

**PLANNING BOARD  
TOWN AND VILLAGE OF ARCADE  
17 Church Street, Arcade, NY 14009  
Village Office      585 492-1111  
Town Office        585 492-4685**

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At a meeting of the Planning Board of the Town and Village of Arcade held on Wednesday, November 16, 2011 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

**MEMBERS PRESENT:** Don Suttell, Rich Kosmerl, Andy Schnitzler

**MEMBERS ABSENT:** Paul Bijhouwer, Aaron Felber

**OTHERS PRESENT:** Wendy Mapes, Kim Capron

The meeting was called to order at 7:00 P.M. by Acting Chairman Rich Kosmerl.

**APPROVAL OF MINUTES:**

Tabled – A quorum of those in attendance at the October meeting was not present.

**PUBLIC HEARING FOR SPECIAL USE PERMIT NO. 2122, SUBMITTED BY KIMBERLY CAPRON, REQUESTING TO ESTABLISH A HOME OCCUPATION (BEAUTY SALON) IN HER RESIDENCE AT 169 EAST MAIN STREET:**

In discussion:

1. The Acting Chairman read the recommendation and comments from the Wyoming County Planning Board (see Attachment A). The WCPB recommended approval.
2. It was noted that the checklist had been completed at the October meeting.

**MOTION** by Rich Kosmerl, seconded by Andy Schnitzler and unanimously carried, to open the Public Hearing.

The Acting Chairman asked if there were any comments from the public. There were none. The Board had no further questions of the applicant.

**MOTION** by Don Suttell, seconded by Rich Kosmerl and unanimously carried, to close the Public Hearing.

**MOTION** by Don Suttell, seconded by Andy Schnitzler and unanimously carried, to grant Special Use Permit No. 2122, submitted by Kimberly Capron, for establishment of a Home Occupation (Beauty Salon) at her residence located at 169 East Main Street, Arcade and the Secretary was directed to send the final action report to the WCPB.

**SITE PLAN REVIEW, PERMIT NO. 2121, SUBMITTED BY BRAD AND WENDY MAPES,  
REQUESTING TO SITUATE A RAILROAD CABOOSE ICE CREAM STAND AT 571 MAIN STREET:**

In discussion:

1. The Acting Chairman read the recommendation and comments from the WCPB (see Attachment B). The WCPB recommended approval.
2. As requested at the October meeting, the applicant had submitted an updated drawing and Key Sheet regarding lighting and showing any fire hydrants in the vicinity. These were included in the packet sent to the WCPB for review.
3. The checklist was complete.
4. The Board had no further questions or comments.

**MOTION** by Don Suttell, seconded by Andy Schnitzler and unanimously carried, to approve Site Plan Permit No. 2021, submitted by Brad and Wendy Mapes, requesting to situate a Railroad Caboose Ice Cream Stand at 571 Main Street, Arcade and the Secretary was directed to send the final action report to the WCPB.

**IN OTHER BUSINESS:**

The Secretary distributed copies of the Draft Generic Environmental Impact Statement for the Town of Sardinia Tri-County Business Park. The Planning Board had reviewed the first DGEIS in 2008. This updated copy, dated October 2011, was delivered on November 16, 2011 by the firm of Clark Patterson Lee. The accompanying letter (see Attachment C) asked for comments by January 11, 2012.

1. Board members will review the DGEIS and be prepared for discussion for the Planning Board meeting of December 14, 2011.
2. The Secretary will gather all pertinent information from the review in 2008 and mail it to Board members within the next week. She was directed to contact the Village Clerk and make sure the VOA had received the DGEIS. (This was done on November 17, 2011 and the VOA has received it.)
3. The Secretary will contact those Board members who were not present and notify them to pick up their copies of the DGEIS in the Village Office.

**ADJOURNMENT:**

There being no further business brought before the Board, the meeting adjourned at 7:31 P.M. upon **motion** by Rich Kosmerl, seconded by Andy Schnitzler and unanimously carried. The next regular meeting of the Planning Board of the Town and Village of Arcade will be held on Wednesday, December 14, 2011 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter, Secretary

November 16, 2011

Planning Board

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Attachment A  
Pl. Bd. Minutes  
Nov. 16, 2011

WCPB Review #  
11-24

## Wyoming County Planning Board REFERRAL RESPONSE FORM

For referrals as required in accordance with NYS General Municipal Law Article 12B, Section 239-I and m

**Location of Proposed Action:** 169 E. Main St, Village of Arcade

**Applicant:** K. Capron

**Type of Proposed Action** (separate form completed for each action): Home Occupation

- Area Variance    Use Variance    Site Plan    Special Use Permit    Other:  
 New Zoning Ordinance/Local Law    New/Amend Comprehensive Plan    Amend Zoning Text/Map

### WCPB Recommendation on this Action

The WCPB took the following action at their meeting on September 6, 2011 with respect to this referral:

- Approval with Comments    Disapproval    None;  
 No recommendation; proposed action has no significant negative county-wide or inter-community impacts

Comments: The proposed action is the issuance of a Special Use Permit for the operation of a home occupation (beauty salon) in a residence within the R-3 Residential District. The Village Planning Board has determined that the proposed use is a permitted home occupation in the District.

### General

1. The Village is commended for submitting a Site Plan Checklist and a complete application.
2. There appear to be no significant county-wide negative impacts related to this proposed project.

### Site Plan

1. Site Plan drawings including the name and address of applicant and person responsible for preparation of drawing has been included. The drawings have a north arrow, scale and date.
2. Any new signage must meet the Village zoning requirements.
3. There appear to be no other outstanding issues related to the Site Plan Checklist.
4. A map and aerial identifying adjacent parcels and land usages are provided.
5. A State Environmental Quality Review (SEQR) Short Environmental Assessment Form has been completed for this project.
6. **Section 239-m of general municipal law requires referring bodies to file a report of the final action it has taken regarding the referral made to the WC Planning Board. This report must be sent to the WCPB within thirty days after final action.**

### Report of Final Action:

Within 30 days after final action, **the referring body is required to file a report of its final action** with the Wyoming County Planning Board. If such action is contrary to a WCPB recommendation of modification or disapproval, this report should include the reasons for such contrary action.

*Note: Please provide this report of final action below on the PINK response form and mail or deliver to:*  
Wyoming County Planning & Development, 6470 Route 20A, Suite 4, Perry, NY 14530-9796

On \_\_\_\_\_ (date), the \_\_\_\_\_ (Board Name)  
took the following final action on the above proposed action previously referred to the WCPB.

- Approval    Modification    Disapproval

Report by: \_\_\_\_\_ Date: \_\_\_\_\_

Attachment B  
Pl. Bd. Minutes  
Nov. 16, 2011

WCPB Review #  
11-25

## Wyoming County Planning Board REFERRAL RESPONSE FORM

For referrals as required in accordance with NYS General Municipal Law Article 12B, Section 239-l and m

**Location of Proposed Action:** 571 Main St, Village of Arcade

**Applicant:** B. Mapes

**Type of Proposed Action** (separate form completed for each action): Railroad Caboose Ice Cream Stand

- Area Variance    Use Variance    Site Plan    Special Use Permit    Other:  
 New Zoning Ordinance/Local Law    New/Amend Comprehensive Plan    Amend Zoning Text/Map

### WCPB Recommendation on this Action

The WCPB took the following action at their meeting on September 6, 2011 with respect to this referral:

- Approval with Comments    Disapproval    None;    No recommendation; proposed action has no significant negative county-wide or inter-community impacts

Comments: The proposed action is the relocation and installation of a renovated railroad caboose ice cream stand on leased property. The Village Planning Board has determined that the project is a permitted as-of-right use and that set-back requirements exceed the minimums for the HC District.

### General

1. The Village and Applicant are commended for submitting a Site Plan Checklist and a complete application.
2. The Applicant must apply for and receive all appropriate Town and County permits prior to obtaining a certificate of occupancy for the project.
3. There appear to be no significant county-wide negative impacts related to this proposed project.

### Site Plan

1. Site Plan drawings including the name and address of applicant and person responsible for preparation of drawing has been included. The drawings have a north arrow, scale and date.
2. Pedestrian parking lot lighting should be kept in scale with the project. No glare from any such lighting should be allowed to spill on to adjoining properties or glare onto the adjacent State Route 39.
3. Any new signage must meet the Village zoning requirements.
4. Any garbage containers near the picnic tables should have lids and be emptied at least daily. Any garbage dumpster or other large refuse container should be kept to the rear of the ice cream stand, screened to the extent practicable and maintained with closed lids to minimize vectors.
5. There appear to be no other significant outstanding issues related to the Site Plan Checklist.
6. A map and aerial identifying adjacent parcels and land usages are provided.
7. This project has been deemed to be a Type II Action, therefore no State Environmental Quality Review (SEQR) Short Environmental Assessment Form has been completed for this project.
8. **Section 239-m of general municipal law requires referring bodies to file a report of the final action it has taken regarding the referral made to the WC Planning Board. This report must be sent to the WCPB within thirty days after final action.**



Attachment C  
Planning Bd. Minutes  
Nov. 16, 2011

**Clark Patterson Lee**  
DESIGN PROFESSIONALS

November 10, 2011

Mr. Paul Bijhouwer, Chairman  
Town/Village of Arcade Planning Board  
17 Church Street  
Arcade, NY 14009

**RE: DRAFT GENERIC ENVIRONMENTAL IMPACT STATEMENT  
TOWN OF SARDINIA, ERIE COUNTY  
TRI-COUNTY BUSINESS PARK**

Dear Mr. Bijhouwer:

On behalf of the Town of Sardinia Planning Board, we are submitting 6 copies of the Draft Generic Environmental Impact Statement (DGEIS) for the proposed Tri-County Business Park for public review and comment in accordance with the State Environmental Quality Review Act. The proposed business park will be located on NYS Route 16 in the Town of Sardinia, Erie County and the Town of Arcade, Wyoming County. The Lead Agency, Town of Sardinia Planning Board, accepted the DGEIS on June 4, 2008. This project was sent out for review previously; however the project was postponed to resolve some issues relative to comments received by the Project Sponsor. Those issues have been resolved and the sponsor is prepared to complete the DGEIS process. Comments were received on the previous DGEIS from a few of the agencies and have been addressed in the enclosed re-issued document.


Comments regarding the DGEIS shall be addressed to the Lead Agency and mailed to:

Bob Hill, Planning Board Chairman  
Town of Sardinia Planning Board  
12320 Savage Road  
Sardinia, New York 14134

The public comment period will close on January 11, 2012. All comments received by the Town of Sardinia Planning board on or before that date will be addressed in the Final Generic Environmental Impact Statement. If you have any questions, please call me at (716) 852-2100, Extension 1084 or via email at [stanner@clarkpatterson.com](mailto:stanner@clarkpatterson.com).

Very truly yours,

**Clark Patterson Lee**

  
Steven R. Tanner, P.E.  
Associate

Enclosures

c: Manfred Koch, Mark-1 Real Estate  
Bob Hill, Chairman - Town of Sardinia Planning Board

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