

February 7, 2023

TOWN OF CONCORD PLANNING BOARD  
Town Hall

February 7, 2023  
7:00 p.m.

**ITEM # 1:**

The meeting was called to order by Planning Board Chairman Karl R. Lux, at 7:00 p.m.

**ITEM #2: Roll Call**

**Present:**

Karl R. Lux, Chairman  
James Jozwiak  
Julie Zybert  
Raymond Hilliker  
Michael Cochran

**Also Present:**

Darlene Schweikert  
Thomas Roberts, CEO

**Not Present:**

Bruce Luno  
Clyde M. Drake, Council Liaison

**ITEM #3: Citizen Participation**

There was no one for Citizen Participation.

**ITEM #4: Comments from Council Liaison Drake**

Council Member Drake was excused from tonight's meeting.

**ITEM #5: Approval of Minutes**

a) December 6, 2022– J. Jozwiak made the motion, seconded by J. Edbauer, to approve the Minutes as presented. All in favor. Carried.

\*The January 3, 2023 Meeting was cancelled.

**ITEM #6: Mining Permits**

- a) McEwan
- b) Cold Spring-Sharp Street Pit
- c) McCarthy Gravel Mine
- d) Gernatt Pits: Middle Road-Vaughn/Gentner; Middle Road-Dewald; Zylinski Clay Mine; Waterman Pit; Wendel Pit.
- e) D&H Materials, Inc.
- f) Triple R. Properties Pit

Chairman Lux asked if there were any questions or comments regarding the Mining Permits (a-f above). J. Jozwiak made the motion, seconded by R. Hilliker, to recommend that the Town Board approve the renewal of the mining permits, a-f, as presented. All in favor. Carried.

g) Schreiber & Winkleman

Schreiber & Winkleman contacted the Town regarding their Permit. Don Schreiber, Jr., noted that the pit is on pause in operations and he did not think a renewal of the pit would be required. Town Clerk Schweikert advised Mr. Schreiber that she was not sure what the Planning Board and Town Board would decide about the Town Permit; if he would be required to renew because it was just paused and the pit was not closed. The members reviewed the DEC April 8, 1980 letter and the email received from Mr. Schreiber. Schreiber & Winkleman in the past have renewed their permit with the Town noting that there was no activity during the year. The members believe that Schreiber & Winkleman have the following options: (1) If Schreiber & Winkleman declare that the pit is on pause and the permit is not renewed, Schreiber & Winkleman should present a reclamation plan to the Town and cease all future mining activities (2) File the renewal permit and fee of \$200 to keep the permit open with the Town so mining operations could continue in the future; or (3) If the permit is not renewed and Schreiber & Winkleman want to mine again in the future, Schreiber & Winkleman would have to start the whole Special Use Permit process over by filing a new Special Use Permit application with the Town and work with the DEC for their permitting process.

J. Jozwiak made the motion, seconded by J. Edbauer, to recommend that the Town Board advise Schreiber & Winkleman of the three options and let Schreiber & Winkleman decide which option is best. All in favor. Carried.

**ITEM #7: Junkyard Permits**

- a) Jordan's Salvage
- b) Southern Tier Auto Center Inc.
- c) Arthur P. King
- d) Ronald Miller

Chairman Lux asked for comments or questions regarding the Junkyard Permits. J. Jozwiak made the motion, seconded by M. Cochran, to recommend that the Town Board approve the renewal of the junkyard permits, a-d above. J. Edbauer abstained with regard to Jordan's Salvage. All in favor. Carried.

**ITEM #8: Mobile Home Parks**

- a) Richard Perkins Mobile Home Permit – CEO Roberts visited the site

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earlier this week and found three violations. CEO Roberts will be sending Mr. Perkins a letter noting the required repairs; however, Mr. Perkins advised that he would fix these issues right away. See CEO Roberts letter attached. CEO Roberts signed off on the Annual Permit for this location because the violations were minimal and Mr. Perkins will be addressing the repairs. CEO Roberts will go to the premises to confirm that the work is complete. J. Jozwiak made the motion, seconded by J. Zybert, to recommend that the Town Board approve the Annual Permit for Perkins Mobile Home based on the fact that Mr. Perkins will meet the requirements of CEO Roberts' February 7<sup>th</sup>, 2023 letter and subject to CEO Roberts' reinspection. All in favor. Carried.

a) Springville Mobile Home Park LLC – CEO Roberts visited the site earlier this week and found 11 violations. CEO Roberts will be sending Shane Khanjani a letter noting the required repairs. See CEO Roberts letter attached. CEO Roberts has not yet signed off on the Annual Permit for this location due to the amount of the violations. CEO Roberts would like this matter tabled in order to allow Mr. Khanjani time to correct the violations. M. Cochran made the motion, seconded by J. Edbauer, to table the approval of the Springville Mobile Home Park permit. All in favor. Carried.

**ITEM #9: Code Update**

Chairman Lux advised that this will be a long process for their Board and asked the members if there was any input as to how to begin? There was much discussion about what needs to be corrected and how it would best be handled. M. Cochran will be doing an eCode training session and will bring back feedback to see if it would be easier to use eCode to make the desired changes. J. Edbauer took the list of the changes that were discussed over the years by the Planning Board and notes from the CEO and put these into an Excel spreadsheet to correlate with the sections of the Code. There was general discussion about whether the zoning districts could be simplified or merged and how that would affect the Zoning Map and the Master Plan.

**ITEM #10: Business from the Members**

There was no Business from the Members. Secretary Schweikert reviewed the members training hours and reminded the Board that the next Southtowns Planning Meeting is scheduled for Monday, April 25<sup>th</sup> at Angelina's in East Aurora.

**ITEM #11: Motion of Adjourn**

J. Zybert made the motion, seconded by J. Edbauer, to adjourn the meeting at approximately 8:15 p.m. All in favor. Carried. The next meeting will be Tuesday, March 7, 2023.



Darlene G. Schweikert  
Planning Board Secretary

**TOWN OF CONCORD**  
**Thomas Roberts, Code Enforcement/Building Inspector**

86 Franklin Street, P.O. BOX 368, Springville, NY 14141

(716) 592-4946 x 314, Fax: (716) 794-3382

*concordcode@gmail.com*

February 7, 2023

Richard Perkins  
9582 Middle Road  
East Concord, NY 14055

Re: 2023 Mobile Home Court Permit Preliminary Approval  
For- 9582 Middle Road, East Concord, NY

Dear Mr. Perkins:

The following is a list of deficiency at the mobile home court. Upon completion of repairs, I can issue my Final Approval.

- #03-Repair skirting by door
- #13-Repair skirting, screen door and broken windows
- #31-Remove excessive trash on porch

You are in violation of the Town of Concord Code & Policies. We ask that you please take care of these issues within the next 90 days to avoid any further action taken on our part. Please notify me when these violations have been corrected so I can inspect the mobile homes again. I can be reached in the office Monday, Wednesday, or Friday from 9:00am-12:00pm at phone number 716-592-4946 Ext 314 or 716-353-3406.

Very truly yours,



Thomas Roberts, CEO  
Town of Concord

# **TOWN OF CONCORD**

**Thomas Roberts, Code Enforcement/Building Inspector**

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February 7, 2023

Mr. Shane Khanjani  
Springville MHP LLC  
334 Evans Street  
Williamsville, NY 14221

Re: 2023 Mobile Home Court Permit Preliminary Approval  
For- 9230 North Street, Springville, NY 14141

Dear Mr. Khanjani:

The following is a list of deficiency at the mobile home court. Upon completion of repairs, I can issue my Final Approval.

- #04-Repair skirting.
- #28-Repair skirting.
- #29-Repair skirting.
- #30-Repair skirting, repair broken window.
- #36-Remove garbage & debris, repair/replace shed doors.
- #40-Repair skirting on right side & left rear, repair rear stairs.
- #42-Remove pile of tires and debris.
- #43-Repair siding by front door & repair skirting. Remove debris on right side.
- #44-Refrigerator needs to be removed.
- #48-Repair siding, it is missing on right side.
- #51-Repair skirting by back door, repair ripped window screen, & front porch roof needs repair.

You are in violation of the Town of Concord Code & Policies. We ask that you please take care of these issues within the next 90 days to avoid any further action taken on our part. Please notify me when these violations have been corrected so I can inspect the mobile homes again. I can be reached in the office Monday, Wednesday, or Friday from 9:00am-12:00pm at phone number 716-592-4946 Ext 314 or 716-353-3406.

Very truly yours,



Thomas Roberts, CEO  
Town of Concord