CITY PLANNING COMMISSION
Regular Session
North Tonawanda, New York 14120
Monday, January 6, 2014
6:00P.M.

REGULAR SESSION CALLED TO ORDER BY ACTING CHAIRMAN CONTI

PLEDGE OF ALLEGIANCE

ROLL CALL

Present:	**Acting Chairman Conti** **Commissioners Mineo, Jaccarino, Burgio**
Absent:	**Chairman Kenyon** **Commissioner Brown**
Also Present:	**City Attorney Shawn P. Nickerson** **Building Inspector Cosimo Capozzi** **Commissioner Heilemann (not yet sworn in)**

APPROVAL OF THE MINUTES OF THE MEETING DECEMBER 2, 2013

MOVED by Commissioner Jaccarino SECONDED by Commissioner Mineo
That the minutes of the meeting held December 2, 2013 be approved as circulated and filed in the Office of the City Clerk-Treasurer.
CARRIED.

NEW BUSINESS

1. **Kay Learned**
   190 Robinson Street #1
   North Tonawanda, NY 14120

December 11, 2013

City of North Tonawanda Planning Commission
216 Payne Avenue
North Tonawanda, NY 14120

Dear Members of the Planning Commission:

I have owned 72 Webster Street since June of 2002 and 74 Webster Street since September of 2006. When I purchased 74 Webster Street I knew Partners in Art were going to be my tenants and that they were going to use the space for an art gallery. My desire at that time was to combine our business with theirs into an open-door plan. My business partner, Penny Creasey, ran our lunch café on one side of 72 Webster and I ran the gift shop on the other side. By making Partners in Art accessible on the other side of the gift shop, there would be a lunch café, a gift shop and an art gallery for people to enjoy. So I put two openings in between 72 and 74 Webster, one in front and one in back. These were secured with three-hour fire doors at night when we were closed.

This arrangement worked well for seven years. Glenna Sternin, one of the partners at Partners in Art, hung new shows in the gallery every month. There was an open house at the beginning of each month to introduce the new show. During the week I often looked after the gallery for Glenna and people certainly did enjoy the combination of businesses.

By mutual agreement, as of September 1, 2013, Partners in Art no longer rents 74 Webster from me. It is now rented to Argento Photographers, and the three-hour fire doors are kept shut during the day. Likewise, we no longer have the lunch café. It is closed off from the gift shop and was leased to Risa's Restaurant and Catering as of August 1, 2013.

My intent now is to sell 74 Webster Street and close off the doorways according to code. I desire to sell it so that I can pay off debt and Penny Creasey and I can exist as just a gift shop, which is much easier for us now that we are at our full-retirement age.

Sincerely,
Kay Learned

MOVED by Commissioner Burgio SECONDED by Commissioner Mineo
That the Planning Commission finds that there will be no significant environmental impact and as such declares a Negative Declaration on the SEQR with change as follows: #2 - Yes.
Ayes: Commissioners Conti, Mineo, Burgio, Jaccarino (4)
Nays: None (0)
CARRIED.

MOVED by Commissioner Burgio SECONDED by Commissioner Mineo
That the Planning Commission hereby grants the aforementioned request to divide 72-74 Webster Street in to 2 properties per Job #99-0751 and Job #66242.

Note: The Planning Commission identified that this applicant may be required to appear before the North Tonawanda Zoning Board of Appeals. The Building Inspector noted that the zoning that may be required for this applicant was very miniscule and that it was within his purview in accordance with certain sections of Zoning Law as to whether or not the applicant needed to appear before the Zoning Board. The Building Inspector stated that in his professional opinion the applicant was not required to appear before the Zoning Board.

Ayes: Commissioners Conti, Mineo, Burgio, Jaccarino (4)
Nays: None (0)
CARRIED.

Commissioner Jaccarino questioned if a letter was ever sent to St. Jude Parish requesting their presence for a review of their site plan which had been altered without approval. Clerk-Treasurer Kiedrowski explained that Chairman Kenyon had stated that he was going to be sending the Parish a letter. The Clerk-Treasurer stated that he would take care of sending the letter.

ADJOURNMENT

MOVED by Commissioner Mineo SECONDED by Commissioner Jaccarino
That this regular session of the City Planning Commission be and hereby is adjourned.
CARRIED.

Time of Adjournment: 6:15P.M.

Next Meeting: Monday, February 3, 2014, 6:00P.M.

Respectfully submitted,

Scott P. Kiedrowski
City Clerk-Treasurer