

VILLAGE OF LANCASTER, NY

NOVEMBER 13, 2008

OFFICIAL SPECIAL MEETING MINUTES-PLANNING COMMISSION

Present: James Allein, Chairman
Linda Parzynski, Vice-Chairperson
Richard Bulman
Mark Grucella
Neil Connelly
Arthur Herdzik, Village Attorney (excused at 8:30pm)
Jeff Stribing, Community Development Director

Absent: Robert Deutschlander
Mary Refermat
Mary Kless
Greg Young (Alternate)
Jeffrey Simme, Code Enforcement Officer

Meeting was called to order at 7:02p.m. by Chairman Allein in the Council Chambers of the Lancaster Municipal Building, 5423 Broadway, Lancaster, New York.

Motion made by **Linda Parzynski** and seconded by **Mark Gruella** to accept the minutes of the October 16, 2008 regular meeting.

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

Nays: -None-

Motion Carried (5-0)

Scott Kuhlmeiy will be present at the Planning Commission meeting 11/20/08. He will discuss the fire inspection fee. At this time the discussion has been to not charge businesses for the initial fire inspection. If however the inspector does need to return for a follow up then a fee will be charged. At this time there is not a public hearing scheduled for the Village Board meeting on 11/17/08. Ed Marki is the chairman of the codes committee and Jim Allein will speak to him about the fee schedule. The fire inspection fees are in the hands of the Planning Commission. As discussed at the October 16, 2008 meeting, properties owned by religious organizations exempt from property taxes would be exempt from the initial fee.

Broadway Rezone

The ZR-1 form has been filled out along with the SEQR form. Stan Keysa has reviewed both and feels they are correct.

Neil Connelly did question whether or not the Town of Lancaster needed to be notified of the potential rezone. Jim Allein decided as a courtesy to notify the Town.

Motion made by **Richard Bulman** seconded by **Linda Parzynski** to accept the SEQR as a Neg. Dec. and the ZR-1 form. Jim Allein is authorized to sign forms and continue handling this.

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

Nays: -None-

Motion carried (5-0)

Changes to be made to the Village Code

Chapter 76 should be moved to Chapter 152

76-3 to be deleted

76-4 third line down rear changes to **front**

Planted fences can be taken out because it is covered in another section.

Chapter 152-16&17 were repealed in June of 2008. Section dealt with protecting visibility at intersection. Chapter 76-13 takes care of this deletion.

Chapter 152-67 amended in July of 2008 allows the Zoning Board of Appeals to hear cases for exception concerning shrubs. Zoning is a more proper place for fences rather than under codes.

Under definition of fence, delete the word **planted**.

Codes Enforcement Officer needs clarification as to rear of house when concerning rear yard or side yard.

Chapter 76-1 Rear yard definition in current code states rear building line of any building. This needs to be corrected to refer only to **main building**.

Change to proposal for fences definition and add 76B2C. Art Herdzik will review proposal for interpretation. New proposal follows 152-17 to accomplish clarification of rear yard. Chapter 152 gives ZBA authority to use Chapter 76.

Art Herdzik is still concerned about Planning Commission members working off of outdated code books. Jeff Stribing stated that the code will be online within 2-3 weeks.

July 10, 2008 meeting minutes show changes to side yard in chapter 76-4 thus making the 6' high side yard fence consistent with the Town code.

Chapter 76-4 should change from 4' to 6'

Chapter 76-7H should not be deleted but kept in after further discussion.

Sample legislation for Binghamton includes the posting of warning signs with a universal symbol for a guard dog. We will need to find out what that symbol is. The Fire Department in Ithaca

must be notified of a guard dog on premises and where it is kept. A combination of both the Binghamton and Ithaca ordinances is proposed. We will use Ithaca section A&C and include the definition of guard dog and posting of property.

Clarify classification of CEO and Building Inspection on page 2 of Editorial Analysis. They are in fact one title and not two separate positions.

Jeff Stribing spoke on the awarding of the façade renovation being finalized. There are individual \$10,000 grants available. IDA will pay for the architectural costs. A few options are available for the minimum to maximum changes. The Historical Society Chairman and Grace Miller will sit in to review individual proposals for each building. J. Allein, L. Parzynski, M. Grucella and R. Bulman expressed interest in consulting for the facade changes.

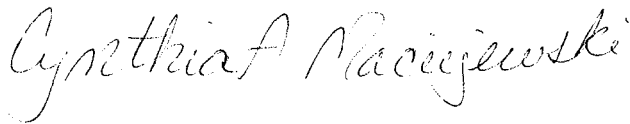
Motion made by Richard Bulman and seconded by Linda Parzynski to adjourn the meeting at 8:50p.m.

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

Nays: None

Motion carried (5-0)

Respectfully submitted,



Cynthia A. Maciejewski

Secretary to the Planning Commission

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