

City of Dunkirk Planning Board
Meeting Minutes

The Planning Board of the City of Dunkirk met on Thursday, May 3, 2012 at 6:00 pm in the Department of Development's Conference Room, Sterns Building.

Members present were Chairman Ed Schober, Andy Bohn, Chris Piede, John Mackowiak and Bill Tuggle.

Also present were Tim Gornikiewicz and Steve Neratko from the Department of Development, Councilmember's Stephanie Kiyak and Mike Michalski, William Lanski, Jarrod Johnson and Frank Schneider from Brooks Memorial Hospital, Jim Payne, and Andrew Palmer representing Crosby Mart

Meeting was called to order by Ed Schober at 6:02pm.

Agenda was passed out by Tim Gornikiewicz.

Andy Bohn made motion to pass previous meeting's minutes, seconded by Chris Piede.

Communications from the Public and Petitions

None

Old Business

None

New Business

Sign Review-529 Central Ave
Resolution 2012-05

Jarrold Johnson, William Lanski and Frank Schneider from Brooks Memorial Hospital came to the board seeking permission to place new "No Smoking" signs throughout the hospital campus. There would be thirteen (13) new 12*18 inch signs, and six (6) new 24*36 inch signs placed throughout the campus. The large signs would be close to the streets; Central Ave and Eagle Street, the smaller signs would be closer to the building and in the parking spaces. Mr. Johnson explained that smoking is a problem on the campus, and that the more, and the larger of the signs would deter people more. The Board questioned the number of signs. Ed Schober argued that more signs aren't the answer and that enforcing it is. Ed Schober said that the number of signs and size of signs is a City code issue first. None of the Board members had problem with the sign itself. John Mackowiak made motion to accept resolution contingent upon review and approval by the Building and Zoning officer and Zoning Board of Appeals. Andy Bohn seconded that motion. All in favor. Carried.

Sign Review-106 Central Ave
Resolution 2012-06

Andrew Palmer from Reid Petroleum proposed a new sign for Crosby Mart. This upgrade would be LED lighting. The sign would remain the same size. With the changing gas prices, they felt this would work better. Andy Bohn made motion to accept resolution authorizing new LED lighting at 106 Central Ave. Bill Tuggle seconded that motion. All in favor. Carried.

Demolition Review-501 Central Ave
Resolution 2012-07

Jarrold Johnson, William Lanski and Frank Schneider from Brooks Memorial Hospital came to the board seeking permission to demolish 501 Central Avenue. Mr. Johnson said they want to demolish the old church and expand parking. 50-60 new employee parking spaces and 25 visitor parking spaces. And reserve it for future expansion of services. Ed Schober asked if employment would increase 50-60. Mr. Johnson said no, but they are always looking at increasing services and employees. A few members said that parking isn't necessarily needed. Some said they did need parking. Hospital representatives said that parking is needed. Many visitors and employees are forced to park on Central Avenue which is metered parking. Ed Schober explained that in the City Code, Chapter 79-14040 states:

In approving the construction, demolition, relocation or material change in the exterior appearance of buildings and structures located on a lot in the H-D Overlay District, the Historic Commission/Planning Board must make one of the following findings in their recommendation:

- 1) *The proposed work preserves, enhances or restores the exterior appearance and architectural features of a building or structure and/or district of historic/architectural significance.*
- 2) *The proposed work compliments or enhances the exterior appearance and architectural features of a building or structure and/or district of historic/architectural significance.*
- 3) *The applicant has adequately demonstrated that the loss of a building or structure of historic/architectural significance is acceptable and/or made necessary by unsafe conditions which are economically unfeasible to correct.*

In order to demolish a building, one of these three findings must be met. John Mackowiak asked Tim Gornikiewicz explained that parking lot review would come before the Planning Board at a future date if demolition was approved. Ed Schober than explained that "mothballing" building is ok. Alterations are the only options. There are many other historic buildings that have been rehabbed. He cited the Crocker Sprague and the Old Cardinal Mindszenty building as two prime examples. Steve Neratko said that a third party should inspect building to prove that the building is unsound. Ed Schober said that the Planning Board wouldn't mind being part of inspection, or to take tour of building to see the shape of the building. John Mackowiak made motion to table decision until inspection and report can be made. Andy Bohn seconded that motion. All in favor.

Carried. Tim Gornikiewicz said he would work with Hospital and the Board to arrange a time for tour.

Site Review-7-17 Lake Shore Drive East
Resolution 2012-08

Jim Payne stated that restroom facilities are required for the hot dog stand. Crosby Mart, the Boardwalk or Rookies could be OK for it, but Mr. Payne felt that building a bathroom would work and look best. A shed would be placed right behind the hot dog stand. He also stated that he doesn't want to get a "Johnny on the spot". The restroom shed would be 5*5 and look exactly like the hot dog stand; same siding, color and roof. The Board had questions on the health, and plumbing issues of the shed. The waste would be hard piped into the City's sewage. Chris Piede made motion to accept resolution in contingent upon the Health Board and the Building and Zoning code. Andy Bohn seconded that motion. All in favor. Carried.

First Ward Councilmember Mike Michalski brought forth the continued Rising Star Program. The Planning Board agreed to be the judge of the applicants for house of the month again. Mike said that he would contact the Planning Board personally via email.

Andy Bohn made motion to adjourn at 7:22. Bill Tuggle seconded that motion. All voted in favor.

Planning Board
Online vote-
May 31, 2012

Sign Review-201 Central Ave
Resolution 2012-09

Bill Tuggle made motion via email to grant Big Daddy's Lounge a new sign and awning. Chris Piede seconded that motion. All in favor. Carried.

CITY OF DUNKIRK PLANNING BOARD

RESOLUTION

No. 2012-05

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Thursday, May 3, 2012 at 6:00pm.

The following resolution was duly offered and seconded, to wit:

**RESOLUTION AUTHORIZING BROOKS MEMORIAL
HOSPITAL TO PLACE NEW "NO SMOKING" SIGNS AT 529
CENTRAL AVENUE**

WHEREAS, the City Code provides that the Board shall have full power and authority make investigations, maps, reports, recommendations, and approvals relating to the planning and development of the city ; and

WHEREAS, pursuant to these duties the Board has reviewing the information supplied by Brooks Memorial Hospital for the project located at 529 Central Avenue relating to the placement of new "No Smoking" signs; and

WHEREAS, the Board wishes to approve the transaction submitted and reviewed subject to the conditions contained below; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF DUNKIRK PLANNING BOARD AS FOLLOWS:

Section 1. Hereby offers its approval to Brooks Memorial Hospital for the sole purpose of placing new "No Smoking" signs at the property located at 529 Central Avenue

Section 2. The above approval is subject to the following terms and conditions:

1. Contingent upon Zoning Board approval of the number of signs
2. _____
3. _____
4. _____
5. _____

Section 3. The above resolutions shall take effect immediately.

Dated: May 3, 2012

STATE OF NEW YORK)
COUNTY OF CHAUTAUQUA) SS:

I, the undersigned Recording Secretary of the City of Dunkirk Planning Board, DO HEREBY CERTIFY:

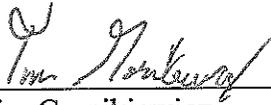
That I have compared the annexed extract of minutes of the meeting of the City of Dunkirk Planning Board (the "Board"), including the resolution contained therein, held on May 3, 2012, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Board and of such resolution set forth therein and of the whole of said original insofar as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of the Board had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with Article 7.

I FURTHER CERTIFY that there was a quorum of the members of the Board present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 3rd day of May, 2012.



Tim Gornikiewicz
Recording Secretary
City of Dunkirk Planning Board

[SEAL]

CITY OF DUNKIRK PLANNING BOARD

RESOLUTION

No. 2012-06

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Thursday, May 3, 2012 at 6:00pm.

The following resolution was duly offered and seconded, to wit:

**RESOLUTION AUTHORIZING REID PETROLEUM CORP
(CROSBY FOOD MART) TO PLACE NEW LED LIGHTED
SIGN AT 106 CENTRAL AVENUE**

WHEREAS, the City Code provides that the Board shall have full power and authority make investigations, maps, reports, recommendations, and approvals relating to the planning and development of the city ; and

WHEREAS, pursuant to these duties the Board has reviewing the information supplied by Reid Petroleum Corp (Crosby Food Mart) for the project located at 106 Central Avenue relating to the placement of new LED lighted sign; and

WHEREAS, the Board wishes to approve the transaction submitted and reviewed subject to the conditions contained below; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF
DUNKIRK PLANNING BOARD AS FOLLOWS:**

Section 1. Hereby offers its approval to Reid Petroleum Corp (Crosby Food Mart) for the sole purpose of placing new LED lighted sign at the property located at 106 Central Avenue

Section 2. The above approval is subject to the following terms and conditions:

1. _____
2. _____
3. _____
4. _____
5. _____

Section 3. The above resolutions shall take effect immediately.

Dated: May 3, 2012

STATE OF NEW YORK)
COUNTY OF CHAUTAUQUA) SS:

I, the undersigned Recording Secretary of the City of Dunkirk Planning Board, DO
HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the City of Dunkirk Planning Board (the "Board"), including the resolution contained therein, held on May 3, 2012, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Board and of such resolution set forth therein and of the whole of said original insofar as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of the Board had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with Article 7.

I FURTHER CERTIFY that there was a quorum of the members of the Board present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 3rd day of May, 2012.



Tim Gornikiewicz
Recording Secretary
City of Dunkirk Planning Board

[SEAL]

Tabled

CITY OF DUNKIRK PLANNING BOARD

RESOLUTION

No. 2012-07

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Thursday, May 3, 2012 at 6:00pm.

The following resolution was duly offered and seconded, to wit:

**RESOLUTION AUTHORIZING BROOKS MEMORIAL
HOSPITAL TO DEMOLISH 501 CENTRAL AVENUE**

WHEREAS, the City Code provides that the Board shall have full power and authority make investigations, maps, reports, recommendations, and approvals relating to the planning and development of the city ; and

WHEREAS, pursuant to these duties the Board has reviewing the information supplied by Brooks Memorial Hospital to demolish 501 Central Avenue; and

WHEREAS, the Board wishes to approve the transaction submitted and reviewed subject to the conditions contained below; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF
DUNKIRK PLANNING BOARD AS FOLLOWS:**

Section 1. Hereby offers its approval to Brooks Memorial Hospital for the sole purpose of demolishing 501 Central Avenue

Section 2. The above approval is subject to the following terms and conditions:

1. Review and inspection by professional inspector to the severity of the building.

2. _____

3. _____

4. _____

5. _____

Section 3. The above resolutions shall take effect immediately.

Dated: May 3, 2012

STATE OF NEW YORK)
COUNTY OF CHAUTAUQUA) SS:

I, the undersigned Recording Secretary of the City of Dunkirk Planning Board, DO
HEREBY CERTIFY:

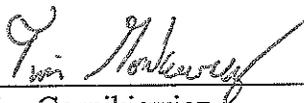
That I have compared the annexed extract of minutes of the meeting of the City of Dunkirk Planning Board (the "Board"), including the resolution contained therein, held on May 3, 2012, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Board and of such resolution set forth therein and of the whole of said original insofar as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of the Board had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with Article 7.

I FURTHER CERTIFY that there was a quorum of the members of the Board present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 3rd day of May, 2012.



Tim Gornikiewicz
Recording Secretary
City of Dunkirk Planning Board

[SEAL]

CITY OF DUNKIRK PLANNING BOARD

RESOLUTION

No. 2012-08

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Thursday, May 3, 2012 at 6:00pm.

The following resolution was duly offered and seconded, to wit:

**RESOLUTION AUTHORIZING JIM PAYNE TO CONSTRUCT
AND PLACE NEW RESTROOM SHED AT 7-17 LAKE SHORE
DRIVE EAST**

WHEREAS, the City Code provides that the Board shall have full power and authority make investigations, maps, reports, recommendations, and approvals relating to the planning and development of the city ; and

WHEREAS, pursuant to these duties the Board has reviewing the information supplied by Jim Payne for the project located at 7-17 Lake Shore Drive East relating to the construction and placement of new restroom shed; and

WHEREAS, the Board wishes to approve the transaction submitted and reviewed subject to the conditions contained below; and

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF
DUNKIRK PLANNING BOARD AS FOLLOWS:**

Section 1. Hereby offers its approval Jim Payne for the sole purpose of construction and placement of restroom shed at the property located at 7-17 Lake Shore Drive East

Section 2. The above approval is subject to the following terms and conditions:

1. Contingent upon Health and Building/Zoning Code.
2. _____
3. _____
4. _____
5. _____

Section 3. The above resolutions shall take effect immediately.

Dated: May 3, 2012

STATE OF NEW YORK)
COUNTY OF CHAUTAUQUA) SS:

I, the undersigned Recording Secretary of the City of Dunkirk Planning Board, DO HEREBY CERTIFY:

That I have compared the annexed extract of minutes of the meeting of the City of Dunkirk Planning Board (the "Board"), including the resolution contained therein, held on May 3, 2012, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Board and of such resolution set forth therein and of the whole of said original insofar as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of the Board had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with Article 7.

I FURTHER CERTIFY that there was a quorum of the members of the Board present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 3rd day of May, 2012.



Tim Gornikiewicz
Recording Secretary
City of Dunkirk Planning Board

[SEAL]

CITY OF DUNKIRK PLANNING BOARD

RESOLUTION

No. 2012-09

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Thursday, May 31, 2012 at 6:00pm.

The following resolution was duly offered and seconded, to wit:

RESOLUTION AUTHORIZING BIG DADDY'S LOUNGE TO PLACE A NEW SIGN AT 201 CENTRAL AVENUE

WHEREAS, the City Code provides that the Board shall have full power and authority make investigations, maps, reports, recommendations, and approvals relating to the planning and development of the city; and

WHEREAS, pursuant to these duties the Board has reviewing the information supplied by Big Daddy's Lounge for the project located at 201 Central Avenue relating to the replacement of a new sign; and

WHEREAS, the Board wishes to approve the transaction submitted and reviewed subject to the conditions contained below; and

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE CITY OF DUNKIRK PLANNING BOARD AS FOLLOWS:

Section 1. Hereby offers its approval to Big Daddy's Lounge for the sole purpose of placing a new sign at the property located at 201 Central Avenue

Section 2. The above approval is subject to the following terms and conditions:

- 1. _____
- 2. _____
- 3. _____
- 4. _____
- 5. _____

Section 3. The above resolutions shall take effect immediately.

Dated: May 31, 2012

STATE OF NEW YORK)
COUNTY OF CHAUTAUQUA) SS:

I, the undersigned Recording Secretary of the City of Dunkirk Planning Board, DO HEREBY CERTIFY:

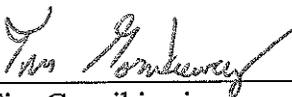
That I have compared the annexed extract of minutes of the meeting of the City of Dunkirk Planning Board (the "Board"), including the resolution contained therein, held on May 31, 2012, with the original thereof on file in my office, and that the same is a true and correct copy of the proceedings of the Board and of such resolution set forth therein and of the whole of said original insofar as the same relates to the subject matters therein referred to.

I FURTHER CERTIFY that all members of the Board had due notice of said meeting, that the meeting was in all respects duly held and that, pursuant to Article 7 of the Public Officers Law (Open Meetings Law), said meeting was open to the general public, and that public notice of the time and place of said meeting was duly given in accordance with Article 7.

I FURTHER CERTIFY that there was a quorum of the members of the Board present throughout said meeting.

I FURTHER CERTIFY that as of the date hereof, the attached resolution is in full force and effect and has not been amended, repealed or modified.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the City this 31st day of May, 2012.



Tim Gornikiewicz
Recording Secretary
City of Dunkirk Planning Board

[SEAL]