

## TOWN BOARD MEETING

Town of Westfield  
June 3<sup>rd</sup>, 2009

7:25pm Public Hearing / SUP Application (Noble Winery)

7:30pm Town Board Meeting

1. Minutes
  - May 6<sup>th</sup>, 2009 Public Hearing (SUP Johnson Estate Winery)
  - May 6<sup>th</sup>, 2009 / Town Board Meeting
2. Monthly Reports - Supervisor's Monthly Report
  - Town Clerk's Monthly Report
  - Dog Warden's Report
  - Fire Dept. Monthly Report
  - Historian's Monthly Report
  - Town Court Report
3. Highway
4. Code Enforcement
5. Barcelona Harbor
6. Public Comment

### ANNOUNCEMENTS

- First Friday, 5 June 2009
- Walleye Tournament 13-21 June 2009

### OLD BUSINESS

- Project Updates
- Lake Erie Concord Grape Belt Management Plan
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### NEW BUSINESS

- Barcelona Kiosk / Nancy Herbert
- **Resolution #29** Negative Declaration (Addition for Storage / Noble Winery)
- **Resolution #30** Issuance of Amendment to Existing Winery SUP (for Noble Winery)
- **Resolution #31** Authorization for Assessor to attend Training (June 26<sup>th</sup>, 2009)
- **Resolution #32** Barcelona Waterline Grant Applications
- Dog Control
- Voting Machines
- Hunting / Fishing License \$ Increases

Audit of Bills

Executive Session - (if needed)

Resolutions for 6/3/2009 meeting:

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**Resolution No. 29 of 2009**  
**Negative Declaration**  
(Addition for Storage / Noble Winery)

**WHEREAS**, Noble Winery (hereinafter, the “Applicant”) has submitted an application for a Special Use Permit to construct an addition for increased storage on a parcel of land located at 8630 Hardscrabble Road, Westfield, designated as tax map parcel Section 225.00, Block 3, Lot 29, and

**WHEREAS**, the proposed use has been subject to environmental review pursuant to Article 8 of the New York State Environmental Conservation Law (State Environmental Quality Review Act), including the preparation and review of a short Environmental Assessment Form, and

**WHEREAS**, Part 617 of the implementing regulations pertaining to the State Environmental Quality Review Act requires this Board to determine and give notice of the environmental impact of the proposed use, and

**WHEREAS**, the Board has determined that the proposed use will not have a significant environmental impact,

**NOW THEREFORE BE IT RESOLVED**, that the Town Board hereby approves Part II of the Environmental Assessment Form as completed, issues the attached Notice of Determination of Non-Significance, also known as a Negative Declaration, for the proposed use, and authorizes the Supervisor to complete and sign the Environmental Assessment Form accordingly.

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**Resolution No. 30 of 2009**  
Issuance of Amendment to Existing Winery SUP for an Addition for Storage / Noble Winery

**WHEREAS**, Noble Winery (hereinafter, the “Applicant”) has submitted an application for a Special Use Permit to construct an addition for increased storage on a parcel of land located at 8630 Hardscrabble Road, Westfield, designated as tax map parcel Section 225.00, Block 3, Lot 29, and

**WHEREAS**, the issue of compliance with the State Environmental Quality Review Act has been addressed, and a Negative Declaration has been issued after examination of the record and a public hearing, and

**WHEREAS**, the Town of Westfield Planning Board reviewed the application during a meeting held May 21<sup>st</sup>, 2009 and unanimously recommended approval of the application, and

**WHEREAS**, the application was referred to the Chautauqua County Planning Department pursuant to Section 239-m of the General Municipal Law, and it advised by letter dated May 28<sup>th</sup>, 2009 that the application is a matter of local concern, and

**WHEREAS**, the Town Board has considered all the facts and papers before it, and has heard those wishing to be heard at a public hearing held June 3<sup>rd</sup>, 2009, and finds justification to approve the application subject to the qualifications hereinafter set out, now

**THEREFORE, BE IT RESOLVED**, that the application to construct an Addition for Storage at 8630 Hardscrabble Road, be and hereby is authorized and approved as an Amendment to the existing Winery SUP subject to the conditions and requirements hereinafter set out:

1. The Applicant shall undertake the project in accordance with the plans and map submitted to the Town with the application, except as hereinafter modified, and agrees to be bound by the terms of the application and the conditions of this permit.

2. If construction of Winery Warehouse has not commenced within one year of the issuance of this permit, this Special Use Permit shall become void and the Applicant shall be required to apply for a new permit should he intend to continue the project.
3. The terms, conditions, and requirements of this permit bind and obligate the Applicant, his successors, and assigns. This permit shall not be assigned or transferred, in whole or in part, without the prior written consent of the Town.
4. Any failure or omission on the part of the Applicant to carry out any condition or requirement herein or in accordance with the terms or requirements of any statute, local law, ordinance or regulation, may be deemed a violation of the Town of Westfield Zoning Law and unless corrected in not more than 10 days following the service of written notice of such violation upon the Applicant, may subject them to the penalties therein. Continued violations after written notice may result in revocation of this Special Use Permit.
5. This Special Use Permit shall become effective after the Applicant approves each and every provision hereof and agree to be bound by all of the terms herein contained in consideration of the granting of this Special Use Permit.

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**Resolution No. 31 of 2009**

Authorization for Assessor to attend Training (June 26<sup>th</sup>, 2009)

**BE IT RESOLVED**, that the Town Board Town of Westfield hereby authorizes the Assessor to attend a 1-Day Training session (June 26<sup>th</sup>, 2009) on Not-for-Profit Exemptions in Cheektowaga, NY.

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**Resolution No. 32 of 2009**

Barcelona Waterline grant applications

**BE IT RESOLVED**, that the Town Board Town of Westfield hereby authorizes the Supervisor to sign applications to apply for funding to replace and extend waterlines in Barcelona and the lakeshore area of the Town. This authorization includes a pre-application to USDA Rural Development and to the Appalachian Regional Commission.