

August 12, 2013

Board of Trustees

Proceedings by Authority

State of New York
Village of Celoron
Community Center

ss:

A Public Hearing of the Board of Trustees of the Village of Celoron, New York was held on Monday, August 12, 2013 at 6:55 P.M.

Members Present: Mayor Schrecengost, Trustees Grundstrom, Kogut, Mattison and Young

Others Present: Village Clerk-Treasurer Shirley A. Sanfilippo, MMC/CMFO, Village Attorney John D. Vanstrom, Code Enforcement Officer Robert J. Burkholder and four members of the public

Mayor Schrecengost called the Public Hearing to order and asked the Clerk to read the legal notice.

**LEGAL NOTICE
NOTICE OF PUBLIC HEARING
Local Law #2 of 2013**

NOTICE IS HEREBY given that the Board of Trustees of the Village of Celoron will hold a public hearing on Monday, August 12, 2013 at 6:55 p.m. in the Community Center, 47 Dunham Ave., Celoron, New York regarding Local Law No. 2 of 2013, a local law deleting Chapter 10, Drainage Control, and amending Chapter 19, Celoron Zoning Law, of the Code of the Village of Celoron, NY. This local law will add a new Stormwater Management, Erosion and Sediment Control section; amend the site plan section; and add a new C-3, Central Business/Shoreline Commercial District.

Written or oral statements will be received at that time. Time limitations may be imposed for each oral statement, if deemed necessary.

Dated: July 30, 2013

By Order of the Board of Trustees
Village of Celoron

Publication Date: August 1, 2013

Mayor Schrecengost asked if there was anyone present who wished to address this public hearing on Local Law No. 2 of 2013 to please step to the front, give your name, address and please limit your comments to three minutes.

No one stepped forward.

The following correspondence was received:

Chautauqua County
Department of Planning and Economic Development
200 Harrison Street
Jamestown, New York 14701

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Mr. Scott Schrecengost
Village of Celoron
PO Box 577, 21 Boulevard Avenue
Celoron, NY 14720-0577

RE: MUNICIPAL ZONING REFERRAL
LOCAL LAW ADOPTION – CELORON

Dear Mayor Schrecengost,

This letter is in response to your municipal zoning referral received by this office on July 15th, 2013 which is concerned with the amendments to the Village of Celoron's Zoning Law regarding site plan review; stormwater management and erosion control regulations; and the creation of a new C-3 Central Business/Shoreline Commercial District.

As one of the designated agents of the Chautauqua County Planning Board, I have reviewed the above noted referral. With regard to General Municipal Law 239-m (inter-community and county-wide considerations) in respect to this project, I find this question to be of **local option**. That is, with regards to land use compatibility, traffic safety, drainage, municipal facilities, environmental impact, community character, etc., there should be little or no adverse county-wide or inter-community effects.

If you have any questions with regard to this matter, feel free to contact me at 661-8910.

Respectfully,
Donald McCord, Senior Planner
Chautauqua County Division of Planning

MacDonald Illig
100 State Street, Suite 700
Erie, PA 16507-7600

August 7, 2013

Village Board, Village of Celoron, New York
c/o John D. Vanstrom, Esquire
Village Attorney
21 Boulevard Avenue
PO Box 577
Celoron, NY 14720-0577
Email: johnvanstromatty@windstream.net
Via Email and Certified Mail Receipt
No. 7160 3901 9849 1923 4521

Re: Local Law No. 2 of 2013 – A Local Law Deleting Chapter 10, Drainage Control, and Amending Chapter 19, Celoron Zoning Law, of the Code of the Village of Celoron, New York (the "Proposed Law")

Dear Mr. Vanstrom:

As you know, this firm is counsel to Northwest Savings Bank (the "Bank") in connection with the property that it owns in the Village of Celoron, New York, Parcel Nos. 369.14-1-1, 369.14-1-42 and 369.14-1-43 (the "Property"). As we previously discussed, the Bank has concerns regarding certain provisions of the Proposed Law.

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Please consider this letter the Bank's formal request to the Board of Trustees for the Village Board that the following amendments be made to the Proposed Law prior to its adoption:

1. Amend Proposed § 19-404B.B to include Townhouses and Condos as "uses by right", as they are under Current § 19-404 B.
2. Amend Proposed § 19-404B.B to include Outdoor Storage of Trailers, Boats, etc. as "uses by right", as they are under Current § 19-404 B.
3. Amend Proposed § 19-404B.B to include Private Swimming Pools as "uses by right", as they are under Current § 19-404 B.

Representatives of the Bank will be present for the August 12, 2013 public hearing and the Board meeting to follow.

I appreciate your consideration in this matter. Please contact me with any questions.

Very truly yours,
MacDONALD, ILLIG, JONES & BRITTON LLP
John J. Mehler

JJM/1360500

CC: Ms Shirley A. Sanfilippo, MMC, CMFO
Village of Celoron Clerk/Treasurer
Mr. Dean Huya

Mayor Schrecengost called three times for anyone present who wished to address the public hearing.

Mayor Schrecengost adjourned the Public Hearing at 6:59 p.m.

Shirley A. Sanfilippo, MMC/CMFO
Village Clerk-Treasurer