

**PLANNING BOARD
TOWN AND VILLAGE OF ARCADE
17 Church Street, Arcade, New York 14009**

At a meeting of the Planning board of the Town and Village of Arcade held on Wednesday, November 14, 2007 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

MEMBERS PRESENT: Paul Bijhouwer, Andy Schnitzler, Don Suttell, Dan Meyers

MEMBERS ABSENT: None

OTHERS PRESENT: Mike Driver, Todd Krotz

RESIGNATION: The resignation of Mark Schultz was accepted with regret (see Attachment A). The Board expressed gratitude and appreciation for his tremendous contribution to the efforts of this Board.

APPROVAL OF MINUTES:

MOTION by Don Suttell, Seconded by Andy Schnitzler, and carried three yes votes to one abstention, to accept the minutes of the meeting of October 10, 2007. Chairman Bijhouwer abstained as he was not present at that meeting.

SITE PLAN REVIEW, PERMIT NO. 1933-SPR, SUBMITTED BY BLUE SEAL FEEDS, INC., REQUESTING CONSTRUCTION OF 1435 SQ. FT. CONCRETE PAD TO SUPPORT TWO USED 14' X 60' WELDED STEEL DRY PRODUCT STORAGE TANKS COMPLETE WITH SPOUTTING AND CONVEYERS, AT 50 WILLIAMS STREET:

AND

ZONING BOARD OF APPEALS REQUEST FOR RECOMMENDATION AND COMMENT FOR AREA VARIANCE APPLICATION, PERMIT NO 1933-AV, SUBMITTED BY BLUE SEAL FEEDS, INC., REQUESTING CONSTRUCTION OF TWO DRY PRODUCT STORAGE TANKS, LOCATED AT 50 WILLIAMS STREET, NOT IN COMPLIANCE WITH MAXIMUM HEIGHT:

In discussion:

1. The tanks are used. They are being removed from a facility that is now closed.

2. The size of the cement pad will also accommodate two additional storage tanks of approx. 12' x 48' which are proposed to be built in approximately 14-18 months. They are proposed to be built during the applicant's next fiscal year.
3. The Board suggested that the two additional tanks be included on this site plan. Normally a site plan is valid for one year however because of the time frame involved with the fiscal year of the applicant; the Board recommends this site plan be valid for 18 months. Adding the two additional tanks to this site plan would save everyone involved from repeating the procedure. If, however, the size of the additional tanks varies significantly from this proposal, the applicant would need to come before the Board for a modification.
4. The applicant agreed to add the additional tanks to this site plan and the Board instructed the Secretary to make the necessary notations on all paperwork.
5. The Board reviewed the plot diagram, survey and aerial view.
6. The Zoning District is HC/LI. The Board reviewed Section 806, paragraph 11. Maximum height allowed by zoning is 40 feet. A variance has been applied for and is on the agenda of the ZBA for the meeting of Monday, November 19, 2007.
7. Existing storage tanks on the site are 72 feet in height – taller than the proposed tanks.
8. The tanks will be used for the additional storage of powdered, processed feed ingredients which is the raw material for the manufacture of various feeds. Safety protocols are in place such as sensors for overheating from compaction and are compliant with all regulatory agencies. The material is high in moisture content so combustible dust is not an issue. It has no odor which would be offensive to neighbors.

MOTION by Paul Bijhouwer, seconded by Don Suttell, and unanimously carried, to recommend to the Zoning Board of Appeals that the Area Variance be approved with an extension of six months for completion. There will be no significant change in the characteristic of the neighborhood and no visual impact. Existing tanks are of a larger size. Further, the Planning Board recommends to the ZBA that they follow the lead of the Planning Board by amending the application to include all four tanks.

In further discussion of the Site Plan Application:

SEQR was reviewed.

1. The property is adjacent to the A & A Railroad which is a National Historic Preservation Site. The tourist portion of the railroad, however, is not in this location.

2. Effect in terms of traffic will be minimal. Some product will be delivered by rail. At most an additional 6-12 trucks per month will be added.
3. It was determined that drainage is adequate and the small size of the concrete pad will not change this.
4. The proposed storage tanks are not physically adjacent to the A & A property, will not be visible to it and will be totally screened from it. On that basis the Board determined that SEQR Section 617.4 (b) 9 is not applicable and this is an Unlisted Action.
5. The Board completed Part 2 of SEQR.
6. 6. The site is 500 feet from a municipal boundary and so needs to be reviewed by the Wyoming County Planning Board.

MOTION by Paul Bijhouwer, seconded by Andy Schnitzler, and unanimously carried, to accept as complete, pending variance approval, Site Plan Application, Permit No. 1933-SPR, submitted by Blue Seal Feeds, Inc., requesting construction of 1435 s. ft. concrete pad to support two 14' x 60' and two 12' x 48' welded steel dry product storage tanks complete with spouting and conveyers, at 50 Williams Street. Further, the Secretary was directed to forward the application to the Wyoming County Planning Board for recommendation and comment.

IN OTHER BUSINESS:

The Board directed the Secretary to inquire if the clock and calendar could be returned to the Boardroom.

ADJOURNMENT:

There being no further business brought before the Board, the meeting adjourned at 8:02 P.M. upon **motion** by Dan Meyers, seconded by Paul Bijhouwer, and unanimously carried. The next regular meeting of the Planning Board of the Town and Village of Arcade will be held on Wednesday, December 12, 2007, at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter
Secretary