

City of Dunkirk Planning Board Meeting Minutes

October 9, 2013

**Present:** Chairman Ed Schober, Andy Bohn, Chris Piede, and John Mackowiak. Also present were Director of Development Steve Neratko, Mayor A.J. Dolce, City Attorney Ron Szot, Lacy Lawrence, Al Zurawski, Stacy Szukala, Stephanie Kiyak, Mr. Putnam and Mr. Mekus from First United Presbyterian Church, Mr. Gambino from Chadwick Bay Marina and Gib Snyder.

**Absent:** Bill Tuggle

Meeting was called to order by Ed Schober at 6:04 p.m. located in the Stern's Conference Room, in the Stern's Building.

**Acceptance of meeting's minutes:** Chris Piede made a motion to accept the minutes of July 9, 2013 and August 14, 2013, seconded by Andy Bohn. Carried, all voting aye.

**Communications from the Public and Petitions:**

**Old Business:** there was no old business to discuss.

**New Business:**

***Site Review-Chadwick Bay Marina  
Resolution 2013-14***

Mr. Gambino updated the planning board that he bought out his partner on the Chadwick Bay Marina Project. He has decided on a two story plan, but noted if the NRG Plant closes in the future he will need to change his plan to a one story for economic reasons and understands he will have to present his site plan again to the planning board at that time. He has a demo permit to demolish the existing structure except for two concrete cinder block bathrooms and a wood utility wall. This will be considered a remodel project instead of a new construction. He has given the site plan to the Liquor Authority already for tentative approval. Signage will be determined later when he knows what the establishment will be. He is considering two options for the upstairs: a dinning area with a patio or a high end, class-A, office space available for leasing. The planning board then determined what action would be appropriate for the State Environmental Quality Review. Ed Schober then read aloud Type I, II, and III thresholds. Andy Bohn made a motion to consider this site plan a Type II action for SEQR, seconded by Chris Piede. Carried, all voting aye. Type II threshold considered was (617.5, C, 2) stating replacement, rehabilitation or reconstruction of a structure or facility, in kind, on the same site, including upgrading buildings to meet building or fire codes, unless such action meets or exceeds any of the threshold in section 617.4 of this part (agreed prior it

did not meet Type I). Ed Schober stated this means there is no further action needed for SEQR Forms. Chris Piede made a motion to approve the site plan contingent upon submission of a detailed landscaping plan, signage review and should any significant changes be proposed in the building configuration they must be provided with details to review.

***Site Review-410 Eagle Street- First United Presbyterian Church  
Resolution 2013-15***

Elders, Mr. Putnam and Mr. Mekus, from the First United Presbyterian Church, explained they have a shed they are in need of installing due to new fire codes. They explained they use to keep their lawn mower, snow blower, and other outdoor equipment in their basement but now need to keep any gas 10 feet away from their building. They were hoping to installing a redwood stained shed directly against their red brick building but found out they couldn't. They now have to find a possible location on their property to install a shed. It was noted this site falls into the Historical District Zone. Chris Piede made mention this shed does not follow historical aesthetics. Mr. Putnam explained they were planning on putting lilac bushes around the shed. Ed Schober stated any screening or landscaping needs to be presented clearly and specifically on the site plan. Chris Piede thought it would be best to look at the site and consider all other options. Steve Neratko stated he would take pictures of the site location and email them to all members. Chris Piede made a motion to table the resolution, seconded by Andy Bohn. Carried, all voting aye.

***Election of officer-Recording Secretary  
Resolution 2013-16***

Andy Bohn made a motion to appoint the Recording Secretary, Lacy Lawrence, seconded by John Mackowiak. Carried, all voting aye.

Al Zurawski noted there are packets pertaining to planning board trainings. Only 4hours per year are required for training. Steve Neratko asked if any members do attend the trainings to provide the Recording Secretary with the information to keep on file. It was mentioned that Council would be requiring training for our board. Ed Schober asked if all members could be provided with an up to date copy of the Chapter 17 Codes.

Andy Bohn made a motion to adjourn at 6:56 p.m., seconded by Chris Piede. Carried, all voting aye.

*Approved 5-0*

**CITY OF DUNKIRK PLANNING BOARD**

**RESOLUTION**

**No. 2013-16**

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Wednesday, October 9 at 6:00 p.m.

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

**RESOLUTION AUTHORIZING THE APPOINTMENT OF  
OFFICER OF THE BOARD**

**WHEREAS**, the City Code provides that the Board may appoint such officers and assistant officers as the Board may determine to be appropriate and, pursuant to same, the Board wishes to Appoint the office of, RECORDING SECRETARY; and

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

Section 1. Recording Secretary – Lacy Lawrence

Section 2. The above resolutions shall take effect immediately.

Dated: October 9, 2013

STATE OF NEW YORK                    )  
COUNTY OF CHAUTAUQUA        ) SS:

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

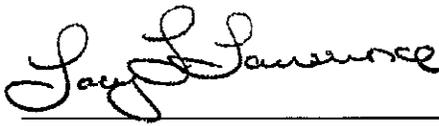
That I have compared the annexed extract of minutes of the meeting of the City of  
Dunkirk Planning Board (the "Board"), including the resolution contained therein, held on  
October 9, 2013, with the original thereof on file in my office, and that the same is a true and  
correct copy of the proceedings 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 9<sup>th</sup> day of October, 2013.

  
\_\_\_\_\_  
Lacy Lawrence  
Recording Secretary  
City of Dunkirk Planning Board

[SEAL]

**CITY OF DUNKIRK PLANNING BOARD**

**RESOLUTION**

**No. 2013-#**

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Wednesday, October 9, 2013 at 6:00 p.m.

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

**RESOLUTION AUTHORIZING SITE PLAN FOR FIRST  
UNITED PRESBYTERIAN CHURCH FOR SHED  
INSTALLAITON**

**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 reviewed the information supplied by First United Presbyterian Church for the project located at 410 Eagle Street relating to the site plan; 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 First Presbyterian Church for the sole purpose of approving the site plan for a shed installation at the property located at 410 Eagle Street

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: October 9, 2013

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 October 9, 2013, 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 9<sup>th</sup> day of October, 2013.



\_\_\_\_\_  
Lacy Lawrence  
Recording Secretary  
City of Dunkirk Planning Board

[SEAL]

*Approved 5-0*

**CITY OF DUNKIRK PLANNING BOARD**

**RESOLUTION**

**No. 2013-14**

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Wednesday, October 9, 2013 at 6:00pm.

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

**RESOLUTION AUTHORIZING SITE PLAN FOR JEFF  
GAMBINO'S RESTAURANT AT THE CHADWICK BAY  
MARINA**

**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 reviewed the information supplied by Jeff Gambino for the project located the Chadwick Bay Marina relating to the site plan; 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 Jeff Gambino for the sole purpose of approving the site plan for the Chadwick Bay Marina

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

1. detailed final landscaping plan must be submitted to and approved by the Planning Board prior to implementation;
2. any signage proposed to be utilized must be submitted to and approved by the Planning Board prior to fabrication and installation; and,
3. should any significant changes be proposed in the building configuration (as per submissions by the applicant on/before October 9, 2013), the Planning Board must be provided an opportunity to review and to approve (as appropriate);

Section 3. The above resolutions shall take effect immediately.

Dated: October 9, 2013

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 October 9, 2013, 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 9<sup>th</sup> day of October, 2013.

  
\_\_\_\_\_  
Lacy Lawrence  
Recording Secretary  
City of Dunkirk Planning Board

[SEAL]