

## **TOWN BOARD MEETING**

Town of Westfield  
November 4<sup>th</sup>, 2009

7:20pm Public Hearing (2010 Town Budget Hearing)  
7:25pm Public Hearing (Ceci / Extension of existing SUP / Small Manufacturing Business)

7:30pm Town Board Meeting

1. Minutes
  - October 7<sup>th</sup>, 2009 / Public Hearing (Westfield Fire District)
  - October 7<sup>th</sup>, 2009 / Public Hearing (Sherman Fire District)
  - October 7<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

- November 17<sup>th</sup> or 18<sup>th</sup> STW Fall Planning & Zoning Conference
- Concord Grape Belt Heritage Dinner / Meeting (11/11/2009)

### OLD BUSINESS

- East Main Road
- Hospital
- Farmers' Market

### NEW BUSINESS

- Resolution #49 - Negative Declaration for Ceci SUP Extension
- Resolution #50 - Issuance of 1-Year extension to Ceci SUP
- Resolution #51 - Adoption of 2010 Town of Westfield Budget
- Westfield Development Corp. / Press Kit (Marketing Westfield)
- Assessor

Audit of Bills

Next Meeting - December 2<sup>nd</sup>, 2009

Executive Session - (if necessary)

-----  
**Resolution #49 of 2009**  
**Negative Declaration**

Negative Declaration for Extension of existing SUP for Small Manufacturing Business

**WHEREAS**, Michael & Susan Ceci have requested an extension for one year to their existing Special Use Permit (set to expire on December 2<sup>nd</sup>, 2009) to operate a small manufacturing business on a parcel of land located at 8275 Culver Road in the Town of Westfield, designated as Chautauqua County tax map parcel Section 243.00, Block 1, Lot 28.1, 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 an 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 extension, and

**WHEREAS**, the Board has determined that extending the SUP for one year for 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.

-----  
**Resolution #50 of 2009**  
**Extension of SUP**

Operation of a Small Manufacturing Business (Ceci)

**WHEREAS**, Michael & Susan Ceci (hereinafter, the "Applicant") have submitted a request for a one year extension of their existing SUP (set to expire on December 2<sup>nd</sup>, 2009) to operate a small manufacturing business on a parcel of land located at 8275 Culver Road in the Town of Westfield, designated as tax map parcel Section 243.00, Block 1, Lot 28-1, and

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

**WHEREAS**, the Town of Westfield Planning Board reviewed the extension request during a meeting held October 16<sup>th</sup>, 2009 and recommended approval of the application, and

**WHEREAS**, the extension request was referred to the Chautauqua County Planning Department pursuant to Section 239-n of the General Municipal Law and the Department advised by letter dated October 26<sup>th</sup>, 2009 that the matter was 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 November 4<sup>th</sup>, 2009 and finds justification to approve the extension subject to the qualifications hereinafter set out, now

**THEREFORE, BE IT RESOLVED**, that the one year extension request to operate a small manufacturing business on a parcel of land located at 8275 Culver Road be and hereby is authorized and approved subject to the conditions and requirements hereinafter set out:

1. The Applicant shall undertake the project in accordance with plans approved by the Town and agrees to be bound by the terms of this extension and the conditions of this permit.
2. The terms, conditions, and requirements of this permit extension bind and obligate the Applicant, its successors, and assigns. This permit extension shall not be assigned or transferred, in whole or in part, without the prior written consent of the Town.
3. The applicant shall commence operation of the business within one year of the issuance of this extension (by December 1<sup>st</sup>, 2010). If operation has not begun within the prescribed time, this extended Special Use Permit shall be void and the applicant shall be required to apply for a new permit should he intend to continue the project.
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 extension of the approved Special Use Permit shall become effective after the Applicant approves each and every provision hereof and agrees to be bound by all of the terms herein contained in consideration of the granting of this Special Use Permit.

-----  
**Resolution #51 of 2010**  
Adoption of 2010 Town of Westfield Budget

**BE IT RESOLVED**, the Town Board of the Town of Westfield hereby approves and adopts the 2010 Preliminary Budget as presented as the 2010 Town Budget.