REGULAR MEETING
TOWN OF EVANS PLANNING BOARD
WEDNESDAY, MAY 22, 2024

MEMBERS PRESENT: Chairwoman A. Sellers, L. Szewczyk, D. Schiedel, M. Keller, J. Mesi

EXCUSED: J. Pinter

ALSO PRESENT: William Smith, Director of Planning & Community Development
Brittany Penberthy, Planning Counsel

Bill Smith, Director: The only item on the agenda this evening is:

Proposed Code Amendment – Recommendation for approval to the Evans Town Board to amend Town Code Section 70-7(A) entitled "Certificates of occupancy and Certificates of Compliance" to require all new business to inform the Town Planning and Building Department of its Existence to Ensure compliance with Town Code.

- When a new business moves into a building we often do not know about it until after the fact.
- This has at times, created a self-inflicted hardship on the business, as once we are aware, there could be problems with the business not meeting code, among other issues that could hinder them being successful.
- Additionally, there are programs available to assist new businesses, but if we do not know they exist, we are not able to make them aware of the programs which could help them.
- This proposed amendment would codify the requirement that all new businesses notify the Planning and Code Enforcement offices to ensure they meet Town Code, allow us to see if we can help them in any way, welcome them to the community and make them aware of various business resources available to them, while also keeping track of our business inventory.

Discussion ensued by the Planning Board with all being in favor of issuing the recommendation.

A. Sellers: Planning Board Recommendation of Proposed Local Law No. 3 of the Year 2024 - Amendment to Town Code Section 70-7(A) entitled; Certificates of Occupancy and Certificates of Compliance

WHEREAS, the Town seeks to promote and encourage businesses and individuals to invest in the Town and create jobs, while also ensuring the exercise of such businesses conforms with the Town Code and maintains a quality of life for community residents, businesses and visitors; and

WHEREAS, the Town of Evans is considering amending Town Code § 70-7(A), entitled "Certificates of occupancy and certificates of compliance" to include a requirement that all new businesses within the Town inform the Planning and Building departments of its existence and arrange a meeting to ensure compliance with Town Code; and

WHEREAS, the Town seeks to amend the Town Code to establish a prerequisite that new businesses meet and discuss the Town Code requirements with the Planning and Building departments; and

WHEREAS, the proposed amendment has been reviewed and is recommended by the Evans Code Review Committee; and

WHEREAS, the Town Board is to receive recommendation from the Planning Board regarding any amendments to Town Code and local zoning regulations; and

WHEREAS, the proposed amendment adds to the requirements for certificates of occupancy and compliance, and therefore constitutes a Type II Action under the State Environmental Quality Review Act (SEQRA) which does not require further review.

NOW THEREFORE BE IT RESOLVED, that the Evans Planning Board hereby recommends the adoption of proposed Local Law No. 3 amending Chapter 70 (Building Code Administration), Section 7(A) (Certificates of occupancy and certificates of compliance) of the Code of the Town of Evans.

L. Szewczyk: Second.

Roll Call Vote: All in Favor…Carried.

B. Smith:

- We will send a letter to the Town Board confirming our recommendation to the amendment.

D. Schiedel: Motion to adjourn
L. Szewczyk: Second.

Roll Call Vote: All in Favor…Carried

Respectfully submitted by:
Debra L. Wilson
Secretary