

TOWN OF CONCORD TOWN BOARD MEETING      February 9, 2023  
7:00 p.m.

MEETING CALLED TO ORDER BY PHILIP DROZD, SUPERVISOR,  
at 7:00 p.m.

ROLL CALL:            PHILIP DROZD, SUPERVISOR  
                         CLYDE M. DRAKE, COUNCIL MEMBER  
                         KENNETH D. ZITTEL, COUNCIL MEMBER

EXCUSED:    WILLIAM F. SNYDER, III, COUNCIL MEMBER  
                 KIMBERLY S. KRZEMIEN, COUNCIL MEMBER

ALSO PRESENT:    DARLENE G. SCHWEIKERT, Town Clerk  
                         BARRY A. EDWARDS, Hwy Supt.  
                         BRIAN F. ATTEA, Town Attorney  
                         CAROLYN A. ROBINSON, Dog Control Officer

GEORGE DONHAUSER                    JOHN SIMMONS  
ASHLEY LOWRY                            JEFFREY SOUDER, Assembly DiPietro Office

INVOCATION DELIVERED BY TOWN CLERK SCHWEIKERT

PLEDGE TO THE FLAG LED BY DEPUTY SUPERVISOR DRAKE

ITEM #1            CONSENT AGENDA

- a) Approval of Minutes:
- (1) Public Hearing Burke Special Use Permit – 1/12/2023
  - (2) Work Session – 1/12/2023
  - (3) Organizational Meeting – 1/12/2023
  - (4) Town Board Meeting – 1/12/2023
  - (5) Bid Opening re: Spring Trash – 2/6/2023
  - (6) Bid Opening re: Community Park Water System – 2/6/2023

Motion by Council Member Drake, seconded by Council Member Zittel,  
to approve Consent Agenda (a)(1-6). Council Members Drake, Zittel & Supervisor  
Droz, voting aye; Council Members Snyder & Krzemien, excused. Carried.

- b) Monthly Reports:
- (1) Code Enforcement Report – January 2023
  - (2) Dog Control Officer Report – January 2023
  - (3) Town Clerk Report – January 2023
  - (4) Judge Frank Report – January 2023
  - (5) Judge Gibbin Report – January 2023
  - (6) Van Report – December 2022 & January 2023
  - (7) Senior Director Report – January 2023
  - (8) Historian Report
  - (9) Supervisor's Report – October & November 2022

Motion by Council Member Zittel, seconded by Council Member Drake,  
to approve Consent Agenda (b)(1-9). Council Members Drake, Zittel & Supervisor  
Droz, voting aye; Council Members Snyder & Krzemien, excused. Carried.

ITEM #2            PUBLIC COMMENT

Supervisor Drozd opened the floor for Public Comment. Mrs. Robinson  
thanked the Board for working with Erie County on the repair project of Trevett Road.

No one else wished to address the Board. Motion by Council Member  
Zittel seconded by Council Member Drake, to close Public Comment. Council Members  
Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien,  
excused. Carried.

ITEM #3     HIGHWAY DEPARTMENT

Hwy Supt Edwards read his filed report. During Work Session, Hwy Supt Edwards reviewed quotes for a new truck with the Board. Since two Council Members are absent tonight, this matter was tabled.

Motion by Council Member Zittel, seconded by Council Member Drake, to accept the written Highway Report. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

ITEM #4     OLD BUSINESS

a) BridgeNY Grant Application – Supervisor Drozd advised that Wendel Companies submitted the grant application on January 19, 2023, for the Ross Road Bridge project; the estimated project cost is \$1,873,277. Supervisor Drozd has received notification that the application was received by the State.

b) Community Park Pavilion Project Update – Council Member Zittel informed the Board that the building is up; next will be the concrete and heat; rough plumbing is in. Council Member Zittel is working with Kistner Concrete on the materials for the septic.

c) Volunteer Firefighters Exemption Tax Credit – This was discussed during Work Session.

ITEM #5     NEW BUSINESS

a) Audit of the Bills – Supervisor Drozd stated that these bills were audited by Council Member Snyder, and reviewed by the Board.

Year 2022 Abstract 14:

General Fund A, abstract 14, bills 1726-1732 & 1741; \$12,200.50

General Fund B, abstract 14, bills 1733 & 1742; \$-261.98

Library Fund, abstract 14, NONE

Fire Protection, abstract 14, NONE

Joint Van, abstract 14, NONE

Joint Youth, abstract 14, NONE

Craneridge Lighting, abstract 14, NONE

Craneridge Sewer, abstract 14, bills 1734-1738; \$1,597.68

Highway DA, abstract 14, bill

Highway DB, abstract 14, bills

Kissing Bridge Water, abstract 14, NONE

Kissing Bridge Sewer, abstract 14, bills 1739-1740; \$286.20

Trevett Rd. Water, abstract 14, NONE

Cattaraugus St. Water, abstract 14, NONE

Trust & Agency, abstract 14, NONE

Capital (HA) C. Sewer, abstract 14, NONE

Capital (HB) Land, abstract 14, NONE

Capital (HD) Catt St, abstract 14, NONE

Capital (HE) Sr. Ctr, abstract 14, NONE

Capital (HF) Hwy Equip, abstract 14, NONE

Capital (HG) Waste Study, abstract 14, NONE

Motion by Council Member Drake, seconded by Council Member Zittel, to approve the bills in Year 2022 Abstract 14 as presented. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

Year 2022 Abstract 2:

General Fund A, abstract 2, bills 30-108 & 165; \$63,395.57  
General Fund B, abstract 2, bills 109-116; \$3,099.21  
Library Fund, abstract 2, bill 117; \$48.10  
Fire Protection, abstract 2, bill 118; \$4,778.63  
Joint Van, abstract 2, bills 119-121; \$98.63  
Joint Youth, abstract 2, bills NONE  
Craneridge Lighting, abstract 2, bill 166; \$2,028.69  
Craneridge Sewer, abstract 2, bills 122-124; \$732.19  
Highway DA, abstract 2, NONE  
Highway DB, abstract 2, bills 125-157; \$314,409.56  
Kissing Bridge Water, abstract 2, bills 158-162; \$463.47  
Kissing Bridge Sewer, abstract 2, bills 163-164; \$1,200.00  
Trevett Rd. Water, abstract 2, NONE  
Cattaraugus St. Water, abstract 2, NONE  
Trust & Agency, abstract 2, NONE  
Capital (HA) C. Sewer, abstract 2, NONE  
Capital (HB) Land, abstract 2, NONE  
Capital (HD) Catt St, abstract 2, NONE  
Capital (HE) Sr. Ctr, abstract 2, NONE  
Capital (HF) Hwy Equip, abstract 2, NONE  
Capital (HG) Waste Study, abstract 2, NONE

Motion by Council Member Drake, seconded by Council Member Zittel, to approve the bills in Year 2023 Abstract 2 as presented. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

b) New Truck-Transfer \$260,000 from DB231 Hwy Equip Reserve to DB5130.20 Equipment/Tools. Motion by Council Member Drake, seconded by Council Member Zittel, to authorize the budget transfer \$260,000 from DB231 Hwy Equip Reserve to DB5130.20 Equipment/Tools for the new truck. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

c) Resolution in Opposition to NYS Ban on Gas Appliances – Supervisor Drozd advised that the Erie County Legislature approved this Resolution at one of their meetings and would like the Town to be on record in opposition to the ban.

Council Member Zittel moved the adoption of Resolution 1, seconded by Council Member Drake:

Opposition to the Proposed Ban on Natural  
Gas Heating and Appliances in New York State

WHEREAS, Governor Hochul's state-of-the-state address contained a proposal to "...end the sale of new fossil powered heating equipment by 2030 by calling for construction of – all new construction needs to be zero emission – starting in 2025 for small buildings and 2028 for large buildings,"; and

WHEREAS, President Biden and the White House have come out against any prohibition of gas stoves; and

WHEREAS, the State's proposal is intended to help address climate change, but could create a burden for our region's working-class residents; and

WHEREAS, a ban on natural gas appliances and water heaters is not feasible for Western New York with harsh winter weather and exposed electrical infrastructure. Appliances used to heat water and cook food need to work during power outages especially during times of inclement weather; and

WHEREAS, this past December saw a blizzard rip through the Buffalo Metro Area leaving tens of thousands of residents stuck in their home without power, many for several days. Gas appliances, fed by more resilient infrastructure, allowed those residents to heat their homes, boil water, and safely cook their food for the days needed to clear the



roads and restore electricity. Nearly four dozen people died during this storm, many more would have suffered if they had to rely on our power grid for cooking and emergency heating; and

WHEREAS, what is more, alternatives to natural gas-powered heating have yet to be proven reliable as a sole-source heating system in cold-weather climates; and

WHEREAS, electrical appliances have more moving parts and are expensive to maintain and repair, mandating their purchase is an unnecessary burden we are placing on families across New York State at a time when the cost of living has significantly outpaced wage growth; and

WHEREAS, currently, due to market conditions and technology limitations, most electric appliances are less efficient and absent improvements in electricity efficiencies and the electrical infrastructure grid, would likely cause increases in energy costs; and

WHEREAS, as we have seen with California's recent push to make everything electric, improperly planned energy transitions can lead to an increased strain on a state's electrical grid, leading to black outs and rationing, which is especially dangerous with the winter weather we experience; and

WHEREAS, the costs to transition the state's energy infrastructure grid should go through a more thorough review to understand how this will impact the energy production and distribution system as a whole, as well as the impact on residential energy systems, before any action is taken.

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Concord Town Board hereby urges Governor Hochul and the New York State Legislature to pause in their rush and to fully examine the real life impact their decisions will have for all New Yorkers, especially those least able to afford them; and, be it further

RESOLVED, that certified copies of this resolution be forwarded to Governor Hochul's Office, the Western New York Delegation to the New York State Senate and Assembly, and any other party deemed necessary and proper.

Voting as follows:

Council Member Drake	Aye
Council Member Krzemien	Excused
Council Member Snyder	Excused
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

d) Appoint Timothy J. Chase, Court Officer. Motion by Council Member Drake, seconded by Council Member Zittel, to appoint Timothy J. Chase, Court Officer, retroactive to January 23, 2023, at the rate of \$20/hour. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

e) Appoint Kimberly Scurr, Court Officer. Motion by Council Member Drake, seconded by Council Member Zittel, to appoint Kimberly Scurr, Court Officer, retroactive to February 9, 2023, at the rate of \$20/hour. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

f) Erie County Department of Environment & Planning's Request for Representative for the Erie County Environmental Management Council – This was discussed during Work Session and was tabled until next month's meeting to see if there is any interest from any Board member to be the representative.

g) Erie County Request – Middle Road Speed Limit Reduction Resolution – The Town received a request from Erie County asking if the Town would like to reduce the speed limit on Middle Road to 45 mph from 240 to the Town line. The remainder of the road within the Town of Concord is already 45 mph.

Supervisor Drozd moved the adoption of Resolution 2, seconded by Council Member Zittel:

WHEREAS, the Town Board of the Town of Concord has received a request to lower the speed limit from 55 mph to 45 mph on Middle Road from Route 240 easterly to the town line due to poor sight lines causing dangers and threats to residents and pedestrians; and

WHEREAS, this small section of Middle Road in the Town of Concord from Route 240 to the town line is the only section with an unposted speed limit of 55 mph, and

WHEREAS, Middle Road is a County of Erie road located within the Town of Concord; and

WHEREAS, the Town Board of the Town of Concord is in agreement that a speed limit reduction to 45 mph would be in the best interest of the Town;

NOW, THEREFORE, BE IT

RESOLVED, that the Town Board of the Town of Concord approves a request to ask for a Speed Limit Reduction study to be done on Middle Road from Route 240 to the Town of Concord town line.

Voting as follows:

Council Member Drake	Aye
Council Member Krzemien	Excused
Council Member Snyder	Excused
Council Member Zittel	Aye
Supervisor Drozd	Aye

The foregoing Resolution was thereupon declared duly adopted.

h) Approve DT Compliance Proposal re: Monitoring Sewer Districts - This was discussed during Work Session. This proposal is to provide compliance sampling and reporting services to the Town at the Town of Concord Sewer District No. 1 and District No. 2 treatment facilities. This is a NYS DEC requirement. The proposal was reviewed and is recommended by Ben Slotman. The total fee would be \$3,150. Motion by Council Member Zittel, seconded by Council Member Drake, to approve the DT Compliance Proposal re: Monitoring Sewer Districts in the amount of \$3,150. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

i) Accept Re-bid of Van/Misc Items from Auctions International in the amount of \$13,470.50; the 2016 Van was \$11,600 and the balance was miscellaneous hand tools. Motion by Council Member Drake, seconded by Council Member Zittel, to accept the re-bid of Van/Misc Items from Auctions International in the amount of \$13,470.50. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

j) Award Spring Trash Pickup - Two sealed bids had been received. Waste Management with a bid of \$21,900 and MRC Disposal with a bid of \$17,250. Motion by Council Member Drake, seconded by Council Member Zittel, to accept MRC Disposal bid of \$17,250. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

k) Re-appoint David Guadagna Board of Assessment Review – Motion by Council Member Drake, seconded by Supervisor Drozd, to re-appoint David Guadagna to the Board of Assessment Review for the term 10/2022 to 09/2027.

Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

l) 2023 Junkyard Permit Renewals - Motion by Supervisor Drozd, seconded by Council Member Drake, to approve the following Junkyard Permit Renewals, as recommended by the Planning Board:

- 1) Jordan's Salvage (Mary Ann Jordan)
- 2) Southern Tier Auto Center
- 3) Arthur P. King Auto Parts
- 4) Ronald Miller

Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

m) 2023 Mining Permit Renewals - The Planning Board recommended the approval of the Mining Permit Renewals, 1-6. Motion by Council Member Zittel, seconded by Council Member Drake, to approve the following Mining Permit Renewals, 1-6, as recommended by the Planning Board:

1. McEwan Trucking
2. Joseph McCarthy
3. Gernatt Asphalt Products, Inc.:
  - a) Vaughn/Gentner-Middle Road
  - b) Dewald-Middle Road
  - c) Zylinski Clay Mine-Snyder Road
  - d) Waterman-Vaughn Street
  - e) Wendel-Vaughn Street
4. Cold Spring Construction-Sharp Street
5. D&H Material Inc.
6. Triple R Properties
7. Schreiber & Winkelman

Schreiber & Winkelman 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. The Planning Board believes that Schreiber & Winkelman have the following options: (1) If Schreiber & Winkelman declare that the pit is on pause and the permit is not renewed, Schreiber & Winkelman 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 & Winkelman want to mine again in the future, Schreiber & Winkelman 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. Motion by Supervisor Drozd, seconded by Council Member Zittel, to direct Town Clerk Schweikert to contact Schreiber & Winkelman advising of the three options available to resolve this matter. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

n) 2022 and 2023 Mobile Home Park Permit Renewals- Motion by Council Member Zittel, seconded by Council Member Drake, to approve the following Mining Permit Renewals, as recommended by the Planning Board:

1. Perkins Mobile Home Park- Year 2022 and Year 2023
2. Springville Mobile Home Park – Year 2022

CEO Roberts will be working with Springville Mobile Home Park regarding the violations at their location.



Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

o) Floodplain Development Application Permit – The Town did not have a permit for Floodplain Development and one is being requested by Erie County for the Trevett Road repair project. CEO Roberts and Town Clerk Schweikert prepared the Permit and it has been reviewed and approved by Town Attorney Attea. The Permit is attached at end of the Minutes. The fee for this Permit will be \$100 but will be waived for governmental agencies. Town Attorney Attea noted that the Permit will expire in two years from the date of issuance but it could be extended by a Town Board motion if need be. Motion by Supervisor Drozd, seconded by Council Member Drake, to approve the Floodplain Development Application Permit and fee as above detailed. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

p) Amherst Alarm Quote – Supervisor Drozd received two quotes from Amherst Alarm:

(1) Add Strobe light to follow the panic button status in the Court so if a panic button is pressed, it will light the strobe for the Court Officer; \$948. Motion by Supervisor Drozd, seconded by Council Member Zittel, to approve the Amherst Alarm Quote for the strobe light in the amount of \$948. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

(2) Fire alarm for Town Hall in the amount of \$18,929.96. Since two Council Members are absent tonight, this matter was tabled.

Motion by Supervisor Drozd, seconded by Council Member Drake to add (q) Community Park Water System, to the Agenda. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

q) Community Park Water – Supervisor Drozd advised that the Bid Opening was held on February 7<sup>th</sup> and the Town received two bids: one for \$13,466.07 and one for \$55,145.00. The bid needs to be better clarified. Supervisor Drozd is working with the Erie County Department of Health to get the system design for Schenne & Associates. Supervisor Drozd will then seek Requests for Proposals (RFPs) for this project. Some of the existing equipment can be used. The Town needs to follow Erie County's directive on this project to keep the water safe and to obtain their approval. Supervisor Drozd will try to have RFPs for next month's meeting; if not, the Town will need to rebid the project.

#### ITEM #6      COUNCIL MEMBER NOTES

a) Council Member Zittel noted that the Southtowns Planning & Development meeting was held on January 23<sup>rd</sup>. There was a presentation on the restoration of the Historic Sattler Broadway Theater in Buffalo.

b) Council Member Drake advised that earlier this evening he received a telephone call from Senior Director Eschborn. The Center's cleaner was scared because she saw someone looking in the windows. Council Member Drake went to the Center but did not find anyone. Senior Director Eschborn was advised to keep the doors locked when only one person is there. The Board discussed having a security system installed.

c) Supervisor Drozd informed the Board that National Fuel Gas relocated the gas meter at the Bensley Center to the outside of the building; this was completed on February 2<sup>nd</sup>.

d) Supervisor Drozd advised that the music for the Park series has been completed. Music will start June 29<sup>th</sup> and end August 31<sup>st</sup>. If funds allow, another date may be added to the schedule. Supervisor Drozd signed the Fireworks Contract for the concert on Sunday night, July 2<sup>nd</sup>.

e) Supervisor Drozd had attended a NYSEG Wrap-Up meeting. Upgrades will be done on the Cobble Hill Circuit which covers the Town of Concord. NYSEG will also be doing a bank replacement project at one of the substations and some automated projects.

f) Supervisor Drozd informed the Board that Chapman and the Village of Ellicottville are working on the electrical starter panel repairs at the Sewer Plant; trying to keep the cost minimal to get it to work.

g) Supervisor Drozd was notified that the motor went on the heater in the vestibule at the Hulbert Library. This will be worked on by Reding Inc., but if this goes again, electric heaters can be installed in that vestibule.

ITEM #7      EXECUTIVE SESSION

Supervisor Drozd advised that an Executive Session will be necessary to discuss a personnel issue. Motion by Council Member Zittel, seconded by Council Member Drake, to go into Executive Session at 7:39 p.m. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

Motion by Supervisor Drozd, seconded by Council Member Drake, to come out of Executive Session at 7:51 p.m. Council Members Drake, Zittel & Supervisor Drozd, voting aye; Council Members Snyder & Krzemien, excused. Carried.

ITEM #8      MOTION TO ADJOURN

Motion by Supervisor Drozd, seconded by Council Member Drake, and passed unanimously, to adjourn the meeting at 7:52 p.m. in memory of:

Michelle Lorraine Sardina  
Janet Gissel  
Roy E. Hansen  
Pamela (Havens) Lee  
Gary Hodges  
Dennis P. Enser  
Thomas A. Wick  
David D. Smith



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Darlene G. Schweikert  
Town Clerk



***Town of Concord Highway Department***

13076 N. Central Avenue

Springville, NY 14141

716-592-4892 Phone

716-592-4357 Fax

Larry K. Heim, Highway Deputy Superintendent

Highway Superintendents Report for the period of January 12, 202 to February 7, 2023.

With twenty-six days in this period the Highway Department

- Plowed, sanded and salted 22 times this period.
- Replaced carrier bearings and three u-joints on Tk#14.
- Cleaned beaver dam out of the culverts.
- Finished painting middle shop.
- Hauled, sanded and blended materials
- Replaced hydraulic hose on Tk#14.
- Replaced main plow shoes on Tk#18.
- Repaired lights on Tk#11.
- Picked up bags of salt for the Town Hall and Senior Center.
- Replaced cutting edges and shoes on Tk#19.
- Took plow and wing off Tk#19 to go to Emerling's for repairs.
- Changed oil in Tk#16 and dropped wing rubber.
- Flipped wing rubber on Tk#11 and changed shoes.
- Repaired axle leak on Tk#15.
- Straightened and replaced safe hits.
- Continued to wash trucks and hi-lift.
- Cleaned break room, office and bathroom.
- Cleaned shop floors and cleaned drains multiple times.
- New plow truck was delivered. Working on getting that ready to go into service.

Respectfully Submitted,



Larry K. Heim

Highway Deputy Superintendent

TOWN OF CONCORD  
CODE ENFORCEMENT/BUILDING INSPECTOR  
86 FRANKLIN STREET  
P.O. BOX 368  
SPRINGVILLE, NY 14141  
(716) 592-4946 X 314  
CELL (716) 353-3406  
EMAIL: [CONCORDCODE@GMAIL.COM](mailto:CONCORDCODE@GMAIL.COM)

FLOODPLAIN DEVELOPMENT PERMIT APPLICATION

Permit Number: \_\_\_\_\_

Owner Name: \_\_\_\_\_

Location: \_\_\_\_\_

Date Received: \_\_\_\_\_

New Permit Application: \_\_\_\_\_ Renewal Permit Application: \_\_\_\_\_

Permit Fee \$100.00 \_\_\_\_\_

ALL FEES ARE NON-REFUNDABLE

Paid \$ \_\_\_\_\_  Cash  Check # \_\_\_\_\_  
Received: \_\_\_\_\_ By: \_\_\_\_\_

To the best of my knowledge, the foregoing application and plans conform to the codes and policies of the Town of Concord.

\_\_\_\_\_  
Code Enforcement Officer Date

FLOODPLAIN DEVELOPMENT PERMIT APPLICATION

Fee \$100.00

SECTION 1: GENERAL PROVISIONS (APPLICANT to read and sign):

1. No work may start until a permit is issued.
2. The permit may be revoked if any false statements are made herein.
3. If revoked, all work must cease until permit is re-issued.
4. Development shall not be used or occupied until a Certificate of Compliance is issued.
5. The permit is invalid if no work is commenced within six months of issuance and expires 2 years from date of issuance.
6. Applicant is hereby informed that other permits may be required to fulfill local, state and federal regulatory requirements.
7. Applicant hereby gives consent to the Local Administrator or his/her representative to make reasonable inspections required to verify compliance.
8. I, THE APPLICANT, CERTIFY THAT ALL STATEMENTS HEREIN AND IN ATTACHMENTS TO THIS APPLICATION ARE, TO THE BEST OF MY KNOWLEDGE, TRUE AND ACCURATE.

(APPLICANT'S SIGNATURE): \_\_\_\_\_ DATE: \_\_\_\_\_

SECTION 2: PROPOSED DEVELOPMENT (To be completed by APPLICANT):

APPLICANT NAME	ADDRESS	TELEPHONE
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\_\_\_\_\_  
BUILDER

\_\_\_\_\_  
ENGINEER

PROJECT LOCATION:

To avoid delay in processing the application, please provide enough information to easily identify the project location. Provide the street address, lot number or legal description (attach) and the distance to the nearest intersecting road or well-known landmark. A map attached to this application, and a sketch showing the project layout would be helpful to avoid delay.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_



DESCRIPTION OF WORK (Check all applicable boxes):

A. STRUCTURAL DEVELOPMENT

ACTIVITY

- New Structure
- Addition
- Alteration
- Relocation
- Demolition
- Replacement

STRUCTURE TYPE

- Residential (1-4 Family)
- Residential (More than 4 Family)
- Non-residential (Floodproofing?  Yes  No
- Combined Use (Residential & Commercial)
- Manufactured (Mobile) Home  
(In Manufactured Home Park?  Yes  No)

ESTIMATED COST OF PROJECT \$ \_\_\_\_\_

B. OTHER DEVELOPMENT ACTIVITIES

- Fill  Mining  Drilling  Grading
- Excavation (Except for Structural Development Checked Above)
- Watercourse Alteration (Including dredging and channel modifications)
- Drainage Improvements (Including culvert work), Stormwater Control Structures or Ponds
- Road, Street or Bridge Construction
- Subdivision (New or Expansion)
- Individual Water or Sewer System
- Other (Please Specify) \_\_\_\_\_

After completing SECTION 2, APPLICANT should submit form to Local Administrator for review.

**SECTION 3: AS-BUILT ELEVATIONS** (To be submitted by APPLICANT before Certificate of Compliance is issued):

The following information must be provided for project structures. This section must be completed by a registered professional engineer or a licensed land surveyor (or attach a certification to this application). Complete 1 or 2 below.

1. Actual (As-Built) Elevation of the top of the lowest floor, including basement (in Coastal High Hazard Areas, bottom of the lowest structural member of the lowest floor, excluding piling and columns) is: \_\_\_\_\_ FT.  
 NGVD 1929/  NAVD 1988 (MSL)  
**Attach Elevation Certificate FEMA Form 81-31**
2. Actual (As-Built) Elevation of floodproofing protection is \_\_\_\_\_ FT.  
 NGVD 1929/  NAVD 1988 (MSL)  
**Attach Floodproofing Certificate FEMA Form 81-65**

NOTE: Any work performed prior to submittal of the above information is at the risk of the Applicant.

**SECTION 4: FLOODPLAIN DETERMINATION (To be completed by LOCAL ADMINISTRATOR):**

The proposed development is located on FIRM Panel No. \_\_\_\_\_, Dated \_\_\_\_\_

The Proposed Development:

Is reasonably safe from flooding. Entire property is in Zone B, C or X.

Is adjacent to a flood prone area.

100-Year flood elevation at the site is:

\_\_\_\_\_ Ft.  NGVD 1929/  NAVD 1988 (MSL)

Unavailable

See Section 4 for additional instructions for development that is or may be in a flood prone area.

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

**SECTION 5: ADDITIONAL INFORMATION REQUIRED (To be completed by LOCAL ADMINISTRATOR):**

The applicant must submit the documents checked below before the application can be processed:

- A site plan showing the location of all existing structures, water bodies, adjacent roads, lot dimensions and proposed development.
- Development plans and specifications drawn to scale, including, where applicable: details for anchoring structures, proposed elevation of lowest floor (including basement), types of water resistant materials used below the first floor, details of flood proofing of utilities located below the first floor, details of enclosures below the first floor, openings in foundation for entry and exit of floodwaters.

Other \_\_\_\_\_

- Elevation Certificate
- Subdivision or other development plans (If the subdivision or other development exceeds 50 lots or 5 acres, whichever is the lesser, the applicant must provide 100-year flood elevations if they are not otherwise available).
- Plans showing the watercourse location, proposed relocations, Floodway location.
- Topographic information showing existing and proposed grades, location of all proposed fill.
- Top of new fill elevation \_\_\_\_\_ Ft.  NGVD 1929/  NA VD 1988 (MSL)
- PE Certification of Soil Compaction
- Floodproofing protection level (non-residential only) \_\_\_  NGVD 1929/  NAVD 1988 (MSL)  
For floodproofed structures, applicant must attach certification from registered engineer or architect.
- Other: \_\_\_\_\_

**SECTION 6: PERMIT DETERMINATION (To be completed by LOCAL ADMINISTRATOR):**

I have determined that the proposed activity: A.  Is  
B.  Is not

In conformance with provisions of Local Law #1 of 1987, Town Code Chapter 76. This permit is hereby issued subject to the conditions attached to and made part of this permit.

SIGNED \_\_\_\_\_ DATE \_\_\_\_\_

If BOX A is checked, the Local Administrator may issue a Development Permit upon payment of designated fee.

If BOX B is checked, the Local Administrator will provide a written summary of deficiencies. Applicant may revise and resubmit an application to the Local Administrator or may request a hearing from the Board of Appeals.

EXPIRATION DATE: \_\_\_\_\_

APPEALS:           Appealed to Board of Appeals?        Yes    No  
                          Hearing date: \_\_\_\_\_  
                          Appeals Board Decision: Approved?    Yes    No

CONDITIONS: \_\_\_\_\_  
\_\_\_\_\_

**SECTION 7: COMPLIANCE ACTION (To be completed by LOCAL ADMINISTRATOR):**

The LOCAL ADMINISTRATOR will complete this section as applicable based on inspection of the project to ensure compliance with the community's local law for flood damage prevention.

**INSPECTIONS:**

DATE _____	BY _____	DEFICIENCIES? <input type="checkbox"/> YES <input type="checkbox"/> NO
DATE _____	BY _____	DEFICIENCIES? <input type="checkbox"/> YES <input type="checkbox"/> NO
DATE _____	BY _____	DEFICIENCIES? <input type="checkbox"/> YES <input type="checkbox"/> NO

**SECTION 8: CERTIFICATE OF COMPLIANCE (To be completed by LOCAL ADMINISTRATOR):**

Certificate of Compliance issued: DATE: \_\_\_\_\_

BY: \_\_\_\_\_