

The Village of Cuba Board of Trustees held a Public Hearing on Monday March 12, 2018 for :

Local Law #1-2018:

A local law to amend Schedule 1 of Chapter 200 of the Cuba Village Code Schedule 1 relating to area, yard and separation requirements in all districts.

Local Law #2-2018:

A local law to amend Section 173-14 of Chapter 173 of the Cuba Village Code

Local Law #3-2018:

A local law to amend Article XII of Chapter 200 of the Cuba Village Code

Mayor Miller left the Public Hearing open to the public in the event any questions arise.

The Village of Cuba Board of Trustees held their monthly Board Meeting on Monday, March 12, 2018 at 7:00 pm in the Cuba Village Hall.

PRESENT: Mayor Michele Miller, Trustees Douglas Rettig Sr, Trustee Douglas Clayson, Trustee Lori Sweet, & Trustee Randy Searl,

ALSO, PRESENT: Corine Bump Clerk/Treasurer, Rick Hall SPW, Lee Clark

MAYOR MILLER OPENED THIS MEETING WELCOMING GUESTS WITH THE PLEDGE OF ALLEGIANCE TO THE FLAG.

GUESTS: NA

MINUTES: The Board was given copies of the 2/12/18 minutes. With no corrections to these minutes a **MOTION WAS MADE BY TRUSTEE CLAYSON AND SECONDED BY TRUSTEE SWEET TO APPROVE THE MINUTES. ALL IN FAVOR AND THE MOTION CARRIED.**

BILLS: A copy of the Open Invoice report was emailed to the Board members. These bills consist of Vouchers paid prior to the meeting tonight totaling \$19547.57, and vouchers presented tonight

The 2017-2018 Vouchers - with the breakdown by funds as

GENERAL FUND	\$14,802.04
WATER FUND	\$2,136.75
SEWER FUND	\$2,608.78

With no other questions on the bills and the vouchers viewed prior the meeting by the trustees

A MOTION WAS MADE BY TRUSTEE RETTIG SR. AND SECONDED BY TRUSTEE SEARL TO PAY THE MONTHLY BILLS ALL IN FAVOR, APPROVED

POLICE REPORT: CHIEF BURCH SENT THE POLICE REPORT AND IT IS ON FILE IN THE VILLAGE OFFICE.

ANIMAL CONTROL: Linda Botens sent her report and it is on file at the clerk's office.

BUILDING INSPECTOR/CEO: Kevin Margerum Deputy Code Enforcement Officer sent his report. He is handling situations as they come in.

WASTEWATER TREATMENT OPERATORS REPORT: Robert Thomas sent his report and it is on file at the Village office.

SUPERINTENDENT REPORT: On file in the Village office.

CLERKS REPORT: The Clerk Treasurer reported that the personnel committee will need to hire a replacement Deputy Clerk as Mary Beth has submitted her letter of resignation effective 4/27/18. The clerk treasurer stated this is not an easy job and the pay and hours needs looked at to encourage longevity, and dedication with the position. The Clerk/ Treasurer has been working with the Deputy Clerk on the water and sewer readings, retirement reporting for personnel wanting to buy back time (30 years worth of records -10 years not labeled), civil service reports, water and sewer shut offs. Having help with the water/ sewer readings this week has found three issues inside homes as the readings were very high. The Clerk Treasurer was happy to report that only 39, 24- hour shutoff door knockers were issued and of those only 3 so far were shut off, with a possible 2 more on Tuesday which is down from 61 issued last quarter. The NYS 1, and The retirement report were all submitted and accepted, The Clerk submitted to The Payroll Tax Website to pay the tax on the website as opposed to over the telephone. As of last week, this office began with the online payment, saving anywhere from 8-10 minutes each week on the reporting procedure. Corine called the county and the taxable assessment will remain unchanged for the coming fiscal year. Two election inspectors have been secured for the village election next week. Lynette Decker and Mary Lindquist will be here from noon to 9 next Tuesday and both were eager to help. I spoke with Barb Broughton from

the county. If the village would like to move the elections to the fall, the board would have to put it to a vote on the November ballot. At this time there is no cost to the village if the election is kept in November. The voter turnout will be much greater. If the board wants to keep the election in March, the cost would be anywhere from \$1300-\$1500.00 to the village if the election is taken over by the county and kept in March. Any terms for the coming year would be extended to November 2019. This would be subject to permissive referendum. The Clerk/ Treasurer is also working on relevies of water/ sewer bills to taxes and unpaid sidewalk invoices. At this time, only two sidewalk bills remain unpaid, and 3 property owners paid their bills in the entirety. The Franchise Agreement came in a little higher than last year. Working with Michele on the budget process. Will meet with Officer Howe tonight after the meeting to identify the light poles on I86 that are out and report to Kelly from National Grid tomorrow.

COMMITTEE REPORTS:

Personnel Committee- Advertise for a new Deputy Clerk, Union Contract- there is another meeting Thursday 3/21/18 1:00 with the union reps.

FINANCE Committee- Working on the budget

Infrastructure- NA

Public Safety- Sidewalks are littered at an East Main St. address with cigarette butts and it's a public safety concern.

REFUSE- A payment came in last week from Cuba Hospital towards the refuse bill.

PARKS- Camera is at PD to be installed at Chamberlain and Genesee Parkway

MAYORS REPORT:

The County has hired a consulting firm for the shared services agreements. The firm is meeting with the mayors and supervisors throughout the county discussing everything the village does that costs money looking for cost savings. Rick and the mayor met with The owners of The Cuba Cheese Shoppe Jeff and Sarah Bradley about replacing the parking lot with a sidewalk. Their solution is more signage identify the area as a 20 mph zone. Mayor Miller called Jonathan Engels from the NYS DOT and he was surprised because the NYSDOT has given the Cheese Shoppe the go ahead to put a parking lot next to the Cheese Shoppe on The Water St. side of the building. Mr. Engels told the mayor he would get in touch with the owners and find out why they had not yet put a parking lot on the Water St. Side.

The Tree City USA application was approved for the 14th year in a row. The tax sale parcels came from the Real Property Tax Office. There will be a budget meeting 3/13/18 at 4:00pm in the village board room. The election for 2 trustees will be Tuesday March 20, noon to 9:00. The mayor thanked Trustee Clayson for his two years as a trustee to The Village of Cuba. Trustee Clayson thanked the Mayor, Rick, and his fellow trustees for assisting him in his two years as trustee.

OLD BUSINESS: Elections possibly moving to the November Election. Mayor Miller said the idea of the County taking over the election came up at a shared service meeting. It would save the village the cost of the election associated with having the March election, including the cost of the election inspectors, the ballots, envelopes, advertisements in the papers, and the clerk/treasurers time. There is no cost if the county takes it over in November. There has to be a referendum for the voters to decide. In order to make that option available to the voters, the board will need to decide by the June Board Meeting. This issue is being tabled until the April Meeting.

NEW BUSINESS: Mayor Miller asked to discuss the possibility of the employees benefit of Insurance, be offered after the employee retires. The mayor would like to see the board formalize the procedure of purchasing their health insurance through the village after retirement. There is one retired employee currently paying the premium and any and all costs and increases associated with the retired employee purchasing health insurance. Trustee Rettig Sr. spoke up and said he agrees with this and sees it work in other areas of retired employees purchasing their own plan. The Village plan is through the Chamber of Commerce. He would agree to allowing the retired employee to purchase their plan as long as they pay their entire premium on time to the clerk treasurer's office so the bill remains in good standing. He agrees the employee will be responsible for the entire premium cost, and any and all increases in the cost.

TRUSTEE RETTIG SR. MADE A MOTION TO ALLOW EMPLOYEES RETIRING FROM THE VILLAGE CONTINUE WITH THE VILLAGE PLAN AS LONG AS THEY PAY THE FULL PREMIUM ON TIME INCLUDING YEARLY INCREASES. TRUSTEE SWEET SECONDED THE MOTION ALL IN FAVOR. MOTION CARRIED.

PUBLIC HEARING- TRUSTEE RETTIG SR. MADE A MOTION TO CLOSE THE PUBLIC HEARING ON LOCAL LAWS #1, #2, #3- 2018. TRUSTEE CLAYSON OFFERED A SECOND TO CLOSE THE PUBLIC HEARING. ALL IN FAVOR AND THE MOTION CARRIED.

RESOLUTION NO. 4-2018

TITLE: A RESOLUTION ADOPTING NEGATIVE DECLARATION FOR ADOPTION OF REVISIONS TO SCHEDULE 1 OF CHAPTER 200 OF THE CUBA VILLAGE CODE

OFFERED BY: Trustee Rettig Sr. Who moved its adoption.

SECONDED BY: TRUSTEE CLAYSON

WHEREAS, the Cuba Village Board of Trustees (Village Board) proposes to adopt revisions to Schedule 1 of Part 200 of the Cuba Village Code (the Action); and

WHEREAS, the proposed action qualifies as an “Unlisted Action” under the New York State Environmental Quality Review Act (“SEQRA”), Article 8 of the Environmental Conservation Law (“ECL”) and its implementing regulations, 6 NYCRR Part 617; and

WHEREAS, the Village Board has completed Parts 1, 2 & 3 of a short-form environmental assessment form for the proposed action, which evaluation considers all potential environmental impacts that could result from the Village Board’s adoption of the proposed revisions to Schedule 1; and

WHEREAS, no other governmental agencies are “involved agencies” for purposes of this Action; and

WHEREAS, consistent with the requirements of SEQRA, the Village Board has identified all possible environmental effects that could result from adoption of the revisions to Schedule 1 and taken a hard look at any potential impacts; and

WHEREAS, the Village Board has memorialized its environmental impact evaluation of the Action in the accompanying Negative Declaration and, consistent with the Negative Declaration, the Village Board has determined that (1) the revisions provide substantial benefits to the property owners of the Village while fully protecting the health and safety of all Village residents and (2) will have no significant adverse environmental impacts; now, therefore, be it hereby

RESOLVED, that the Village Board hereby adopts the Negative Declaration for the Action; and be it hereby

RESOLVED, that the Village Board directs the Village Clerk of the Village of Cuba to take all actions necessary and appropriate to publish and distribute the Negative Declaration as required by law.

Yes 5 No: 0

Dated: March 14, 2018

Filed: _____, 2018

**#1- Motion to adopt law- Trustee Rettig Sr, Seconded by Trustee Clayson
Carried**

Village of Cuba
Local Law No. 1 of the year 2018

A. Title

A local law to amend Schedule 1 of Chapter 200 of the Cuba Village Code

B. Enacting Clause

Be it enacted by the Board of Trustees of the

Village of Cuba as follows:

C. Body

Chapter 200 of the Code of the Village of Cuba is amended to revise Schedule 1 relating to area, yard and separation requirements in all districts.

§ 1

Schedule 1 of Chapter 200 of the Code of the Village of Cuba adopted 3-29-1995 by Local Law No. 1 of 1995 is revised.

§ 2

Schedule 1 of Chapter 200 of the Code of the Village of Cuba is amended and revised to read as follows:

Schedule 1
Area, Yard and Separation Requirements
All Districts(1)
Cuba Village

Permitted Use	Minimum Lot Size(1,3,4)	Minimum Setback Requirements			Max. Building Height	Lot Coverage
		From Street ROW or Sidewalk(2)	Side	Rear		
Single Family Dwelling	Existing	10	Per Uniform Code			
Accessory Buildings	Existing	10	Per Uniform Code			

1.) Other than new subdivisions or developments, and inside the Genesee Historical District, all

exterior walls, construction projections, openings or penetrations of exterior walls of Dwellings and accessory buildings shall comply with the minimum fire separation distances as specified in the New York State Uniform Fire Prevention and Building Code (Uniform Code) as adopted by the State of New York and enforced by the Village of Cuba per Village Code Section 105-1, and which incorporates the International Residential, International Building and International Fire Codes issued by the International Codes Council (ICC),.

- 2.) The street side exterior wall or projection shall be no less than ten (10) feet from the structure side of the sidewalk, or, in the event there is no sidewalk, from the street right of way line.
- 3.) New subdivisions or developments of 2 or more dwellings or structures shall conform to Schedules 1.1 of this attachment.
- 4.) All subdivisions of existing lots shall meet the requirements of Schedules 1.1
- 5.) Driveways shall be of sufficient length to prevent a parked vehicle from blocking any part of a sidewalk.

Schedule 1.1
Area and Yard Requirements
R-1 Residential District
Cuba Village

KEY: * = Permitted by special use permit only

Permitted Uses	Minimum Lot Size		Minimum Setback Requirements (feet)					Maximum Building Height Principal Building (feet) ¹	Maximum Building Coverage
	Area (square feet)	Width (feet)	Principal Building			Accessory Building			
			Front	Rear	Each Side	Rear	Each Side		
Single-family dwellings	7,500 ²	75 ²	30	20	10	5	10	30	30%
*Essential services	--	--	30	30	30	30	30	20	10%
*Cluster residential development	Detailed design standards specified in § 200-54								
*Bed-and-breakfast establishments	10,000	100	30	20	15	10	10	30	30%
*Public and semi-public uses and buildings	10,000	100	30	20	15	10	10	30	25%
*Home occupations ³	Detailed design standards specified in § 200-56								
*Accessory apartments ⁴	Detailed design standards specified in § 200-57 ⁴								
*Windmills	Detailed design standard specified in § 200-62								

NOTES:

- ¹ Height limitations for all permitted and specially permitted uses may exceed the height limit for the zone district, provided that the minimum front, side and rear yard setbacks are increased by two (2) feet for each one (1) foot of additional height, up to a maximum of fifty (50) feet, and provided that the exterior walls of such structures are noncombustible and that on-site fire-protection facilities approved by the local fire company are installed.
- ² If the lot is a corner lot, both frontages shall be at least one hundred (100) feet, and the minimum lot size shall be at least ten thousand (10,000) square feet.
- ³ Home occupations shall meet the maximum area requirements of the Uniform Fire Prevention and Building Construction Code.
- ⁴ Detached accessory apartments shall meet the minimum floor area requirements of the Uniform Fire Prevention and Building Construction Code.
- ⁵ Amended at time of adoption of Code, see Ch. 1, General Provisions, Art. I.

Schedule 1.1
Area and Yard Requirements
R-2 Residential District
Cuba Village

Cuba Village

KEY: * = Permitted by special use permit only

Permitted Uses	Minimum Lot Size		Minimum Setback Requirements (feet)					Maximum Building Height Principal Building (feet) ¹	Maximum Building Coverage
	Area (square feet)	Width (feet)	Principal Building			Accessory Building			
			Front	Rear	Each Side	Rear	Each Side		
Single-family dwellings	7,500 ²	75 ²	30	20	10	5	10	30	30%
Two-family dwellings	10,000 ³	100 ³	30	20	15	10	10	30	30%
*Essential services	--	--	30	30	30	30	30	20	10%
*Cluster residential developments	Detailed design standards specified in § 200-54								
*Townhouse developments	Detailed design standards specified in § 200-53								
*Multiple family developments	Detailed design standards specified in § 200-53								
*Public and semi-public uses and buildings	10,000	100	30	20	15	10	10	30	25%
*Bed-and-breakfast establishments	10,000	100	30	20	15	10	10	30	30%
*Home occupations ⁴	Detailed design standards specified in § 200-55								
*Accessory apartments ⁵	Detailed design standards specified in § 200-57								
*Windmills	Detailed design standards specified in § 200-62								
*Day-care centers	10,000	75	30	30	10	10	10	30	30%
*Nursery schools	10,000	75	30	30	10	10	10	30	30%
*Rooming houses	20,000	100	30	60	20	10	10	30	30%

NOTES:

¹ Height limitations for all permitted and specially permitted uses may exceed the height limit for the zone district, provided that the minimum front, side and rear yard setbacks are increased by two (2) feet for each one (1) foot of additional height, up to a maximum of fifty (50) feet, and provided that the exterior walls of such structures are noncombustible and that on-site fire-protection facilities approved by the local fire company are installed.

² If the lot is a corner lot, both frontages shall be at least one hundred (100) feet, and the minimum lot size shall be at least ten thousand (10,000) square feet.

³ If the lot is a corner lot, both frontages shall be at least one hundred twenty-five (125) feet, and the minimum lot size shall be at least fifteen thousand six hundred twenty-five (15,625) square feet.

⁴ Home occupations shall meet the maximum area requirements of the Uniform Fire Prevention and Building Construction Code.

⁵ Detached accessory apartments shall meet the minimum floor area requirements of the Uniform Fire Prevention and Building Construction Code.

⁶ Amended at time of adoption of Code, see Ch. 1, General Provisions, Art. I.

Schedule 1.1
Area and Yard Requirements
G-H Genesee Historical District
Cuba Village

KEY: * = Permitted by special use permit only

Permitted Uses	Minimum Lot Size		Minimum Setback Requirements (feet)					Maximum Building Height Principal Building (feet) ¹	Maximum Building Coverage
	Area (square feet)	Width (feet)	Principal Building			Accessory Building			
			Front	Rear	Each Side	Rear	Each Side		
Single-family dwellings	7,500 ²	75 ²	30	20	10	5	10	30	30%
Two-family dwelling	10,000 ³	100 ³	30	20	15	10	10	30	30%
Retail and personal services uses	10,000	75	30	30	15	30	15	30	30%
*Essential services	--	--	30	30	30	30	30	20	10%
Hotels and motels	20,000	125	30	30	15	30	15	25	30%
Bed-and-breakfast establishments	10,000	100	30	20	15	10	10	30	30%
*Funeral parlors	10,000	100	30	30	15	30	15	30	30%
*Office buildings	10,000	100	25	30	15	30	15	--	75%
*Public and semi-public uses	10,000	100	30	20	15	10	10	30	25%
*Produce markets	15,000	100	50	30	15	30	15	25	30%
*Home occupations ⁴	Detailed design standards specified in § 200-55								
*Windmills	Detailed design standards specified in § 200-62								
*Accessory apartments ⁵	Detailed design standards specified in § 200-57								

NOTES:

¹ Height limitations for all permitted and specially permitted uses may exceed the height limit for the zone district, provided that the minimum front, side and rear yard setbacks are increased by two (2) feet for each one (1) foot of additional height, up to a maximum of fifty (50) feet, and provided that the exterior walls of such structures are noncombustible and that on-site fire-protection facilities approved by the local fire company are installed.

² If the lot is a corner lot, both frontages shall be at least one hundred (100) feet, and the minimum lot size shall be at least ten thousand (10,000) square feet.

³ If the lot is a corner lot, both frontages shall be at least one hundred twenty-five (125) feet, and the minimum lot size shall be at least fifteen thousand six hundred twenty-five (15,625) square feet.

⁴ Home occupations shall meet the maximum area requirements of the Uniform Fire Prevention and Building Construction Code.

⁵ Detached accessory apartments shall meet the minimum floor area requirements of the Uniform Fire Prevention and Building Construction Code.

⁶ Amended at time of adoption of Code, see Ch. 1, General Provisions, Art. I.

Schedule 1.1
Area and Yard Requirements
C-B Central Business District District
Cuba Village

Cuba Village

KEY: * = Permitted by special use permit only

Permitted Uses	Minimum Lot Size		Minimum Setback Requirements (feet)					Maximum Building Height Principal Building (feet) ¹	Maximum Building Coverage
	Area (square feet)	Width (feet)	Principal Building			Accessory Building			
			Front	Rear	Each Side	Rear	Each Side		
Retail and personal services uses	5,000	50	25	30	15	30	15	... ²	75%
Hotels and motels	20,000	125	25	30	15	30	15	... ²	75%
Laundries	10,000	100	25	30	15	30	15	... ²	75%
Taverns, theaters, bowling alleys, billiard rooms and similar places of public recreation	10,000	100	25	30	15	30	15	... ²	75%
Office buildings	10,000	100	25	30	15	30	15	... ²	75%
*Essential services	25	30	15	30	15	... ²	50%
*Public and semi-public buildings and uses	10,000	100	25	30	15	30	15	... ²	75%
*Produce markets	15,000	100	50	30	15	30	15	30	30%
Newspaper printing	10,000	100	25	30	15	30	15	30	30%
Bus stations	15,000	150	50	30	15	30	15	30	30%
Assembling, converting, etc. or any other processing of products	10,000	100	25	30	15	30	15	30	30%
Funeral parlors	10,000	100	30	30	15	30	15	30	30%
Garages and storage buildings	10,000	100	50	25	15	N/A	N/A	30	30%
Satellite TV dishes	2,000	45	16	16	16	N/A	N/A	30	7%

NOTES:

¹ Height limitations for all permitted and specially permitted uses may exceed the height limit for the zone district, provided that the minimum front, side and rear yard setbacks are increased by two (2) feet for each one (1) foot of additional height, up to a maximum of fifty (50) feet, and provided that the exterior walls of such structures are noncombustible and that on-site fire-protection facilities approved by the local fire company are installed.

² Notwithstanding any other provisions of the chapter, no building within the C-B Central Business District shall be less than thirty (30) nor more than fifty (50) feet in height.

³ Amended at time of adoption of Code, see Ch. 1, General Provisions, Art. 1.

Schedule 1.1
Area and Yard Requirements
G-B General Business District District
Cuba Village

KEY: * = Permitted by special use permit only

Permitted Uses	Minimum Lot Size		Minimum Setback Requirements (feet)					Maximum Building Height Principal Building (feet) ¹	Maximum Building Coverage
	Area (square feet)	Width (feet)	Principal Building			Accessory Building			
			Front	Rear	Each Side	Rear	Each Side		
Retail and personal services	15,000	100	50	30	15	30	15	25	30%
Drive-in restaurants	20,000	100	60	30	15	30	15	25	25%
Hotels and motels	40,000	150	60	30	20	30	20	25	30%
Office buildings	10,000	100	50	30	15	30	15	25	30%
*Essential services	--	--	50	30	15	30	15	25	30%
Funeral parlors	10,000	100	30	30	15	30	15	30	30%
*Public and semi-public uses and buildings	15,000	100	50	30	15	30	15	25	30%
*Motor vehicle service stations and auto repair shops	15,000	100	50	30	15	30	15	25	20%
*Car wash establishments	15,000	100	50	30	15	30	15	25	20%
*Produce markets	15,000	100	50	30	15	30	15	25	20%
*Planned business centers			Detailed design standards specified in § 200-61						
Taverns, theaters, bowling alleys, billiard rooms and similar places of public recreation	10,000	100	25	30	15	30	15	25	75%
Newspaper printing	10,000	100	25	30	15	30	15	25	30%
Bus stations	15,000	150	50	30	15	30	15	25	30%
Assembly, etc.	10,000	100	25	30	15	30	15	25	30%
Garages and storage buildings	10,000	100	50	25	15	N/A	N/A	15	30%
Satellite TV dishes	2,000	45	16	16	16	N/A	N/A	16	7%
Electrical, heating, plumbing or woodworking shops	15,000	100	50	30	15	30	15	25	20%
Wholesale establishments	20,000	125	50	30	15	30	15	25	30%
New and used auto sales	40,000	200	50	30	30	30	15	25	40%
Material storage yards	30,000	150	50	30	15	30	20	30	40%
Commercial storage buildings, space/rent	30,000	150	50	30	15	30	20	20	40%
Veterinary clinics/offices	1,500	--	50	30	15	30	15	25	30%
*Windmills			Detailed design standards specified in § 200-62						

NOTES:

¹ Amended at time of adoption of Code, see Ch. 1, General Provisions, Art. I.

² Height limitations for all permitted and specially permitted uses may exceed the height limit for the zone district, provided that the minimum front, side and rear yard setbacks are increased by two (2) feet for each one (1) foot of additional height, up to a maximum of fifty (50) feet, and provided that the exterior walls of such structures are noncombustible and that on-site fire-protection facilities approved by the local fire company are installed.

Schedule 1.1
Area and Yard Requirements
L-I Light Industrial District District
Cuba Village

Cuba Village

KEY: * = Permitted by special use permit only

Permitted Uses ²	Minimum Lot Size		Minimum Setback Requirements (feet)					Maximum Building Height Principal Building (feet) ¹	Maximum Building Coverage
	Area (square feet)	Width (feet)	Principal Building			Accessory Building			
			Front	Rear	Each Side	Rear	Each Side		
Light industrial uses, including but not limited to fabrication and assembly, scientific and research laboratories, office buildings, building supply and farm equipment stores, warehouse and distribution facilities and commercial storage uses	40,000	150	75	50	35	30	15	25	50%
*Essential services	--	--	75	50	35	50	35	25	30%
*Motor vehicle and auto repair shops	15,000	100	50	30	15	30	15	25	20%
*Car wash establishments	15,000	100	50	30	15	30	15	25	20%
*Junkyards	40,000	200	75	40	30	N/A	N/A	25	30%
*Adult bookstores	25,000	100	50	30	25	--	--	25	30%
*Adult entertainment	25,000	100	50	30	25	--	--	25	30%

NOTES:

¹ Height limitations for all permitted and specially permitted uses may exceed the height limit for the zone district, provided that the minimum front, side and rear yard setbacks are increased by two (2) feet for each one (1) foot of additional height, up to a maximum of fifty (50) feet, and provided that the exterior walls of such structures are noncombustible and that on-site fire-protection facilities approved by the local fire company are installed.

² When an industrial use is proposed to abut a residential district, there shall be a buffer of not less than fifty (50) feet between the residential district and any activity associated with the proposed industrial use.

³ Amended at time of adoption of Code, see Ch. 1, General Provisions, Art. I.

Schedule 1.1
Cuba Village
Minimum Habitable Floor Area

Use	Minimum Floor Area (square feet)	
	R-1 District	R-2 District
Single-family dwellings	1,000	1,000
Two-family dwellings	N/A	1,000 ¹

NOTES:

¹ Per dwelling unit

§ 3 Effective Date

This Local Law Shall Take Effect twenty days after it is filed as provided in section twenty-seven of the Municipal Home Rule Law

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 1 of 2018 of the Village of Cuba was duly passed by the Board of Trustees on March 12, 2018, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

Corine Bump
Village Clerk
Village of Cuba

(Seal)

Date:

#2- Trustee Rettig Sr made a motion to enact the law, Seconded by Trustee Clayson- Carried

Village of
Cuba
Local Law No. 2 of the
year 2018

A . T i t l e

A local law to amend Section 173-14 of Chapter 173 of the Cuba Village Code

B . E n a c t i n g C l a u s e

Be it enacted by the B o a r d o f T r u s t e e s of the
Village of C u b a as follows:

C . B o d y

Chapter 173 of the Code of the Village of Cuba is amended to revise § 173-14 relating to awnings and other projecting objects including flags and banners.

§1

Section 173-14 of Chapter 173 of the Code of the Village of Cuba adopted 5-23-1977 as Chapter 82 of the 1977 Code Amendments and amended 8-26-1996 by L.L. No. 3 of 1996 is revised.

§2

Section 173-14 of Chapter 173 of the Code of the Village of Cuba is amended and revised to read as follows: § 173-14 Awnings and other projecting objects including flags and banners

No awning, awning post, signpost or other fixture shall hereafter be placed or erected across or in any of the streets of Cuba Village, New York, so as to project wholly or partly over any of the sidewalks or streets therein or be placed in proximity thereto by the owner, lessee or occupant of any store or building; nor shall any person place or cause to be placed, hung or suspended over any of the sidewalks or streets of said Village any goods, wares, merchandise or other things for sale or exhibition; but nothing herein contained shall prevent the erection of awnings of cloth upon metal frames, so

constructed and attached to the buildings as to be self-supporting, provided that such awning in the lowest parts shall be at least eight feet six inches above the sidewalks; and nothing herein contained shall apply to wooden or iron awnings, if they are placed at least eight feet six inches above and do not project more than four feet over said sidewalks. The erection of signs shall be in accordance with Article XII of Chapter 200, Zoning.

A. Awnings and awning framework shall be approved by the Planning Board and the Code Enforcement Officer.

B. Awnings shall be supported by and securely attached to the building as approved by the Code Enforcement Officer.

C. The lowest portion of awnings erected over Public sidewalks shall not be lower than 8 feet six inches above the sidewalk.

D. Awnings shall be kept in good repair.

E. Temporary awnings shall be securely supported at points that do not cause a hazard to pedestrians.

F. Temporary awnings shall be removed within 7 days of erection.

G. Flags and banners installed shall also comply with

the above requirements. §3 Effective Date This Local Law Shall

Take Effect twenty days after it is filed as provided in section

twenty-seven of the Municipal Home Rule Law

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No. 3 of 2018 of the

Village of Cuba was duly passed by the Board of Trustees on March 12, 2018, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated above.

Village
Clerk
Village
of Cuba

(Seal)

Date: _____
=====

RESOLUTION NO.5-2018 _____

TITLE: A RESOLUTION ADOPTING NEGATIVE DECLARATION FOR ADOPTION OF REVISIONS TO ARTICLE XII (SIGN REGULATIONS) OF CHAPTER 200 OF THE CUBA VILLAGE CODE

OFFERED BY: TRUSTEE CLAYSON Who moved its adoption.

SECONDED BY: TRUSTEE SEARL

WHEREAS, the Cuba Village Board of Trustees (Village Board) proposes to adopt revisions to Article XII (Sign Regulations) of Part 200 of the Cuba Village Code (the Action); and

WHEREAS, the proposed action qualifies as an “Unlisted Action” under the New York State Environmental Quality Review Act (“SEQRA”), Article 8 of the Environmental Conservation Law (“ECL”) and its implementing regulations, 6 NYCRR Part 617; and

WHEREAS, the Village Board has completed Parts 1, 2 & 3 of a short-form environmental assessment form for the proposed action, which evaluation considers all potential environmental impacts that could result from the Village Board’s adoption of the proposed revisions to Schedule 1; and

WHEREAS, no other governmental agencies are “involved agencies” for purposes of this Action; and

WHEREAS, consistent with the requirements of SEQRA, the Village Board has identified all possible environmental effects that could result from adoption of the revisions to Article XII and taken a hard look at any potential impacts; and

WHEREAS, the Village Board has memorialized its environmental impact evaluation of the Action in the accompanying Negative Declaration and, consistent with the Negative Declaration, the Village Board has determined that (1) the revisions provide

substantial benefits to the property owners of the Village while fully protecting the health and safety of all Village residents and (2) will have no significant adverse environmental impacts; now, therefore, be it hereby

RESOLVED, that the Village Board hereby adopts the Negative Declaration for the Action; and be it hereby

RESOLVED, that the Village Board directs the Village Clerk of the Village of Cuba to take all actions necessary and appropriate to publish and distribute the Negative Declaration as required by law.

Yes 5 No: 0

Dated: March 12, 2018

Filed: _____, 2018

Corine Bump Clerk/ Treasurer

#3-2018 Trustee Rettig Sr. made a motion to approve Local Law #3-2018 as follows Trustee Sweet gave a second.

Village of
Cuba
Local Law No. 3 of
the year 2018

A . Title

A local law to amend Article XII of Chapter 200 of the Cuba Village Code

B . Enacting Clause

Be it enacted by the Board of Trustees of the Village of Cuba as follows:

C . Body

Article XII of Chapter 200 of the Code of the Village of Cuba is amended to revise §§ 200-70 and 200-71 and to add a new § 200-70.1 relating to the regulation of signs.

§1

Article XII of Chapter 200 of the Code of the Village of Cuba is amended to revise §§ 200-70 and 200-71 adopted 3-29-1995 by L.L. No. 1 of 1995 and amended 3-27-1997 by L.L. No. 1 of 1997 and to add a new § 200-70.1.

§2

Article XII of Chapter 200 of the Code of the Village of Cuba is amended to revise §§ 200-70 and 200-71 and to add a new § 200-70.1, to read as follows:

§ 200-70. General conditions and regulations

- A. Except for those signs specifically identified in §§ 200-74, 200-75 and 200-76, no sign shall be erected in Cuba Village without a permit issued by the Zoning Officer.
- B. The provisions and regulations specified herein apply only to exterior signs and signs which are visible from the public right-of-way.
- C. Except for temporary signs, no sign permit shall be issued by the Zoning Officer without the approval of the Planning Board.
- D. All signs shall be securely attached to a building or a structurally sound support, and their display surfaces shall be kept neatly painted and in good repair at all times.
- E. No illuminated signs or outdoor illumination shall direct light in a way that would create a traffic hazard or nuisance or be unreasonably detrimental to adjoining or neighboring properties.
- F. A flush-mounted building sign shall not extend more than 12 inches from the face of the building to which it is attached into a public right-of-way or sidewalk.
- G. No sign or part thereof shall contain or consist of banners, posters, pennants, ribbons, streamers, spinners or similar fluttering devices.
- H. No sign shall consist of animated or moving parts.
- I. No movable or portable signs shall be placed on any premises in the Village except for temporary signs which are approved under § 200-76.
- J. No sign shall be erected or maintained upon the roof of any building or structure.
- K. No motor vehicle, mobile home or trailer on which is placed or painted any sign shall be parked or stationed in a manner primarily intended to display the sign.
- L. Except for directional or directory signs, no sign shall be erected or maintained within the public right-of-way of any street or within 10 feet of any property line, unless flush-mounted to a building.

- M. No sign shall be permitted which advertises a business use or service other than that which exists on the premises on which said sign is located.
- N. The regulations specified herein shall not apply to any sign or directional device erected by any governmental agency, non-advertising signs identifying underground utility lines or posted or preserve signs erected pursuant to the Environmental Conservation Law of the State of New York.
- O. No sign shall be erected in such a manner as to confuse or obstruct the view of any traffic sign, signal or device.
- P. No sound amplifiers, public address systems or other sound devices shall be used as a means of advertising or to attract attention to a sign.
- Q. For purposes of calculation of the total area of any freestanding sign, only one side of such freestanding sign shall be taken into consideration in arriving at the total area.
- [Added 3-27-1997 by L.L. No. 1-1997, Revised x-xx-2018 by L.L. No. x —2018]

§ 200-70.1 Murals and painted signs.

All murals and signs painted on buildings, which are observable from Public thoroughfares, shall be approved by the Planning Board.

- A. Murals or signs painted on buildings shall be kept in good repair or painted over.
- B. No mural or sign shall contain indecent, pornographic, or defamatory language that maligns or belittles any of the following, but not limited to, a person, product, institution, practice or belief. The public display of offensive sexual material as defined and prohibited in the Penal Law is prohibited.
- C. Any sign authorized in this local law may contain a non-commercial message in lieu of other copy and prohibit with the provision.

[Added x- xx-2018 by L.L. No. x-- 2018] § 200-71

Business and Industrial Districts.

- A. The total area of all signs erected on a single property to advertise a specific business or activity, including freestanding and building signs, shall not exceed an area of two square feet for each linear foot of building frontage of the principal structure measured along the street or off-street parking area that provides the principal access for the use.
- B. Directional signs that do not exceed two square feet in sign area and are limited

to such texts as "Office," "Entrance," "Exit," "Parking" and "No Parking" shall be excluded from the limitation on the total area of signs permitted.

- C. No freestanding sign shall be more than 20 feet in height, measured from the highest level of natural ground immediately beneath the sign to the highest point of the sign or the supporting structure thereof. The Planning Board shall establish the setback for freestanding signs to ensure that such signs do not obstruct the view of motorists or create a nuisance to adjacent properties.
- D. A flush-mounted building sign shall not extend more than 12 inches from the face of the building to which it is attached into a public right-of-way or sidewalk.
- E. Business identification signs attached to windows and/or doors on the interior of a building and which are visible from the public right-of-way shall be excluded from the calculations to determine the maximum allowable sign area on a property specified in Subsection A above, provided that such window or door signs do not exceed 30% of the total surface area of the windows and/or doors on the facade of the building to which said signs are attached. If such signs exceed the thirty-percent limit, they shall be counted in determining the total area of all signs permitted on a property (Subsection A).
- F. Signs attached to the windows and/or doors of business establishments to advertise the temporary sale of a product or commercial service and which do not identify the name of the business shall be excluded in determining the total area of all signs permitted on a property (Subsection A).

[Revised x- xx-2018 by L.L. No. x —2018]

§ 3 Effective Date.

This Local Law Shall Take Effect twenty days after it is filed as provided in section twenty-seven of the Municipal Home Rule Law

1. (Final adoption by local legislative body only.)

I hereby certify that the local law annexed hereto, designated as Local Law No.3 _ of 2018 of the Village of Cuba was duly passed by the Board of Trustees on, March 12, 2018, in accordance with the applicable provisions of law.

I further certify that I have compared the preceding local law with the original on file in this office and that the same is a correct transcript therefrom and of the whole of such original local law, and was finally adopted in the manner indicated in paragraph 1 above.

VILLAGE CLERK,
VILLAGE OF CUBA

(Seal)

Date: _____

**WITH NO FURTHER BUSINESS TO DISCUSS A MOTION WAS MADE BY
TRUSTEE CLAYSON AND SECONDED BY TRUSTEE SWEET
TO ADJOURN THIS MONTHLY BOARD MEETING. TIME: 8:12 PM**

RESPECTFULLY SUBMITTED: Corine Bump Clerk/ Treasurer