

TOWN OF CONCORD PLANNING BOARD
Town Hall Room 204 – Conference Room

April 3, 2012
7:00 p.m.

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
Jim 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) March 6, 2012

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

ITEM #5: Code Changes

8. Little Sheds. Further discussion on sheds. Discussed the definition of a shed and the associated fee for sheds on the building permit. The members would like some input from the Town Board and the Code Enforcement Officer as to how to proceed on this matter. Using the Piwowar home on Buffalo Road as an example of how many sheds are too many. Discussion about the set-backs, distance between sheds and moving of sheds.

9. Sign Code. After discussion, the members feel the language in the Code is fine and no changes need to be made.

10. Clarify Double-Wide vs. Trailers. J. Edbauer had provided a description previously. He will review this and get it to Darlene. G. Donhauser will research the

language about being on a foundation so that gray area can be clarified. Discussion about Park Model homes and J. Edbauer will check his proposed language and see if it needs to include Park Models.

11. Off Premises Sign. After discussion, the members feel the language in the Code is pretty clear. Enforcement of the law is where there is an issue.

12. Home Occupations. The members feel the Town needs these little businesses. The language may be good the way it is in the Code but perhaps the Town Board might like to review it and give the Planning Board their insight. Currently the fee for a Home Occupation is \$100.

ITEM #6: Business from the Floor

There was nothing under Business from the Floor.

ITEM#7: Motion of Adjourn

J. Edbauer made the motion, seconded by J. Zybert, to adjourn the meeting at approximately 8:00 p.m. All in favor. Carried.



Darlene G. Schweikert

Draft for Town of Concord

Definition

Mobile Home: The term "mobile home" includes "house trailer" but not "travel trailer" nor "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.

Notes:

1. Mobile homes are only allowed in Trailer Parks
2. Any homes constructed or erected outside trailer parks must conform to full perimeter foundations as outlined per NYS building codes.

TOWN OF
CONCORD

86 Franklin Street
P.O. Box 368

Phone: 716-592-4948
Fax: 716-592-0123

APPLICATION FOR
HOME OCCUPATION PERMIT

Current

Date Received _____ Permit # _____
Published Notice Date _____ Fee \$~~XXXXXX~~
Public Hearing Date _____ Paid _____

Pursuant to the provisions of the Town of Concord Code (150-7) made and provided for the conduct of a Home Occupation within the Town of Concord, I hereby apply for a permit to conduct a Home Occupation in the Town of Concord at the following location:

SBL# _____ ZONING OF PREMISES: _____
Said Home Occupation consists of the following occupation: _____

The applicant hereby agrees to comply with all provisions of the Town of Concord Ordinances appertaining to the said premises.

Home Occupation: An accessory use of a service character conducted within a dwelling by residents thereof which occupation is clearly secondary to the dwelling use for living purposes and does not change the character thereof or have any exterior evidence of such secondary use other than a permitted name plate, and in connection with which there is not involved the keeping of stock in trade. The Home Occupation shall be carried on wholly within the principal or secondary building. Not more than one (1) person outside the resident family shall be employed. There shall be no exterior storage of materials used in the Home Occupation. No offensive noise, vibration, smoke, dust, odor, light, or glare shall be produced. Home Occupation shall be allowed in the following districts only: R-1, R-AG, and RR-B. and R-12.

* In the event that the applicant is not the owner thereof, the written consent of the owner of the building structure or property upon which the sign is to be erected.

Consent _____
^^

I have read the foregoing application. The same is true to my knowledge.
Please Print

Applicant _____
Address _____
Phone _____

Applicant Signature _____ Date _____
^^
() Approved () Denied

~~Zoning Board~~ Chairman Signature _____ Date _____
Planning Bd.
Revised 8/2001

current

Requirements for Home Occupation Permit

1. Applicant shall be a resident of the property.*
2. The application and fee shall be submitted to the Town Clerk. Provide check in the amount of \$100.00 payable to the Town of Concord at the time of filing.
3. Provide tax map showing exact location of property.
4. With all of the above complete, the Zoning Board of Appeals will review said application, hold a public hearing and approve or deny.

* In the event that the applicant is not the owner thereof, the written consent of the owner of the property is to be submitted with the completed application.

Planning Bd
Proposed

TOWN OF CONCORD
86 Franklin Street
PO Box 368
Springville, NY 14141
(716) 592-4948
Fax (716) 592-0123

APPLICATION FOR HOME OCCUPATION PERMIT

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Published Notice Date _____ Fee \$100.00
Public Hearing Date _____ Date Paid _____

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*In the event that the applicant is not the owner thereof, the written consent of the owner of the building structure or property upon which the sign is to be erected.
Consent of Owner: _____

I have read the foregoing application. The same is true to my knowledge. Please print.

Applicant: _____
Address: _____
Phone: _____

Applicant Signature _____ Date _____

() Approved
() Denied
Planning Board Chairman Signature & Date

*Revised 7/2008

Planning Board
Proposed

TOWN OF CONCORD
86 Franklin Street
PO Box 368
Springville, NY 14141
(716) 592-4948
Fax (716) 592-0123

REQUIREMENTS FOR HOME OCCUPATION PERMIT

Applicant shall be a resident of the property. In the event that the applicant is not the owner thereof, the written consent of the owner of the property is to be submitted with the completed application.

The following **MUST** be submitted with this application before the permit can be processed:

1. The application and fee shall be submitted to the Town Clerk. Provide check in the amount of \$100.00 payable to the Town of Concord at the time of filing.
2. Provide tax map showing exact location of property.
3. With all of the above complete, the Planning Board will review said application at their regularly scheduled meeting with the applicant in attendance.
4. In order to be placed on the Planning Board agenda, ALL paperwork must be filed with the Town Clerk two weeks prior to the regularly scheduled Planning Board meeting night.
5. Final Home Occupation Permit approval is contingent upon an inspection of the premises by the Code Enforcement Officer.

POSSIBLE CODE CHANGES TO BE DISCUSSED:

1. Farm buildings. Are they exempt from building permits? Paying the permit fee: Section 68:4 and 68:5. **Yes, file permit and charge fee \$.02/sq foot or \$50 minimum.**
2. Clarify Zoning Codes. Is Agriculture allowed in C1, C2 or C? **All set in current Code.**
3. Mining Permits/Junkyard Permits. Include a penalty if not filed on time and make due by January 31st of the year. **Fee should be doubled if not completely filled in and filed on time. That fee would then be \$200.**
4. Minimum Lot Size: Change back from 1 ½ to 3 acres? **Discussed and tabled for further discussion.**
5. Mining Permits are controlled by NYS so should they not be doing Special Use Permits and pay a \$200 renewal fee? Make sure Tax Map # included on Application. Renew with the Town of Concord as long as a DEC permit is required (i.e. reclamation process). **Leave as is.**
6. Fee Schedule. Make sure all fees are listed including co-locate fee on same schedule. Do we want to get rid of the fee for a demolition permit? **Combine all on one page including telecommunication fees, farm buildings as discussed above #1 and #7 below.**
7. Application fees Letters G & H don't make sense in our Code. **Delete G and increase the fee at H to \$100.**
8. How many little sheds should be allowed on any parcel? Should a limit be in our Code? Condition of the sheds? **Discussed and tabled for further input from the CEO and Town Board.**
9. Sign Code. Difference between Pedestal and Freestanding sign. Add that site plan should be included with application? Wording regarding farm sign regulation should be looked into. **All set in current Code.**
10. Clarify double-wide manufactured homes vs. trailers on foundations. **J. Edbauer to review his definitions and get back to the Board with any modifications. G. Donhauser to review current Code re: trailers on foundation language.**
11. Off premises sign. Review language. **All set in current Code.**
12. Home Occupations. Businesses in homes. Retail? Process to start a business in home. Include language. **Discussed and tabled for further input from the Town Board.**
13. Review Code 72-7 Building Permit. 144 sq feet now requires a permit.
14. Building Permit for Roofs.
15. Building Permit for permanent generator and what constitutes a permanent generator.
16. General appearance of a home as far as how far the Town can go to have the property cleaned up.
17. Roadside vegetable stands and where they can be placed.
18. Permits for pools and fences around pools.
19. Grandfathered lots? Sub-standard sizes.
20. Solicitor License/Application.

21. Telecommunications Law. Is a building permit required as well as a Special Use Permit? Is any additional fee to be charged?
22. What is the front of a house? Is there a description in the State Code?
23. Review set back requirements. You cannot subdivide and create a non-conforming lot.
24. Storage Pods. Allowed under which circumstances and for what length of time.
25. Solar Energy/photo-voltaic permit fees. CEO requested this change/addition.
26. Building Permits and Sign Permits to be filed with Town Clerk but records to be held by CEO office.
27. Signs in residential/agricultural districts. Permit required? All permitted uses or just farms? CEO requested this change/clarification.