



INCORPORATED:
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Village of Youngstown

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Village of Youngstown Board of Trustees Work Session Minutes – April 12, 2018

OLD BUSINESS

EASEMENT ON CARROLLWOOD

Attorney Caserta is reviewing the letter from owners Attorney.

Discussion commenced regarding the issues holding up the easement. The only information the Village has is a verbal commitment that the owner will build a single family home. Building Inspector Stevens walked the property with the owners. Inspector Stevens pointed out concerns to the owners during the walk through of the property. Inspector Stevens informed the Board that he has advised the property owner via phone calls of his requirement of written plans. In addition, he advised the owner that before the Village can move forward with the easement, the owners must provide:

- A report from a wetlands consultant
- A DEC determination with details of where building can occur (to account for the wetlands).
- State determination on the drainage and easement for the State ditch located on the property as well approval for the location of the permanent driveway.

Attorney Caserta will follow up with the property owners and their Attorney.

KEY BANK

The Board advised the Clerk to collect the signed petitions. The Clerk's office will draft a letter to accompany the petition. Trustee Zastrow will review the information.

NIAGARA RIVER ANGLERS

The lease is due May 1st. The Clerk's office reviewed the lease and noted the lease requires payment for the actual utilities used at the location. In 2006 a set amount was been implemented as it covered the cost at the time for the year. This is no longer the case as utility costs have risen. Attorney Caserta will update the wording of the lease to reflect the information that the bill generated will be for the previous year actual total. Mayor Reynolds will contact the Niagara River Anglers to explain the update and wording changes in the lease.

DIVAL

The AED accessories in the Village Center and the Police Department have expired. Both need new pads and the Police AED needs a new battery. DPW Superintendent Muller obtained quotes for the replacement parts and for new machines. After discussion and comparison, the Board directed that a new AED be ordered to be placed in the Village Center and new pads be ordered for the other AED and placed with the Police Department.

VILLA CONDOMINIUM

Attorney Caserta updated the Board and stated that the required forms will be submitted for the filing.

MAIN STREET MORATORIUM

James Richert and his son Mark Richert attended this portion of the meeting after previous discussions with Mayor Reynolds. James Richert began by explaining that his perception after the March meeting was that within two weeks a meeting would be scheduled between the Board and the Business owners on Main St. Mr. Richert explained that at that meeting, he submitted a proposal for 440 Main Street and felt that having 6 rental apartments would fit a need in the Village. He stated that he cannot think of anything else they could put in the building to fulfil the commercial requirement. He asked the Board what they would like to see. Mr. Richert does not want to put a business in there to fail. He feels by offering rentals, he will be successful.

Mayor Reynolds advised that as the law is written now, 100% of the first floor is required to be Commercial. This code was written years ago, and the Board realizes it will not work today. Mayor Reynolds continued that the code does not affect just his property, but for the time being all codes and procedures have to be followed as written. Mr. Richert continued with information on variances from other locations and stated that because he is at the extreme end of the commercial district, he feels there should be a work around for the property. He said they should not have to deal with the commercial aspects of the moratorium in place. Trustee Fox commented that the Board is working on changing the code requirements but it is not an overnight process.

Mr. Richert inquired about applying for a variance to satisfy his request (for residential apartments on the first floor). Attorney Caserta confirmed that because of the moratorium in place, a variance application is not applicable. Trustee Fox advised that even if a variance was granted to them, it would not be fair to other business owners who abided by the code. Mr. Richert asked if the dimensions (percentage) of commercial useage could be changed for his project. Trustee Fox advised they need to go through the proper process if they want to modify the percentage.

Mr. Richert advised that he is concerned about timing and closing on the property as he is not sure if there will be enough income from the property to support it without the rentals. Mr. Richert

suggested to the Board the commercial portion of his building (as displayed on his original sketch provided at a previous meeting) could it be a Welcome Center for the town [Village]. Mayor Reynolds advised he understood where they were coming from in wanting to speed up the process and wants to work with them, but it is codes for the entire district, not just his property. The Village has to go through the process to change the code. Mr. Richert asked if he could renovate the back of the property, as they do not want to wait for the code change. He was informed that due to the existing code and moratorium, a building permit would not be issued for the first floor for residential apartments. Mr. Richert asked for a time frame of when the process would be complete and Mayor Reynolds advised it could be late summer – which may be optimistic.

Mr. Richert then asked if the first floor could be occupied as an Airbnb. A brief discussion occurred regarding requirements for this type of business. Mr. Richert discussed tourism and its effects on business within the Town. Attorney Caserta advised the Village is not ready to commit to allowing an Airbnb as commercial space on the first floor and will continue his research and advise the Board of his findings at the next board meeting.

Mr. Richert asked if they could start work on rental units in the basement, Building Inspector Stevens advised that they could apply for the building permit (for the basement) and that everything must be up to current code.

NEW BUSINESS:

Trustee Zastrow discussed the need for the Board to repurpose the Greenway Grant. Trustee Fox advised that resident Rick Lohr had suggested moving utilities on Main St. The Board discussed that the project would need to be consistent with the purpose of the grant and that they would need to go back to the Greenway Commission to repurpose the funding. Trustee Fox will follow up with Mr. Lohr on details for this project.

With no additional discussion, motion to adjourn the work session and enter into Executive session at 8:54 p.m. was made by Trustee Zastrow, seconded by Trustee Comerford. All in favor, motion was carried.

ITEMS ON HOLD PENDING FINANCES

- Air Conditioner for Historical Society, Board Room and Mayor's Room
- Boiler for the Village Center
- Gym Doors (from entrance of parking lot)
- Steve's Heating and Cooling-Garage break room
- Advantage Security-DPW Garage