

TB Workshop Mtg February 8, 2018
TOWN BOARD WORKSHOP MEETING
COLDEN TOWN HALL February 8, 2018

MEETING CALLED TO ORDER AT 6:02PM

PRESENT: Councilman David Arcara
Councilman Jesse Hrycik
Councilwoman Patricia Zurbrick
Councilman Gerald Pietraszek
Supervisor James DePasquale

ALSO PRESENT: Town Clerk Christina Kerlin
Approximately 1 resident

1. Review Dog Kennel Permit – Diane Kolotylo-Farish

Supervisor DePasquale reviewed the submitted documents for the Special Use Permit application.

- Letter of Intent
- Sketch and plans
- \$25.00 fee collected
- Building Inspector report submitted and signed by John Kotlarsz
- Petition of residents in 500' and letters of support submitted by Diane Kolotylo-Farish
- Letters were received from residents that were strongly opposed to the dog kennel permit
- Environmental Board recommendation and SEQR form
- Planning Board recommendation
- Public Hearing notice posted and neighbors notified in 500'
- There was a court appearance that was issued for failure to obtain a building permit and a building to close to property lines all charges have been rectified
- Erie County Site Plan was received and determined to be of local concern

A Public Hearing for Diane Kolotylo-Farish-Dog Kennel Permit will take place at tonight's Regular Town Board meeting

All documents are on file in the Town Clerk's office for review.

2. Discussion on Town Hall Flooring

Supervisor DePasquale stated that the asbestos inspection report was received on the tiles in the copy room. The tiles do contain asbestos the mastic does not so the floor does not have to be completely removed. Quotes will be obtained for the removal of the tiles in the copy room and the Town Clerks office. Flooring samples were reviewed from Lowes, Home Depot and Kubala's Carpet Outlet.

3 .Review Public Hearing on Local Laws- Solar Zoning and Cold War Veterans Exemption

The following are two Local Laws that will be presented at tonight's Regular Town Board meeting:

AMENDING CHAPTER 108 TO ESTABLISH THE USE OF SOLAR ENERGY CONVERSION SYSTEMS IN THE VARIOUS ZONING DISTRICTS.

Section 1: LEGISLATIVE INTENT

This Local Law amends a prior Local Law known as "Adoption of Code" adopted by the Town of Colden on December 29, 1984, as amended, relating to the administrative, legislative and general legislation of the Codes within the Town of Colden as herein set forth.

The Town has adopted Chapter 107 regarding regulation of Solar Energy Conversion Systems within the Town. The purpose of this Local Law is to establish the use of Solar Energy Conversion Systems in the various districts.

2: ARTICLE V, R-1 SINGLE FAMILY RESIDENCE DISTRICT

Section 108-12 is amended by adding the following:

108-12-B(11) Solar Energy Conversion Systems 25kW or less via Unified Solar Permit

108-12-C(2) Solar Energy Conversion Systems Greater than 25kW via Special Use Permit

108-12-C(3) Solar Energy Conversion Systems 25kW or less via Special Use Permit

Section 3: ARTICLE VI, R-2 GENERAL RESIDENCE DISTRICT

Section 108-20 is amended by adding the following:

108-20-B(5) Solar Energy Conversion Systems 25kW or less via Unified Solar Permit

108-20-C(2) Solar Energy Conversion Systems Greater than 25kW via Special Use Permit

108-20-C(3) Solar Energy Conversion Systems 25kW or less via Special Use Permit

Section 4: ARTICLE VIII, R-RB RESIDENCE-RESTRICTED BUSINESS DISTRICT

Section 108-28 is amended by adding the following:

- 108-28-B(5) Solar Energy Conversion Systems 25kW or less via Unified Solar Permit
- 108-28-C(2) Solar Energy Conversion Systems Greater than 25kW via Special Use Permit
- 108-28-C(3) Solar Energy Conversion Systems 25kW or less via Special Use Permit

Section 5: ARTICLE IX, AG AGRICULTURAL DISTRICT

Section 108-36 is amended by adding the following:

- 108-36-B(6) Solar Energy Conversion Systems 25kW or less via Unified Solar Permit
- 108-36-C(2) Solar Energy Conversion Systems Greater than 25kW via Special Use Permit
- 108-36-C(3) Solar Energy Conversion Systems 25kW or less via Special Use Permit

Section 6: ARTICLE X, C COMMERCIAL DISTRICT

Section 108-44 is amended by adding the following:

- 108-44-A(43) Solar Energy Conversion Systems 25kW or less via Unified Solar Permit
- 108-44-D(2) Solar Energy Conversion Systems Greater than 25kW via Special Use Permit
- 108-44-D(3) Solar Energy Conversion Systems 25kW or less via Special Use Permit

Section 7: EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the Secretary of State.

AMENDING CHAPTER 90 GRANTING A REAL PROPERTY EXEMPTION FOR COLD WAR VETERANS BE IT ENACTED BY THE TOWN BOARD OF THE TOWN OF COLDEN AS FOLLOWS:

SECTION 1. LEGISLATIVE INTENT

This Local Law amends Local Law 1-1984, known as "Adoption of Code", adopted by the Town Board of the Town of Colden on December 29, 1984, as amended, relating to the administrative, legislative and general legislation of Codes within the Town of Colden as therein set forth.

SECTION 2. CHAPTER 95-14-ARTICLE 6 is amended by adding the following:

Chapter 95-14 Cold War Veterans Exemption

- a. The purpose of this section is to provide a veterans exemption of real property taxation allowable pursuant to 458-b of the Real Property Tax Law of the State of New York and shall be known as "Cold War Veterans Exemption Local Law."
- b. Qualifying residential real property shall be exempt from taxation to the extent of 15% of the assessed value of such property; provided, however, that such exemption shall not exceed \$12,000 or the product of \$12,000 multiplied by the latest state equalization rate for the Town of Colden, New York, whichever is less.
- c. In addition to the exemption provided by the Subsection B of this section, where the Cold War Veteran received a compensation rating from the United States Veterans Affairs or from the United States Department of Defense because of the service-connected disability, qualifying residential property shall be exempt from taxation to the extent of the product of the assessed valuation of property, multiplied by 50% of the Cold War veteran disability rating; provided, however, that such exemption shall not exceed \$40,000 or the product of \$40,000 multiplied by the latest equalization rate for the Town of Colden, New York, whichever is less.

SECTION 3. EFFECTIVE DATE

This Local Law shall take effect immediately upon filing with the New York Secretary of State.

4. Resolutions:

Supervisor DePasquale stated that the following resolutions will be presented at tonight's Regular Town Board meeting:

FEES AND FINES

WHEREAS, the Town of Colden has not reviewed the rates of Fees and Fines since the fiscal year of "2002"

WHEREAS, the Colden Town Board instructed the Town Planning Board with the assistance of Town Board members reviewed the existing Fees and Fines and found them to not be competitive with other Towns in the area.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Colden accepts recommendation of the Planning Board and adopts the new rates for Fees and Fines

"THINK DIFFERENTLY" INITIATIVE TO ASSIST INDIVIDUALS WITH SPECIAL NEEDS AND THEIR FAMILIES

WHEREAS, the "Think Differently" initiative is about promoting awareness and acceptance of all people, and advocating for the inclusion of all individuals living on the Autism Spectrum and with special needs; and

WHEREAS, our state and communities are stronger because of our diversity and differences; and

WHEREAS, according to the Center for Disease Control (CDC) over 55 million people, or approximately 19% of Americans, have a type of disability or special need; and

WHEREAS, for some people with special needs, the very things that make them unique can also keep them on the sidelines, separate from those who might not understand their differences or uniqueness; and

WHEREAS, it is important to promote and provide guidance to those with special needs on how to access publically supported services available to them in the community; and

WHEREAS, the goal of this initiative is to provide a supportive and inclusive environment for individuals of all abilities by supporting community events that expand family friendly opportunities for people with special needs and their families; and

WHEREAS, adopting the “Think Differently” initiative is an important statement that our Town officials, business owners and residents can make to show their support for the differently-abled children and adults with special needs, and their families.

NOW, THEREFORE, BE IT RESOLVED, that the Town of Colden, residents and business owners to adopt the “Think Differently” initiative so that all are better prepared to communicate with, provide for, and support those living with special needs

5. Review Purchase Offer Contract for 8837 State Road

Supervisor DePasquale asked the Town Board if they had a chance to review the purchase contract for the parcel of land adjunct to the Town Park. All Town Board members agreed they have reviewed the contract. Monies are being secured from a State Grant program that will help defray part of the cost of the property. A resolution will be brought up at tonight’s Regular Town Board meeting to enter into a contract to purchase the vacant property.

6. Councilman Comments or Concerns

7. Supervisors Comments or Concerns

There was discussion on water in the basement of the Town Hall.

ADJOURN

Supervisor DePasquale adjourned the meeting at 6:56pm.

Respectfully submitted,

Christina M. Kerlin,
Town Clerk

