

**ZONING BOOK WORKSHOP
NOVEMBER 10, 2021
@ 5:30 P.M. AT TOWN HALL**

PRESENT: Justin Steinbach, CPL Zoning Consultant, Juan Pagan, Councilman, Richard Puro, Town Supervisor, Scott Pagano, Zoning Board Chairman, Mike Miller, Zoning Board Member, Shari Miller, Planning Board Chairwoman, Thomas Tarnowski, Zoning Board Member, and Jay Warren, Planning Board Member.

ABSENT: Priscilla Penfold, Zoning Board Member, Ken Tarnowski, Zoning Board Member, and Carl Brandt, Planning Board Member.

CPL Consultant, Justin Steinbach began the workshop with reviewing material discussed at previous meeting. He asked members if they had decided whether they wanted to go with flexibility in terms of parking or give businesses maximums/minimums.

Zoning Board Member, Mike Miller stated that he felt the flexibility standard wouldn't work within the Town. He said he hasn't seen that standard used within the local area.

Justin said that is no problem and he would update that parking minimums and maximums so they are more current to the current world.

Planning Board Member, Jay Warren had a question. He asked if the committee had resolved stacking or not.

Justin stated that he would also update the stacking requirements and modernize them for the next meeting.

Member Mike Miller then discussed his concern with drive thru's. He explained he would like to see them avoided at all costs. They cause pollution and obesity, Mike explained in detail the negative effects drive thru's can have on the community.

Justin moved on to the next agenda item, Site Plan Review. He stated that he didn't see anything that needed major changes until he got to the procedure section of the code. He added a sketch plan and pre-application section. He explained that from previous discussions he remembered the Committee wanting to add this. He also added that this helps streamline the site plan review.

Councilman Juan Pagan shared his concern that meeting with too many people for the pre-application process could cause conflict. He explained that if the entire Town Board were to attend it would create a quorum which would then mean the clerk would need 10 days to advertise. Therefore, creating a longer process.

Planning Chairwoman, Shari Miller agreed with this. She stated that in the previous meetings she had attended, in attendance was a member or two from each board that was necessary for that specific project.

Member Warren stated that he felt it would be good to include a consultant in this section, if the project deems one necessary. At cost to the applicant, he added. Member Warren also added that in previous meetings they have invited the fire department as well. He suggested adding wording to say "at the discretion of the Planning Board", in terms of who needs to be invited to these pre-application meetings.

Justin updated this part with appropriate wording.

Chairwoman Shari Miller discussed the fact that in the Town fees are not collected by the Code Enforcement Officer, but rather by the clerk's office. She suggested that be changed.

Justin changed this and he also changed that the application be submitted to the clerk's office not the code enforcement office. Justin also stated he would update the site plan review checklist based on the information they had updated this far.

Chairwoman Shari Miller also had questions on Page 2 Section A. of Site Plan Review. She explained that in this section it mentioned i. Highway Superintendent ii. Fire Department iii. Police Department. It stated in this section that these individuals will provide comment to the code enforcement officer and that isn't exactly how the process is currently. She explained to Justin that these individuals give their opinion/report to the Planning Board on specific project/applications.

Justin also explained that he updated and created a separate section to explain what the Planning Board is.

Member Warren explained that before the Town Board reviews a project, it is sent to the County Planning Department. Justin made sure that was included.

Justin also added a performance bond as a condition of approval.

He then explained that upon reviewing the submission of site plan review section, he felt there was nothing to change.

Chairwoman Shari Miller had a question. She explained that previously in this section, this is what the Planning Board uses as a review checklist. She stated that there have been situations where the Code Enforcement Officer has said for a certain project that something in this section was not applicable. She asked if there was a way a check list could be created for small projects and utilize the current one for larger projects. She also asked that if it would be necessary to have the part about funding, they have never requested to see project monies/funding.

There was also a suggestion from committee members that the wording could say applicable "at the discretion of the Code Enforcement Officer."

Justin stated that creating two lists could create complications. He stated he didn't feel that would be helpful for the board. He also stated that knowing the funding for a project is very beneficial to ensure the project will be completed and won't lay dormant. Specifically for large scale projects, this is something you should know as a board, he said.

Chairwoman Shari Miller's next concern was for smaller projects and how that will apply to them.

Member Warren suggested utilizing wording that stated "at the discretion of the planning board." He asked Justin to look at these concerns/ideas and see what he can come up with for the next meeting.

The discussion moved to Planned Unit Development.

In this section Supervisor, Dick Purol asked if the 10-acre rule was for land that was contiguous or 1 parcel.

Justin stated that he didn't exactly word it that way but could easily update that to say that the 10 acres needed to be owned by 1 person.

Justin told the Committee that under site and structure requirements he added protected features. Justin then asked members how they felt about #8 permitted uses. He asked if there was anything specific, they wanted to include here. He asked if they wanted to leave the door open or limit the uses.

Member Warren suggested leaving the door open in that section.

Member Tom Tarnowski asked if that would mean the Board would have the right to deny a project, even with leaving the door more open.

Member Warren said that they would still have the right to deny applicants.

Justin explained that it can become complicated in terms of procedure.

Justin stated he would look into this further and send information before the next meeting.

Member Warren explained that he was concerned about the R-1 section that was discussed on September 15, when he was absent. He asked Justin if at the next meeting there could be some further discussion on this section.

Justin stated that he would add that to the list. Among the examples and ideas for other topics for the next meeting.

With no further discussion the workshop concluded.

Respectfully submitted,

Kyle Coughlin,
Secretary to Zoning & Planning
Deputy Town Clerk
Town of Dunkirk