

**CUBA VILLAGE PLANNING BOARD  
BOARD MEETING  
MAY 18, 2009**

**PRESENT:** Ellen Scott, Mansel Wells, John Hupp and Connie Doyle

**ABSENT:** Sue Hillman

**ALSO PRESENT:** James & Suzanne Krull, Alfred Joy, Thomas Taylor, Mayor, Walter Putt; Code Enforcement Officer, & Diane Butts, Deputy Clerk

Chairperson Ellen Scott called the meeting to order at 7:00 p.m. and the Pledge of Allegiance was recited.

**GUEST:** James Krull attended the meeting and discussed the following:

- “1. When I appeared before this Board in Dec, 2008, I was under the impression that either the Board or Mr. Putt would follow up by researching the set back rule for a commercial parking lot which abuts a residential property. To date, I have not received this information, and was wondering if the Board is now prepared to provide it to me. It is my understanding that NY state regulations recommend a set back rule of at least 20 feet.
2. I was wondering why Mr. Putt has not yet required CMH to properly install cement car bumpers as he informed me he would during a previous inspection of Parking Lot D last fall. At that time, Mr. Putt informed me that these bumpers should definitely be installed as a minimum requirement. As of this very afternoon, there are eight cement bumpers on the east side of the lot abutting my property, but they are not properly secured by metal pins and have subsequently slid down the east slope a distance of two to three feet.
3. Since it appears that CMH black topped Parking Lot D and improved the lot by installing new electric pole lighting in approximately 2005, I maintain that the lot is no longer grandfathered in, and the entire lot should be brought up to code and zoning laws that were established in 1995. This would include, but not necessarily be limited to, fence and landscaping improvements within the proper set back guidelines. Could you please advise me regarding the time frame that the Board will use to require CMH to meet this requirement?
4. Online meeting notes from the Dec. 25, 2008 Planning Board meeting which I attended do not accurately reflect the concerns that I brought to the board at that time. Those minutes refer to “some debris”. But in reality I expressed concern over approximately 1500 cubic YARDS of construction and demolition debris which seems to have been used by CMH to expand their existing parking lot onto my land.
5. At that meeting I also expressed concern about water runoff from the parking lot onto my land and the damage it has caused. This concern does not seem to appear in the minutes at all.
6. I would like the minutes of that meeting amended as so as is practicable to more appropriately express the issues which I brought to the attention of the Planning Board at that time.

Mr. Krull was told that the Board has no jurisdiction and was advised him to seek legal council. The Planning Board said they would send Mr. Krull's concerns to the Cuba Village attorney for advisement.

**MINUTES:** The minutes of the April 20, 2009 meeting were reviewed. A motion to approve the minutes was made by Mansel Wells, seconded by Connie Doyle and unanimously carried.

**OLD BUSINESS:**

ALCO FEDERAL CREDIT UNION – CERTIFICATE OF APPROPRIATENESS – The applicant requests a Certificate of Appropriateness to install an awning on the front their building at 9 West Main Street, which is located in the Main Street Historic District. Mr. Putt provided the Board with some pictures and measurements of the awning that the applicant would like to install. After reviewing this the Board found that the awning does not meet the Code of the Village of Cuba, Chapter 173, Section 14, Awnings and other projecting objects. Which states that it “does not project more than four (4) feet over said sidewalks”. The applicant’s proposed awning would project five (5) feet over the sidewalk. Connie Doyle made a motion to deny the request. John Hupp seconded the motion and it was carried unanimously.

**NEW BUSINESS:**

STEWART FREEMAN – 79 GENESEE ST The applicant is requesting permission to install a 50X72 addition to his garage at 79 Genesee St. After reviewing the application a motion was made by Mansel Wells, seconded by Connie Doyle and carried unanimously to approve the request.

VINCENT KING – 60 E. MAIN ST The applicant is requesting permission to install a new 20 foot driveway at 60 E. Main. The application was reviewed by the Board. Mansel Wells made a motion to approve the request, which was seconded by Connie Doyle and unanimously carried.

**OTHER BUSINESS:** Mayor Taylor reminded the Board that they are required by the state to complete 4 hours of training each year.

With no further business to discuss a motion was made by Mansel Wells, seconded by John Hupp and passed unanimously to adjourn this Planning Board Meeting.

TIME 8:05 PM

Respectfully submitted,

Diane Butts