

**CORRECTED 9/12/07 PLANNING BOARD
TOWN AND VILLAGE OF ARCADE
17 Church Street, Arcade, New York 14009
(585) 492-1111**

At a meeting of the Planning Board of the Town and Village of Arcade held on Wednesday, August 8, 2007 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

MEMBERS PRESENT: Acting Chairman Don Suttell, Andy Schnitzler and Dan Meyers

MEMBERS ABSENT: Paul Bijhouwer, Mark Schultz

OTHERS PRESENT: Rich Kosmerl, George Hezel, Alan Bliss, Marty Mucher

The meeting was called to order by Acting Chairman Don Suttell at 7:01 P.M.

APPROVAL OF MINUTES:

MOTION by Don Suttell, seconded by Andy Schnitzler and unanimously carried, to accept the minutes of the meeting of July 11, 2007.

SITE PLAN REVIEW, PERMIT NO. 1916-SPR, SUBMITTED BY JOHN AND MARY'S, REQUESTING A 10'X20' ADDITION TO AN EXISTING BUILDING TO HOUSE A WALK-IN COOLER/FREEZER, AT 621 WEST MAIN STREET:

The Acting Chairman read the recommendations and comments from the Wyoming County Planning Board which stated:

“No recommendation; proposed action has no significant negative county-wide or inter-community impacts.

Comments:

1. With the recently acquired land north and west of the property, all setback requirements have been satisfied.
2. This addition does not appear to have any traffic, drainage, or community character impact.”

The Acting Chairman asked if there were any additional comments by Board Members. There were none.

MOTION by Andy Schnitzler, seconded by Dan Meyers and unanimously carried to approve Site Plan Application, Permit No. 1916-SPR, submitted by John and Mary's, requesting a 10'x20' addition to an existing building to house a walk-in cooler/freezer, at 621 West Main Street.

PRELIMINARY SITE PLAN REVIEW, PERMIT NO. 1925-SPR, SUBMITTED BY WYOMING COUNTY COMMUNITY ACTION, REQUESTING PHASE II OF THE NORTHRIDGE PROJECT CONSISTING OF 20 RENTAL UNITS OF AFFORDABLE HOUSING IN TEN DUPLEXES:

Alan Bliss, Marty Mucher and George Hezel presented the preliminary information. Submitted at this time were the Site Plan application, tax map, a concept plan, Application of Certificate of Zoning Compliance, Ag Data Statement, a copy of a letter regarding the current zoning from the Zoning Enforcement Officer and a copy of the letter from the same showing the site is not in a Flood Plain.

The engineering of the elevations, storm water control, utility lines placement and dedicated street location has not been completed as yet. The Long Form SEQR submission will be included with the engineering reports.

In discussion:

1. Phase II will consist of 10 duplexes with 20 rental units of Affordable Housing and will be operated in the same manner as Phase I – after 15 years the occupant will have the opportunity to purchase. The project is designed to encourage training of occupants to become home owners. Occupants are required to maintain their own lawns/driveways (mowing, snow removal).
2. One, two and three bedroom units will be included with accessibility for Senior Citizens.
3. Acreage involved is 5.2, making the project a candidate for a Planned Unit Development which is preferable to a Cluster Residential Development. All zoning requirements will be met as to setbacks, frontage, etc.
4. Northridge Drive presently has a turn-around. It is proposed to extend the street in a “U” shape, around and back to North Street. This will make it more serviceable. Mayor Kosmerl stated that he felt this would be easier for fire protection, snow plowing, school buses, etc. Northridge Drive has become a dedicated Village Street and the extension will also. Parents have complained that school buses will not enter Northridge Drive because of the turn-around. The “U” shaped street will eliminate this problem.
5. The property is zoned R3 which allows duplexes with attached garages. No annexation of property is necessary.
6. The plan includes a playground area and will have more than the 20% green space that is required. Maintenance of all common areas is provided, as well as a manager on site 15-20 hours per week.

7. Driveways will be the same as in Phase I. Board members indicated an area for additional parking to allow for company or parties should be included in the plan to avoid street parking. The Board also referred to Article 800, Section 803 regarding off-street parking.
8. The need for these additional units has been established. Phase I is entirely occupied with a waiting list of over 20. The market study had to be completed before funding was approved. The funds were committed over two years ago. The HUD Recapture Rate has been determined to be less than 12, indicating housing is needed now.
9. The Board indicated the requirement relating to sidewalks might be overkill and needs to be reexamined. Six-foot sidewalks on both sides of the street would add considerable cost to the project.
10. Mr. Bliss stated they have been meeting with Supt. of Public Works Larry Kilburn regarding water, electric and sewer. Water pressure has been a problem in Phase I and it is desired to have the new lines loop through the project and over to Arcadia development. Continuous flowing water would provide for better pressure, which would also be better for fire protection. Mayor Kosmerl stated that plans are now being developed with Arcadia Heights. The Board instructed Mr. Bliss to meet with Larry Kilburn as soon as possible so that the plans with Arcadia Heights can be coordinated.
11. Lighting will be in compliance with zoning regulations. There had been a misunderstanding of the regulation during Phase I concerning uplighting and shielding of such.
12. Rich Kosmerl stated that as the Village Board has no approval responsibilities on this matter, that he would believe the Planning Board should act as Lead Agency for Phase II. Because Phase I included annexation and zoning issues the Village was Lead Agency. The Village Board already held a Public Hearing on the project in June. None of those issues apply with Phase II. The DEC and Wyoming County Planning Board will have to be notified. NEPA (the National Environmental Policy Act) was mentioned and Mr. Bliss stated that since the project was so heavily regulated that it would not be an issue. Phase II will be financed with Federal monies (1.5 million in low interest loan) and tax credits purchased by private investors (approx. 3 million). A Coordination of Lead Agency document will have to be composed and distributed by the Lead Agency.
13. Phase I was considered a Planned Unit Residential Development (PUD) and the Board agreed that Phase II should also be a PUD.
14. NY State has discontinued PILOT (Payment in Lieu of Taxes). Phase I is now paying taxes based on the income of the property in accordance with section 581A of Real Property Tax Law. The tax rate is the same as all other residential properties in

the Village with an assessment of **70% to 75%** less. A Community Impact Fee is also being paid to the Village to offset the cost of police/fire protection, street maintenance, etc. Once a property is purchased after the initial 15 year period, taxes will be calculated the same as all other residences. Phase II will be handled in the same manner.

15. There have been no actual drainage problems onto North Street as a result of Phase I. There is occasional standing water at the intersection of North Street and Northridge Drive. Mr. Bliss stated the road/drainage had been completed exactly as the Village instructed and that this slight problem is now up to the Village to remedy.
15. Additional swaling and retention ponds will be added when the topo and engineering is done.
16. Phase I and II is vested in a limited partnership. When a property is purchased after 15 years the homeowner receives a deed. After 15 years the Homeowners Association to manage the property will be established. This is a very common practice in Erie and Munro Counties.
17. The duplexes in Phase II will be tabled due to the uphill site as in Phase I. This also gives each unit in the duplex a separate roof, eliminating the problem of one owner wanting a new roof and the adjacent owner not willing to pay for half of it.
18. The Board stated their concern with Phase I electric meters being installed directly below the down spouts. Mr. Bliss said he was not aware of that and would make sure it was changed in the Phase II construction.

Board members thanked Mr. Bliss, Mr. Mucher and Mr. Hezel for the preliminary presentation and giving them the opportunity to comment at the early stages of the plan and gave their support to the project. They also thanked Mayor Kosmerl for his attendance and insight into the thoughts of the Village Board. Mr. Bliss stated he hoped to have all the additional information completed in time for the September meeting.

IN OTHER BUSINESS:

Mayor Kosmerl asked Board members their opinion of the TVGA seminar they attended regarding SEQR and Site Plans. Board members Don Suttell and Dan Meyers, as well as the Secretary all stated that the seminar was too basic for them but were reassured by it that the Planning Board was doing things correctly. The seminar was, however, appropriate for those who attended from other towns.

ADJOURNMENT:

There being no other business brought before the Board, the meeting adjourned at 7:49 P.M. upon motion by Andy Schnitzler, seconded by Dan Meyers and unanimously carried. The next regular meeting of the Planning Board of the Town and Village of Arcade will be held on Wednesday, September 12, 2007 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter
Secretary