

TOWN OF CONCORD PLANNING BOARD
Town Hall

October 3, 2023
7:00 p.m.

At the beginning of the meeting, Chairman Lux provided each member with a copy of his resignation letter. He will be resigning from the Planning Board, and as Planning Board Chairman, effective November 15th, 2023. He thanked the Board for their support.

ITEM # 1:

The meeting was called to order by Planning Board Chairman Karl R. Lux, at 7:00 p.m.

ITEM #2: Roll Call

Present:

Karl R. Lux, Chairman
James Jozwiak
Joseph Edbauer
Ray Hilliker
Michael Cochran

Also Present:

Darlene G. Schweikert, Town Clerk
Clyde M. Drake, Council Liaison
Thomas Roberts, CEO

Not Present:

Bruce Luno
Julie Zybert

ITEM #3: Citizen Participation

There was no one for Citizen Participation.

ITEM #4: Approval of Minutes

a) September 5, 2023 – J. Jozwiak made the motion, seconded by M. Cochran, to approve the Minutes as presented. All in favor. Carried.

ITEM #5: Comments from Council Liaison Drake

Council Member Drake noted that he was disappointed to receive the resignation letter of Chairman Lux. Chairman Lux has done a great job in his eight years here and has handled some tough matters. Council Member Drake thanked Chairman Lux on the Town's behalf for all his efforts. Council Member Drake asked the Board if anyone on the Board would like to be the next Chairman or knew of anyone who would be interested in joining the Board, please reach out to him.

Chairman Lux asked CEO Roberts if he had anything to discuss with the Board. CEO Roberts advised that he met with the Springville Mobile Home Park owner

and Supervisor Drozd last week to discuss the renewal permit for Year 2023. They reviewed the condition of the property and the remediation of the problems that CEO Roberts pointed out during the annual inspection. The owner hired a contractor who repaved the driveway by the mailboxes and a couple of hard patches on other streets within the Park. The owner has been in contact with Erie County Health Department regarding the water and sewer at the property. The intent is to start installing water meters on all 60 properties but this would be costly. At this time the owner will be trying to install a couple meters on branches of the Park so that if something goes wrong with the water, they'd be able to find the problem faster without shutting off the water to all properties. The owner is also working with an engineer and Health Department on a new septic system.

After the meeting, the conclusion reached Supervisor Drozd and CEO Roberts was to approve the renewal of Year 2023 because the owner is showing progress with the remediation projects and some of the repairs. The condition of the trailers will never be perfect; most of these trailers are old trailers. Right now, there are only 32 homes out of the total 60 so the owner is struggling but he has put in a good faith effort. J. Edbauer advised that the owner is not ignoring the problems. J. Edbauer made the motion, seconded by J. Jozwiak, to authorize Chairman Lux to sign the Springville Mobile Home Park renewal permit for Year 2023. All in favor. Carried. Chairman Lux signed the renewal permit and Council Member Liaison Drake will present the renewal to the Town Board for approval.

CEO Roberts also discussed with the Board a situation on Crump Road and the definition of a grandfathered lot. The Code requires 1.5 acres for a building lot and this parcel is 1.46 acres per the survey. Town Atty Attea has reviewed the matter and provided his opinion that once a deed is recorded to a new owner, the parcel is no longer a grandfathered lot and the new owner could not build on the parcel. This section of the Code will be reviewed by the Planning Board during their Code update for better clarification of a grandfathered lot.

ITEM #6: Code Update

The members reviewed the General Code prepared Editorial and Legal Analysis: Questions 1-001 to 109-001. Secretary Schweikert will be noting the decisions made and uploading them onto the General Code site.

The following Questions need further review:

Question 47-001 Town Board Administrative Legislation; Council Member Drake will review

Questions 53-001 to 53-006 Animals; awaiting Dog Control Officer Robinson review

Question 57-001 Bingo; Town Clerk Schweikert will review

Question 59-001 Buildings, Unsafe; request Town Atty Attea and Town Prosecutor Rautenstrach to review for addition of language regarding enforcement

Question 78-001 Furnaces, Outdoor; request Town Atty Attea review;
Planning Board would like the legislation which has the minimum restrictions
Question 93-001 Permitted locations; restrictions; further review required
Questions 94-001 to 94-002; Mobile Homes; further review required
Question 103-001 Peddling and Soliciting; further review required

The Planning Board members will continue this project at the November meeting.

ITEM #7: Business from the Members

1) M. Cochran asked if any of the Planning Board members had attended the Zoar Moto Cross event. No members were able to attend but it appears the event was well attended and a successful event. J. Jozwiak noted that he saw an advertisement for the event for September 28th and September 29th, 2024. The Special Use Permit granted this year was for a one-time event so if the event is going to take place in 2024, a Special Use Permit application would be required. R. Hilliker wondered how much money was made at the event since the proceeds were to be donated to the Mortons Corners Fire Department; the town does not know the dollar amount.

2) Chairman Lux reviewed the members' training hours for Year 2023; J. Edbauer needs 2 hours and R. Hilliker needs .5/hr.

ITEM #8: Motion to Adjourn

J. Edbauer made the motion, seconded by M. Cochran, to adjourn the meeting at approximately 8:10 p.m. All in favor. Carried. The next meeting will be Tuesday, November 7, 2023.



Darlene G. Schweikert
Planning Board Secretary

