

TOWN OF CONCORD PLANNING BOARD  
Town Hall

December 7, 2021  
7:00 p.m.

**ITEM # 1:**

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

**ITEM #2: Roll Call**

**Present:**

Karl R. Lux, Chairman  
Bruce Luno  
James Jozwiak  
Julie Zyburt  
Raymond Hilliker  
Michael Cochran

**Also Present:**

Clyde M. Drake, Supervisor  
Darlene G. Schweikert, Secretary  
Chuck Schweikert, Park Superintendent  
Leslie J. Gibbin, Judge

**Not Present:**

Joseph Edbauer

**ITEM #3: Citizen Participation**

There was no one for Citizen Participation.

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

Supervisor Drake discussed the following with the Board:

a) Rails to Trails – He had received another telephone call from Karen Oesterle regarding the trail. He recently learned that John Baronich has the contract for building the bridges on the trail and that Mr. Baronich and Walter Zimmer had a confrontation and the police were called to the trail. Supervisor Drake noted that the Town of Colden has something in their Town Code that states that Rails to Trails would need a Special Use Permit. Colden Supervisor wants to get Concord, Aurora, and Orchard Park together for a meeting. J. Jozwiak noted that if the trail is on your own property, you could refuse but if it is on an adjacent property, then he is not sure what can be done. Supervisor Drake feels that Rails to Trails is using the snowmobile trail to get the Rail Trail through; but the snowmobile season has been a short period of time and use. K. Lux had previously talked with an attorney out of the area about the situation since the trail goes right through his property and was advised that an adjacent landowner cannot nix the permission of the landowner; that he can't do anything about it. J. Jozwiak stated that the government gave cart blanche permission to the railroad years ago when the railroad took all the land.

b) Steve and Allison Buckley built a barn on their property on Moore Road. The property is currently zoned R-Ag and the owners would like to hold events (weddings, parties, etc.) in the new building. They have been in contact with the Town and will be submitting paperwork to seek the Town's approval.

c) CEO Singleton has resigned. Supervisor Drake has been trying to work with neighboring towns to see if a shared services agreement could be arranged to use their Code Enforcement Officer. In the meantime, a resident came into his office and asked about the position. Thomas Roberts lives in Concord and is already certified. There were other applicants who had construction background but none were certified. Mr. Roberts was hired and started on Monday, December 6<sup>th</sup>. This will be his first job as a Code Enforcement Officer. R. Hilliker asked if the position was posted. Supervisor Drake advised that the Town of Concord is under a State of Emergency so as Supervisor he can fill the position without advertising. Supervisor Drake did not make this decision on his own; there were discussions with Town Board members to get their approval.

d) Since this is the last Planning Board meeting with Supervisor Drake as the Supervisor, he thanked the members for their support over the last four years. The members thanked Supervisor Drake for coming to the meetings. The Organizational Meeting is set for January 13<sup>th</sup> at which time the Planning Board Liaison will be appointed. The members would welcome Supervisor Drake to remain as the liaison.

**ITEMS #5: Approval of Minutes**

a) November 2, 2021 – J. Jozwiak made the motion, seconded by B. Luno, to approve the Minutes as presented. All in favor. Carried.

**ITEM #6: Springville Mobile Home Park – Year 2021**

Springville Mobile Home Park submitted their Renewal for Year 2021 to CEO Singleton. CEO Singleton inspected the Park and approved the renewal. This is for Year 2021; not 2022. J. Jozwiak made the motion, seconded by M. Cochran, to recommend to the Town Board to approve the Year 2021 Renewal of the Springville Mobile Home Park permit. All in favor. Carried.

**ITEM #7: Business from the Members**

a) M. Cochran asked for a review of the items discussed at the November Meeting:

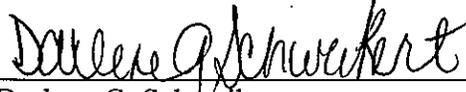
1) ZBA matter-Dirt Rich Farms. Supervisor Drake advised that this matter went before the ZBA. The ZBA did not grant the area variance. The way it stands right now is that the owner will have to move the greenhouse to meet the front setback distance.

2) Battery Storage Law. Supervisor Drake advised that the Public Hearing will be held this Thursday, December 9<sup>th</sup>. This law reflects the November 2<sup>nd</sup> changes recommended by the Planning Board.

3) Marijuana Law. Supervisor Drake advised that this was discussed at the November 11<sup>th</sup> Town Board Meeting. The Board voted to not opt out of the marijuana law.

**ITEM #9: Motion of Adjourn**

M. Cochran made the motion, seconded by J. Zybert, to adjourn the meeting at approximately 7:23 p.m. All in favor. Carried. The next meeting is January 4, 2022.

  
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Darlene G. Schweikert  
Planning Board Secretary

After the Meeting was adjourned, Member J. Zybert conducted the Sexual Harassment Training for the Planning Board Members, Town Clerk Schweikert, Supervisor Drake, Park Superintendent Schweikert and Judge Gibbin. M. Cochran had already fulfilled the necessary training and did not stay for the session.