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Sherman hears comments regarding cat, structure laws

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SHERMAN — The Sherman Village Board recently heard public comment on several proposed local laws dealing with at-large cats in the village, unsafe structures, amendments to the zoning law and the new code enforcement program.

Amendments to the zoning law involve: fences, walls and hedges; unsafe structures; mobile food vendors; fees related to code and zoning enforcement; and the schedule of fees and penalties. The new code enforcement program will supersede and replace the original administration of the code.

Sherman Mayor Colleen Meeder began the public hearing by introducing the proposed at-large cat law, LL2-2022.

"This only pertains to outside cats, cats that are doing damage," she said. "They are becoming quite a nuisance for the village."

The proposed law states that its purpose is "to protect the health, safety and wellbeing of persons and property by imposing restrictions on the keeping and running of at-large cats within the village." It is also to "prevent the uncontrolled behaviors of cats that cause physical harm to persons, damage to property, and those that create nuisances within the village, including the spread of disease to other animals."

Meeder told those present that there have been many instances of property damage by free-roaming cats.

"We've had property damage, damage to wood

piles that rendered the wood useless, damage to patio furniture, etc.," she said.

The next law for consideration was LL3-2022, Unsafe Structures, Meeder said. She noted that this has been removed from the zoning law.

"We looked at it and realized a few key pieces were missing," she said. "So, we removed it and replaced it with a new law."

The proposed law defines an unsafe structure as "any structure that due to inadequate maintenance, dilapidation, obsolescence, fire/wind or similar types of damage becomes structurally unsafe, unsanitary, or in any way is dangerous to human life and safety." It further states that "such unsafe structures or dangerous buildings shall, for the purposes of this law, be declared to be illegal."

Meeder explained the various reasons why such structures exist in the village and said that any building identified as dangerous must be repaired or demolished.

The owner of such a building will have 60 days, after being given notice, to obtain permits and 180 days to restore the building to habitable condition, she added.

The proposed LL4-2022 Amending the Zoning Law was thoroughly examined by the steering committee before they came up with the law. It contains definitions of animals, food, mobile food vendors and mobile food vehicles, Meeder said.

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"The word animal covers everything," she said. "We took a basic biology definition."

Meeder noted that the question of "what is food?" and the definition of mobile food vehicles was designed to include all confectionary food stuffs.

"Vendors must be located at least 100' from a similar business, and they are not permitted in R1 or R2 zoned neighborhoods without a special permit," she said.

Meeder told those present that the purpose of the mobile food vendor section is "to balance the potential impact on neighbors when mobile food trucks, trailers, or wagons are in use and to protect other commercial businesses within the village of Sherman." She said that a particular area of concern was the amount of noise generated by the mobile food vehicles, and this was carefully examined by the steering committee and planning board.

The matter of fences, walls and hedges generated the most discussion and controversy at the public hearing.

According to Meeder, the proposed law is not intended to restrict, but to open the matter up more. Specifically, its intended purpose is "to prevent solid and semi-solid fences, walls, and hedges from materially obscuring vision

or shutting out light, sun or air resulting in potentially unsafe or unhealthy conditions for residents, motorists, or pedestrians, while providing a quality of living standard that conforms to the general character of the neighborhood."

When asked by Sherman residents Joseph and Karen Piszczek "which neighborhood are you talking about?" Meeder responded that the term "neighborhood" is frequently used in zoning documents.

"It is up to the Zoning Board of Appeals to interpret," she said. "The ZBA is a whole separate entity and they give balance to the laws; the board exists for your protection."

Meeder further explained that one of the things that came out of the discussion is that the steering committee wants everyone in Sherman to enjoy their freedoms.

"We don't want to live in a Homeowners' Association," said committee member Ken Labuskes.

Meeder emphasized that the zoning board and other village committees have been working on this segment of the code for a long time.

"The amended fence section was multiple years in the making... input came from many places (including from Mr. Piszczek), and the zoning board of appeals," she said. "The Steering Committee thor-

oughly and thoughtfully reviewed the law working on it over multiple meetings - for hours, and the Planning Board also reviewed it."

Meeder concluded by reminding everyone that the amendments to the zoning law, particularly regarding fences, walls and hedges were several years in the making and are intended to clarify and help people who have had issues.

The final law proposed is LL5-2022 to repeal and

replace the Village Code Enforcement Program, for the administration and enforcement of the NYS Uniform Fire and Building Code and the State Energy Conservation Construction Code. The law does not define the Uniform & Energy Code, but establishes the way the code will be enforced at the local level.

"The most exemptions we could do, we did," she said. "And, regarding permits, we gave the longest period of time allowable."

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