

**ITEM # 1:**

The meeting was called to order by Planning Board Chairman Kenneth Zittel at 7:00 p.m.

**ITEM #2: Roll Call**

**Present:**

Kenneth Zittel, Chairman  
George Donhauser  
Bruce Luno  
Joseph Edbauer

James Jozwiak  
Julie Zybert  
Lawrence J. Kelly, Jr.

**Also Present:**

Darlene Schweikert

**ITEM #3: Citizen Participation**

There was no one for Citizen Participation.

**ITEM #4: Approval of Minutes**

a) April 3, 2012

Chairman Zittel asked for comments or questions regarding last month's minutes. J. Edbauer made the motion, seconded by J. Zybert, to approve the minutes as presented. All in favor. Carried.

**ITEM #5: Code Changes (Items tabled Previously)**

**4. Minimum Lot Size.** Discussion as to size of lots and distances of septic and well. After discussion, the members feel that the minimum lot size should be three acres. Motion by J. Jozwiak, seconded by J. Edbauer, to change the minimum lot size to three acres. Vote by roll call: Chairman Zittel, J. Jozwiak, G. Donhauser, L. Kelly, J. Zybert and J. Edbauer voting aye; B. Luno voting nay.

**9. Sheds. How many?** After discussion, the members feel the language in the Code is fine and no changes need to be made. Motion made by J. Jozwiak, seconded by B. Luno, to leave the language as in the Code and no changes to be made. Vote by roll call: Chairman Zittel, J. Jozwiak, B. Luno, L. Kelly, J. Zybert and J. Edbauer voting aye; G. Donhauser voting nay.

**10. Clarify Double-Wide vs. Trailers.** J. Edbauer provided the following description: Definition: Mobile Home: The term "mobile home" includes "house trailer" but not "travel trailer" or "modular or prefabricated house." A mobile home is any portable vehicle or structure designed to be used, or capable of being used, as a detached single family residence which is intended to be occupied as living quarters and contains sleeping accommodations, a flush toilet, a tub or shower, kitchen facilities and plumbing and electrical connections for attachment to outside systems; which is capable of being transported after fabrication on streets and highways, arriving at the site ready for

occupancy except for minor and incidental unpacking and assembly operations; and not requiring permanent foundation. A similar vehicle or structure fitted with accommodations for the conduct of any business, profession, occupation of trade and which may not contain sleeping accommodations or kitchen facilities shall also be considered a mobile home. Motion made by J. Jozwiak, seconded by B. Luno, to use this new definition of a mobile home. All in favor.

**12. Home Occupations.** Discussion. Motion made by J. Jozwiak, seconded by J. Edbauer, to leave the language in the Code. Also feel that the Town should follow the lead of Erie County and encourage small business in the Town. All in favor.

**ITEM #6: Code Changes (Items 13-16 on the listing)**

**13. Review Code 72-7 Building Permit.** Discussion about pools and the New York State requirement of a fence around the pool. Also discussion about building permit renewals. The cost of the first renewal could remain the same: one-half the original fee but any subsequent renewals should pay the full fee. This would encourage residents to finish their buildings. This matter is tabled for further input.

**14. Building Permit for Roofs.** Discussion about proof of insurance as a requirement of a building permit for a re-roof. Motion made by J. Jozwiak, seconded by K. Zittel, to have a building permit required for a re-roof and if the work is to be done by a contractor, proof of insurance would be required by the Town. All in favor. Discussion as to whether a fee should be charged for a re-roof permit. This matter is tabled for further discussion.

**15. Building Permit for permanent generators.** Discussion. Motion by J. Jozwiak, seconded by B. Luno, to require a building permit and a building permit fee of \$50 for any stationary generator which would require an inspection by an electrical inspection agency (i.e. Commonwealth). All in favor.

**16. General Appearance of a Home.** After discussion, this matter was tabled. J. Jozwiak will discuss with Village of Springville CEO Michael Kaleta and will bring information back to the Board next month.

**ITEM #7: Business from the Members:**

Discussion regarding the Town's plan to change some of the Town's Zoning Districts and the possible rezoning of Zoar Valley Road.

**ITEM#8: Motion of Adjourn**

J. Jozwiak made the motion, seconded by J. Edbauer, to adjourn the meeting at approximately 8:20 p.m. All in favor. Carried.

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Darlene G. Schweikert