deutschlander, R. Bulman, M. Grucella,
M. Refermat, and N. Connelly

Nays: None

Motion carried (7-0)

Art Herdzyk commented regarding front yard parking we need to address factors to consider regarding discretion of Building Inspector such as consideration for aesthetics/safety factors, and alternative parking. Code should include no parking on right of way.

Motion made by Linda Parzynski and seconded by Neil Connelly to accept the minutes of the last meeting.

Ayes: J. Allein, L. Parzynski, R. Deutschlander, R. Bulman, M. Grucella,
M. Refermat, and N. Connelly

Nays: None

Motion carried (7-0)

M. Kless asked the status of the lost minutes.

J. Allein stated that the minutes are lost and we have been unable to locate them. He also discussed the possible action against former Secretary to recoup salary.

Code Changes

Fences-Section 152-17 was repealed

Suggestion for new code Section 76 with map, which was submitted previously, move to Section 152-17.

Heights of fences changed.

ZBA meetings notice should be sent to neighbors so that people are aware.

Art Herdzyk stated that the recent amendment to include Section 76 under the powers of the ZBA, do not need to move to Section 152.

R. Deutschlander wants to change verbage of ordinance to be stricter.

Commission reviewed proposed code submitted by R. Deutschlander and R. Bulman.

Discussion of setback for properties located at intersections.

M. Refermat was concerned about wording of "living plantings". Discussion whether living fences should be allowed.

The proposed ordinance in regards to intersections is acceptable.

Should have updated copy of Village Codes to be address at next meeting.

Next meeting will focus on Chapter 76 and Chapter 152.

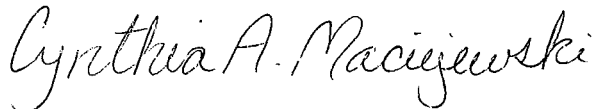
Motion made by **Mark Grucella** and seconded by **Richard Bulman** to adjourn the meeting at 8:52p.m.

Ayes: J. Allein, L. Parzynski, R. Deutschlander, R. Bulman, M. Grucella,
M. Refermat, and N. Connelly

Nays: -none-

Motion Carried (7-0)

Respectfully submitted,



Cynthia A. Maciejewski

Secretary to the Planning Commission

cc: Village Board of Trustees
Planning Commission Members
Jeff Stribing, Community Development Director