

City of Dunkirk Planning Board
Meeting Minutes

The Planning Board of the City of Dunkirk met on Thursday, February 28, 2013 6:00 pm in the Mayor's Conference Room, City Hall.

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

Also present were Tim Gornikiewicz, Steve Neratko and Dan Korzak from the Department of Development, Cody Britton from Southpaw Signs, Jeff Gambino from the Chadwick Bay Marina, Councilwoman at large, Stephanie Kiyak and Gib Snyder from the Observer.

Meeting was called to order by Ed Schober at 6:00pm.

Agenda was passed out by Tim Gornikiewicz.

Andy Bohn made motion to pass the previous meeting minutes. Chris Piede seconded the motion. All in favor.

Communications from the Public and Petitions

None

Old Business

None

New Business

***Sign Review-516 Central Ave
Resolution 2013-01***

Cody Britton from Southpaw Signs was present to describe the new sign at Drab Law Offices. He stated the sign would be perpendicular; two sided. Mr. Britton said that no lighting was part of the plan, but the owners might choose to have it at a later date. Andy Bohn made motion to accept sign proposal. John Mackowiak seconded that motion. All in favor. Carried.

***Sign Review-436 Central Ave
Resolution 2013-02***

Cody Britton from Southpaw Signs was present to describe the new sign at Patient's Pharmacy; a new pharmacy owned by Don Nash at 436 Central Ave. He stated that the sign would be on the corner of 5th Street and Central Ave. This would be a "monument" style sign. Cody Britton

stated that currently, the sign would be too tall. Anything over 48” must be set back 25’. Tim Gornikiewicz said that a zoning variance would be needed. Cody Britton said he would rather seek the variance, rather than make the sign smaller. Bill Tuggle made motion to accept sign proposal contingent upon Zoning Board of Appeals approval. Andy Bohn seconded that motion. All in favor. Carried.

*Facade Review-436 Central Ave
Resolution 2013-03*

Cody Britton from Southpaw Signs was present to describe the new sign on the fascia of the building. He also stated that the color of the building would be blue instead of brown. Mr. Britton said that the lettering would stick out a little. Ed Schober stated that the façade sign seemed too much. That the letters were too large. The size was 8”. Cody Britton said he could reduce the size, but didn’t want it to be too small. Andy Bohn made motion to accept sign proposal contingent on Cody Britton getting sign approved by Al Zurawski at real dimensions before final approval. John Mackowiak seconded that motion. All in favor. Carried.

*Site Review-Chadwick Bay Marina
Resolution 2013-04*

Chadwick Bay Marina owner, Jeff Gambino was present looking for a site approval for a new restaurant at the Marina. Mr. Gambino explained a brief history of the Marina and what has been done in the past year. Mr. Gambino had two proposals. One was a go, the second as a go if they received grant money. The one story version would begin soon. The two story version would come later on, if grant money was received. However, the site plan would be the same. The façade and siding would be similar to the Boardwalk. The design of the building is to be used year-round. Steve Neratko stated that a short-term SEQR would be necessary. Ed Schober said that the Planning Board has been lead agent, but never actually did the form.

Tim Gornikiewicz explained that the Board must look at the following in regards the site plan review: Location of trash, dumpsters and grease bins, landscaping, signage, lighting, control of litter, handicap ramps and accessibility of site.

Ed Schober said that since it is a preliminary plan, the board would be approving something in concept; the footprint of the building. Jeff Gambino would have to come back later with more details; signs, landscaping, etc.

Steve Neratko said that a Board must be lead agency on a SEQR. Tim Gornikiewicz said that a motion to make the Planning Board the lead agent is needed. Neratko said that the SEQR must be approved prior to plan being approved. Ed Schober stated that the Board can’t approve or do SEQR without any knowledge about the property. Ed Schober said they should approve a conceptual approval, but come back for a final approval at a later date. Jeff Gambino said he would come back for final approval, with SEQR completed at the next meeting. John Mackowiak made motion to accept conceptual plan, contingent upon SEQR and Zoning Board of Appeals (if necessary) prior to final review. Andy Bohn seconded the motion. Ed Schober abstained. Carried 4-0.

SEQR Review
Resolution 2013-05

Chris Piede made motion to make the Planning Board the lead agent in the SEQR of the restaurant at the Marina. John Mackowiak seconded that motion.

Election of Officers
Resolution 2013-06

John Mackowiak made motion to accept the 2013 officers. Chris Piede seconded that motion. All in favor.

2012 Meeting Schedule
Resolution 2013-07

John Mackowiak asked if the March meeting could be changed because of it following on Easter week. Tim Gornikiewicz stated they would push it back a week to April 4 if necessary. Andy Bohn made motion to accept 2013 meeting schedule. Bill Tuggle seconded the motion. All in favor.

Chris Piede made motion to adjourn at 7:38. Andy Bohn seconded that. All voted in favor.

CITY OF DUNKIRK PLANNING BOARD

RESOLUTION

No. 2013-01

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Thursday, February 28, 2013 at 6:00pm.

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

**RESOLUTION AUTHORIZING DRAB LAW OFFICE TO
PLACE NEW SIGN AT 516 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 Drab Law Office for the project located at 516 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 Drab Law Office for the sole purpose of placing a new sign at the property located at 516 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: February 28, 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 February 28, 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 28th day of February, 2013.



Tim Gornikiewicz
Recording Secretary
City of Dunkirk Planning Board

[SEAL]

CITY OF DUNKIRK PLANNING BOARD

RESOLUTION

No. 2013-02

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Thursday, February 28, 2013 at 6:00pm.

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

**RESOLUTION AUTHORIZING PATIENT'S PHARMACY &
MEDICAL INC TO PLACE NEW SIGN AT 436 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 Patient's Pharmacy & Medical Inc for the project located at 436 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 Patient's Pharmacy & Medical Inc for the sole purpose of placing a new sign at the property located at 436 Central Avenue

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

1. Contingent upon Zoning Board of Appeals approval.
2. _____
3. _____
4. _____
5. _____

Section 3. The above resolutions shall take effect immediately.

Dated: February 28, 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 February 28, 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 28th day of February, 2013.



Tim Gornikiewicz
Recording Secretary
City of Dunkirk Planning Board

[SEAL]

CITY OF DUNKIRK PLANNING BOARD

RESOLUTION

No. 2013-03

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Thursday, February 28, 2013 at 6:00pm.

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

**RESOLUTION AUTHORIZING PATIENT'S PHARMACY &
MEDICAL INC TO PLACE NEW FAÇADE AT 436 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 Patient's Pharmacy & Medical Inc for the project located at 436 Central Avenue relating to the replacement of a new facade; 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 Patient's Pharmacy & Medical Inc for the sole purpose of placing a new façade at the property located at 436 Central Avenue

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

1. Contingent upon making sign letters on façade in a smaller font.
2. _____
3. _____
4. _____
5. _____

Section 3. The above resolutions shall take effect immediately.

Dated: February 28, 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 February 28, 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 28th day of February, 2013.



Tim Gornikiewicz
Recording Secretary
City of Dunkirk Planning Board

[SEAL]

*Approved 4-0;
Ed Schober abstaining*

CITY OF DUNKIRK PLANNING BOARD

RESOLUTION

No. 2013-04

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Thursday, February 28, 2013 at 6:00pm.

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

**RESOLUTION AUTHORIZING JEFF GAMBINO TO BUILD
ONE OR TWO STORY 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 reviewing the information supplied by Jeff Gambino for the project located the Chadwick Bay Marina relating to the building of a one or two story restaurant; 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 building a new one or two story restaurant at the Chadwick Bay Marina

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

1. A conceptual plan was approved only
2. Mr. Gambino must come back with completed SEQR
3. Contingent upon Zoning Board approval (if necessary)
4. Complete plan approval must have specifics on signage, landscaping, fencing, etc
5. _____

Section 3. The above resolutions shall take effect immediately.

Dated: February 28, 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 February 28, 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 28th day of February, 2013.



Tim Gornikiewicz
Recording Secretary
City of Dunkirk Planning Board

[SEAL]

Approved 5-0

CITY OF DUNKIRK PLANNING BOARD

RESOLUTION

No. 2013-05

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Thursday, February 28, 2013 at 6:00pm.

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

A RESOLUTION TO DECLARE THE CITY OF DUNKIRK PLANNING BOARD'S INTENT TO SERVE AS LEAD AGENCY FOR THE CHADWICK BAY MARINA ADDITION – SEQR

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, the City of Dunkirk Planning Board has received a request for initial site plan approval for the Chadwick Bay Marina addition project, and

WHEREAS, an environmental review in accord with the State Environmental Quality Review (SEQR) regulations must be completed, and

WHEREAS, the City of Dunkirk Planning Board, City of Dunkirk Zoning Board of Appeals, City of Dunkirk Common Council, NYS Department of Environmental Protection, are "Involved Agencies" as defined in the SEQR regulations, and

WHEREAS, it is rational and sensible for the City of Dunkirk Planning Board to serve as the Lead Agency, and

WHEREAS, the City of Dunkirk Planning Board has offered to serve as the Lead Agency and has caused a full Environmental Assessment Form (EAF) for the proposed action to be prepared,

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 that the Planning Board be the lead agency for the Chadwick Bay Marina addition Project

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

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

Section 3. The above resolutions shall take effect immediately.

Dated: February 28, 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 February 28, 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 28th day of February, 2013.



Tim Gornikiewicz
Recording Secretary
City of Dunkirk Planning Board

[SEAL]

Approved 5-0

CITY OF DUNKIRK PLANNING BOARD

RESOLUTION

No. 2013-06

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Thursday, February 28, 2013 at 6:00 pm

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

RESOLUTION AUTHORIZING 2013 MEETING SCHEDULE

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, the Board seeks to meet on a regular basis to promote the business of the board;

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

Section 1. The 2011 Planning Board meeting schedule shall be as follows:

February 23, 2013-6:00 pm Mayor's Conference Room, City Hall

March 28, 2013-6:00 pm Mayor's Conference Room, City Hall

April 25, 2013-6:00 pm Mayor's Conference Room, City Hall

May 30, 2013-6:00 pm Mayor's Conference Room, City Hall

June 27, 2013-6:00 pm Mayor's Conference Room, City Hall

July 25, 2013-6:00 pm Mayor's Conference Room, City Hall

August 29, 2013-6:00 pm Mayor's Conference Room, City Hall

September 26, 2013-6:00 pm Mayor's Conference Room, City Hall

October 24, 2013-6:00 pm Mayor's Conference Room, City Hall

November 21, 2013-6:00 pm Mayor's Conference Room, City Hall

December 19, 2013-6:00 pm Mayor's Conference Room, City Hall

Section 2. The above resolutions shall take effect immediately.

Dated: February 28, 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 February 28, 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 28th day of February, 2013.



Tim Gornikiewicz
Recording Secretary
City of Dunkirk Planning Board

[SEAL]

Approved 5-0

CITY OF DUNKIRK PLANNING BOARD

RESOLUTION

No. 2013-07

A meeting of the Planning Board (the "Board") of the City of Dunkirk (the "City"), was convened on Thursday, February 28, 2013 at 6:00 p.m.

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

**RESOLUTION AUTHORIZING THE APPOINTMENT OF
OFFICERS 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 offices of CHAIR, VICE CHAIR, RECORDING SECRETARY; and

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

Section 1. The following persons are appointed as officers of the Board:

Chair, Board of Directors – Ed Schober

Vice Chair – Andy Bohn

Recording Secretary – Tim Gornikiewicz

Section 2. The above resolutions shall take effect immediately.

Dated: February 28, 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 February 28, 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 28th day of February, 2013.



Tim Gornikiewicz
Recording Secretary
City of Dunkirk Planning Board

[SEAL]