

TOWN OF CONCORD PLANNING BOARD
Town Hall Auditorium

August 4, 2020
7:00 p.m.

ITEM # 1:

The meeting was called to order by Planning Board Chairman Lawrence J. Kelly, Jr., at 6:58 p.m.

ITEM #2: Roll Call

Present:

Lawrence J. Kelly, Jr., Chairman
James Jozwiak
Joseph Edbauer
Julie Zybert
Karl R. Lux
Raymond Hilliker

Also Present:

Darlene Schweikert
Clyde Drake, Supervisor

Not Present:

Bruce Luno

ITEM #3: Citizen Participation

There was no one for Citizen Participation

ITEM #4: Comments from Liaison Supervisor Drake

1. Supervisor Drake shared with the Board that the Town had been in contact with Mr. Grottanelli prior to New York State shutting down the Jamboree in the Woods event at Hogarosa. The Town had been contacted by Erie County as well. Mr. Grottanelli disagrees with the Town in that he is to supply the Town with the items required by the 1995 lawsuit; he feels that that was a one-time requirement and not every year. Supervisor Drake advised Mr. Grottanelli that Erie County and New York State were looking for someone to make an example out of. Kissing Bridge cancelled their music festival because of these guidelines. Mr. Grottanelli had called today and wondered how much trouble he is in with the Town and requesting a meeting with the Town Board and Town Attorney; only two Town Board members could be at this meeting. Supervisor Drake noted that the Town had received complaints about the noise with music playing after midnight. Supervisor Drake also advised Mr. Grottanelli that it's now not just a Town matter; New York State is involved.

J. Edbauer questioned whether the Grottanelli property is a campground. Supervisor Drake advised that there is documentation from Mrs. Grottanelli from 1998 stating that the property had been a campground for 20 years. J. Edbauer recalls that the campground was defunct for a while; abandoned. He also questioned by Mr. Grottanelli is not submitting a Special Use Permit annually for each one of these events. It appears there are at least 3 events at Hogarosa the last few years. This Jamboree in the Woods was the second one scheduled for this year. Rock 'n Roll Camp was held the July 24th

weekend. There is still the September event but the Board of Health is involved now and will probably shut it down. Chairman Kelly noted that Mr. Grottanelli has fought other legal battles in the past and has won.

2. Supervisor Drake informed the Board that the Town received a copy of the New York State DEC Renewal Permit for the Zylinski Clay mine at Snyder Road/Springville-Boston Road. This is a Gernatt Asphalt Products mine. All documents had been filed with the Town for this permit.

ITEM #5: Approval of Minutes

a) July 7, 2020 – K. Lux made the motion, seconded by J. Jozwiak, to approve the Minutes as presented. All in favor. Carried.

ITEM #6: Review of Zoning Districts

J. Edbauer provided larger copies of the Zoning Map to the Members and Secretary Schweikert made an excel spreadsheet of the uses in the zones. Chairman Kelly thanked them. Since these copies were just given to the Members tonight, Chairman Kelly encouraged the Members to do their homework.

Chairman Kelly asked if there was any input at this time:

J. Jozwiak questioned the C-1 district at Genesee Road. This is the property owned by Popovski that years ago was going to be a golf course. Currently it has a multi-family residence on the property. K. Lux feels it might be better to keep that as a C-1 district since it is close to the 219 Expressway.

J. Edbauer questioned if the goal is to get rid of districts or combine them? There is only one C-T district on the map. He feels that we could combine some of the districts since there is a lot of overlap.

There was discussion as to what is cluster housing. Craneridge is R-1; not an R-12 for cluster housing on the current map. The R-12 district on the top of Kissing Bridge is the Bridgetop Development.

Chairman Kelly asked if the Board had any more discussion on zoning for tonight and there was not. Zoning review will continue next month.

ITEM #7: Business from the Members

1. Supervisor Drake discussed with the Members that the Town does not have a noise ordinance. The Members recall discussing a noise ordinance in the past. Who would police it? R. Hilliker and J. Edbauer both heard the music at their homes from Grottanelli's Rock 'n Roll Camp weekend. Chairman Kelly questioned the time to have music stop and discussed decibel levels; the Town does not have someone qualified to

measure decibel levels. J. Jozwiak said that when Springville Fire Company has an event the music is done by 10 p.m. Chairman Kelly questioned if Grottanelli should be getting a Special Use Permit every year and then the Town could put conditions on the permit. Supervisor Drake advised that this is being looked into. J. Edbauer noted that others are getting Special Use Permits, like Kissing Bridge just did. Chairman Kelly advised that there could be a Special Use Permit noise cut off time for any associated noise at the event. The members recalled the KB Moto matter and the noise problem with the neighbors. Those events started early in the day and lasted most of the day. R. Hilliker questioned what would determine an event: is a graduation party an event? J. Jozwiak added outdoor weddings at people's homes? J. Edbauer believed that if an admission were charged, it would be an event. Discussion then went to "non-profit" or making a "donation". K. Lux believes that noise is a NY State law and the sheriffs should go around and close things down. R. Hilliker feels that if a law is already on the books, why would the Town need one. Supervisor Drake advised that the sheriffs did go to the Grottanelli property but did not write any tickets.

2. Chairman Kelly advised the Members that in preparation for their next meeting, Members should (a) work on verbiage for a noise ordinance that can then be presented to the Board, and (b) continue to review the zoning ordinance.

3. R. Hilliker noted that the Internet Signs that J. Edbauer discussed at the last meeting were everywhere now. J. Edbauer advised that the ones are Transit Line Road have been taken down.

4. J. Edbauer advised that Love Inc is having a "Slice of Love" pizza fundraiser; Julie's Pizzeria is working with them on this event. A flyer was available with the details.

ITEM #8: Motion of Adjourn

J. Jozwiak made the motion, seconded by K. Lux, to adjourn the meeting at approximately 7:37 p.m. All in favor. Carried. Chairman Kelly advised that the next meeting is September 1st.



Darlene G. Schweikert
Planning Board Secretary