

REGULAR TOWN BOARD MEETING

Thursday - May 31, 2018 – 6:00 pm

AGENDA

Please turn off cell phones, pagers and electronic devices/ Assistive Listening Devices available for the Hearing Impaired

PLEDGE OF ALLEGIANCE

SILENT REFLECTION

AGENDA APPROVAL

RESIDENTS STATEMENTS

DEPARTMENT HEAD STATEMENTS

APPROVAL OF MEETING MINUTES . . . Town Board Work Session – 5/14/2018

AUDIT PAYMENT Councilman Bax

OLD BUSINESS. Board/Commission Vacancies
(Cable-1; Board of Ethics-2; Planning Board-1)
Change Order – Ash Tree Removal
Light Request – Big Vista North
Senior Center – HVAC

PENDING. Dog Shelter
Bingo Inspector

NEW BUSINESS Residents / Public Correspondence

SUPERVISOR BRODERICK
1. Liaison Report
2. Legal
3. Engineering
4. Finance

COUNCILMAN BAX
1. Liaison Report
2. Sewer Refund – Kenwood Drive

COUNCILMAN GEIBEN
1. Liaison Report

COUNCILMAN JACOBY
1. Liaison Report

COUNCILMAN MORREALE
1. Liaison Report
2. Site Plan – LMK Realty – North side of Northridge Drive
3. Site Plan – Maries – West side of Lower River Road
3. Seasonal Hires – Parks / Recreation
4. Excess Equipment – Storage Shed – Washuta Park

RESIDENTS STATEMENTS

UPCOMING BOARDS/COMMISSION MEETINGS:

Town Board Work Session	June 11, 2018	6:00 pm
Environmental Commission	June 12, 2018	7:00 pm
Historic Preservation	June 12, 2018	6:00 pm
Zoning Board of Appeals	June 14, 2018	7:00 pm
Planning Board	June 21, 2018	6:30 pm

**REGULAR TOWN BOARD MEETING
May 31, 2018**

Synopsis Residents / Public Correspondence

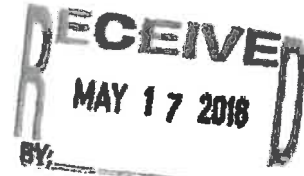
- Item No. 1 Residents Petition to uphold Zoning Law of 1495 Swann Road**
- Item No. 2 Light Request – Military Road**
- Item No. 3 Excessive water bill – Burns – North Hewitt Drive**
- Item No. 4 Mighty Fitz 5K Run**

Copy: T.B.
atty.
masters

5/29/18

May 16, 2018

D. Steve Broderick
Town Council Members
1375 Ridge Road
PO Box 330
Lewiston, New York 14092



LK

Dear Gentleman:

Please be advised that this is a letter we have sent to Tim Masters, Building Inspector requesting the zoning laws be upheld or an explanation as to why they have been ignored in writing.

Sincerely,

~~W. J. Daniels~~ ~~1534 Swann Rd Lewiston, NY~~

~~Rebecca Miller~~ ~~Jeffrey Miller~~
1516 Swann Rd Lewiston 14092
Susan J. Ashman
1559 Swann
Lewiston, NY

Erin Ortner
1525 Swann Rd.

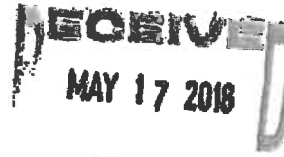
Ken Ortner
1525 Swann Rd

~~1546 Swann~~

Town Board Meeting 5/31/18

May 16, 2018

Tim Masters,
1375 Ridge Road
PO Box 3320
Lewiston, NY 14092



Dear Tim Masters,

LK

We the owners, tax payers and residents of Swann Road properties formally request that the zoning laws of the adjacent I-1 property located at 1495 Swann Rd, Lewiston, NY be upheld. The misuse and noise in the I-1 zones namely gun fire has become extremely unacceptable. This use and emissions of extreme noise from this property has become a quality of life and health issue to some of our residents; i.e. those who have PTSD, health issues and other conditions. There are also several retired residents that are trying to enjoy their homes.

Handwritten mark

360-109 Uses prohibited, 360-109 B strictly states "All uses of land, buildings and structures or industrial processes that may be noxious or injurious by reason of the production or emission of dust, smoke, refuse matter, odor, gas, fumes, noise, vibration or similar substances or conditions" are not permitted within the I-1 district.

Please resolve this matter with a determination as soon as possible. We look forward to hearing from you so we may resolve this matter.

Sincerely,

W. D.
Sandee Sledziemski
1534 Swann Rd
Lewiston, NY 14092

Theresa
1546 Swann Rd.

R. Miller
Rebecca Miller & Jeffrey Miller
1516 Swann Rd, Lewiston 14092

Susan J. Iszman
Susan J. Iszman
1559 Swann Rd.

Erin Ortner & Ken Ortner
1525 Swann Rd.

Chapter 360 Zoning

Article XIV: I-1 District: Industrial Districts

§ 360-106 Intent.

This section is intended for the provision of a district that supports light industrial uses and that serves as a transition zone between the heavier industrial nature of the Town's I-2 District and the Town's residential districts. It is intended to accommodate manufacturing, processing and wholesale/warehousing while protecting residential properties from unreasonable adverse impacts associated with these uses. The following regulations shall apply in all I-1 Districts:

§ 360-107 Uses permitted.

The following uses shall be permitted with site plan approval as set forth in Article XX

- A. Light industry.
- B. Assembly of component parts.
- C. Wholesale business and storage.
- D. Warehousing of goods for distribution.
- E. Research facilities, including laboratories and testing facilities.
- F. Business offices.
- G. Medical offices.
- H. Public utility facilities.

§ 360-108 Uses permitted with a special use permit.

The following uses shall be permitted within I-1 Districts only after submission of a special use permit application in accordance with § 360-132 and site plan approval from the Planning Board.

- A. Manufacturing, processing or assembly of materials into a finished product.
- B. Automotive-related uses.
- C. Marine uses.
- D. Building material yards.

§ 360-109 Uses prohibited.

The following uses are not permitted within the I-1 District.

- A. Residential uses.
- B. All uses of land, buildings and structures or industrial processes that may be noxious or injurious by reason of the production or emission of dust, smoke, refuse matter, odor, gas, fumes, noise, vibration or similar substances or conditions.

- C. The maintenance of a junkyard as defined in the Junkyard Ordinance.^[1]
[Amended 1-10-1966]

[1] *Editor's Note: See Ch. 209, Junkyards.*

§ 360-110 Accessory uses.

Accessory uses and buildings must be incidental to the principal use and located on the same lot with the principal building. Allowable accessory uses and buildings are as follows:

- A. Garages, off-street parking areas and storage buildings.
- B. Fences, subject to § 360-194 of the Code of the Town of Lewiston.
- C. Signs, subject to Article XXI of the Code of the Town of Lewiston.
- D. Other structures and uses customarily incidental to the permitted primary use.

§ 360-111 Yards required.

- A. Side yard. There shall be a side yard along the side of every lot in an I District of not less than the height of the building nearest the side line.
- B. Rear yard. There shall be a rear yard on every lot of an I District of not less than the height of the building nearest the rear line.

Copy: T.B.
atty
5/29/18

Anne Marie Burns
1001 North Hewitt Dr.
Lewiston, NY 14092
(716) 308-1342

Copy: Rutter
Townsend
AG
5/17/18

Dear Town of Lewiston Board members;

I am writing this letter for my parents Anthony and Violet Nanula who reside at 995 North Hewitt Dr., Lewiston, NY 14092. (Account # 10160995.00) They received an excessive water & sewer bill in the amount of \$754.09. They are in their 90's and on a fixed income. The burden of daily aids and medical care leaves them little income on a monthly basis.

How did this occur? The water driven backup sump pump was activated during the recent heavy rains and the float got stuck in the up position in the sump well. We had a drain in the front yard that was plugged, as a result the water backed up and both the normal pump and the backup pump were most likely activated to keep up with the water influx. The sustained water buildup in the sump well most likely forced the backup float into an area where it became stuck and remained on for an extended period of time. It was recently discovered and released.

We are asking the board to review the invoice and offer some relief. I'm sure history will show they use very little water on a normal basis.

Thank you in advance for your time and your consideration.

Sincerely;



Anne Marie Burns

Town Board Meeting 5/31/18

Donna Garfinkel

From: Paul Beatty [paulbeattyjr@gmail.com]
Sent: Monday, May 21, 2018 10:28 AM
To: Donna Garfinkel
Subject: Mighty Fitz 5K Request

Copy: T.B
atty
Police 5/29/18

Good Morning Donna,

At the request of Steve Broderick I am writing to formally advise you of our desire to host the 4th Annual Mighty Fitz 5K Run in Lewiston (See link below for complete details). The event will start and finish on Center Street using the attached certified course. We have permission from the Village of Lewiston, Lewiston Police/Fire and Artpark State Park to host the event. I will be completing the required DOT paperwork in the coming weeks and will secure event insurance through USATF as well. Please let me know if you require any additional information of paperwork that needs to be completed.

As always, thank you for your time and consideration and I look forward to hearing back from you soon!

Sincerely,

Paul Beatty, President
iRun WNY
716-998-5777 cell

LINK TO EVENT PAGE

<http://www.itsyourrace.com/event.aspx?id=5032>

LINK TO COURSE MAP

<http://www.usatf.org/events/courses/maps/showMap.aspx?courseID=NY17032JJ>

Town Board 5/31/18

over

Helene Smith and Michael McGarvey
458 Kenwood Drive
Lewiston, NY 14092
Acct #: 20260458

atty T.B.
atty
Ritter
DR
5/29/18

May 7, 2018

Lewiston Town Hall
1375 Ridge Road
PO Box 330
Lewiston, NY 14092

Dear Water Authority,

We have a swimming pool which is 29' in diameter which is approximately 20,000 gallons of water. As stated above, our address is 458 Kenwood Drive and our account number is 20260458. We would like to not have this charged to the sewer portion of our bill as this water does not flow into the sewer lines.

We moved into our home June 15, 2017 and we unaware of the sewer charges and would like to request a credit for the water bill previously paid which included the water from the swimming pool.

Please let us know if there is anything else you need from us to facilitate this request.

Sincerely,

Helene A. Smith *Michael M. McGarvey*

Helene A. Smith
Michael M. McGarvey
(716) 308-4787

20,000 ^{Gal} = 2,674 ^{CF}
\$ 79 70 ^{CF}

Town Board meeting
5/31/18

*Just Moved in 5/31/17



TOWN OF LEWISTON
1375 Ridge Road
Lewiston, New York 14092
(716) 754-8213
www.townoflewiston.us

May 23, 2018

Honorable Town Board
1375 Ridge Road
Lewiston, NY 14092

Supervisor Broderick and Councilmembers:

The Planning Board meeting in regular session on May 17, 2018, reviewed a Site Plan for property owned by LMK Realty, on the north side of Northridge Drive, SBL# 101.12-1-21-41.

The Planning Board recommends approval of the Site Plan with the following conditions/corrections:

Compliance with the Engineer's letter dated May 16, 2018.

Correct graphics on C1 at lots 3 R6 & R7.

Correct grading, contour lines between lots R1 & R2 on sheet C3.

Correct landscaping legend, eliminate 333 arborvitae, sheet L1.

Remove all references to "parking lot" on sheet C6.

Developer to pay for (4) LED light poles & installation as part of project.

Attached is the response from the Niagara County Planning Board.

Sincerely,

PLANNING BOARD

Bill Conrad/SV

William Conrad
Chairman



TOWN OF LEWISTON
1375 Ridge Road
Lewiston, New York 14092
(716) 754-8213
www.townoflewiston.us

May 22, 2018

Honorable Town Board
1375 Ridge Road
Lewiston, NY 14092

Supervisor Broderick and Councilmembers:

The Planning Board meeting in regular session on May 17, 2018, reviewed a Site Plan for David & Deborah Maries, for property located on the west side of Lower River Road, SBL# 73.18-1-36, adjacent to 4242 Lower River Road.

Attached is the response from the Environmental Commission. The Planning Board recommends approval of the Site Plan as presented with the condition that Niagara County allows the roof leaders to be tied in to the 30" drain pipe or the back-up plan if needed and subject to approval from the Town Engineer. Attached is the response from the Environmental Commission.

Sincerely,

PLANNING BOARD

William Conrad
Chairman

Town of Lewiston Parks & Recreation
 Mike Dashineau, Director
 1375 Ridge Road, Lewiston, NY 14092



May 22, 2018

Honorable Members of the Lewiston Town Board,

Please approve the following workers for Part Time and Seasonal Employment in the Parks and/or Recreation Department.

32	Danielle	Devantier	Rec Leader D/L	\$11.00		1st
33	Bradley	Webber	Laborer DL Seasonal (Parks)	\$10.75		1st
34	Connor	Grace	Recreation Aide	\$10.40		1st
35	Tyler	Haight	Recreation Aide	\$10.40		1st
36	Caden	Phalzer	Recreation Aide	\$10.40		1st
37	Courtney	Gunderson	Recreation Aide	\$10.40		1st
38	Gregory	Sledziewski	Recreation Aide	\$10.40		1st
39	Leah	Dobracz	Recreation Aide	\$10.40	C	1st
40	Olivia	Kiesel	Recreation Aide	\$10.40	C	1st

Please remove

22	Noah	Coppins	Recreation Aide	\$10.40		2nd
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- Mike D

Donna Garfinkel

From: Mike Dashineau [dash3640@yahoo.com]
Sent: Friday, May 18, 2018 2:43 PM
To: morrealerob@gmail.com; Donna Garfinkel; Steve Broderick
Subject: Agenda Item

Copy: TB
ally
CG 5/29/18

Please add to the next Board agenda:

Declaration of Excess Equipment: 15 x 20 Wood Storage Shed located at Washuta Park.

There is no expected value of this equipment, our intention is to place this item to bid or destroy it if it has no value.

Mike Dashineau
Town of Lewiston

Town Board meeting
5/31/18