



**MOTION** by Paul Bijhouwer, seconded by Andy Schnitzler and unanimously carried to approve Site Plan Application, Permit No. 1933-SPR, submitted by Blue Seal Feeds, Inc., requesting construction of 1435 sq. ft. concrete pad and two used 14' x 60' and two 12' x 48' welded steel dry product storage tanks complete with spouting and conveyers, at 50 Williams Street, pending Area Variance approval by the ZBA of the Town and Village of Arcade, and further, determines the construction will not cause any negative environmental impacts.

**SITE PLAN REVIEW, PERMIT NO. 1936-SPR, SUBMITTED BY FIVE TREES DEVELOPMENT, REQUESTING 14' X 28' OFFICE ADDITION TO AN EXISTING BUILDING LOCATED AT 23 MILL STREET:**

The applicant was not present. This is the site of GenTech, Inc.

In review of the application:

1. An existing shed is being removed to make way for the proposed 14' x 28' office addition on the west side of the existing building.
2. The addition will be a wood structure with metal roofing and siding.
3. The addition will project 14 feet out from the existing building.
4. The area is zoned NC and Section 420 of Village Zoning Law was reviewed. Offices are a use permitted by right.
5. Square footage of the proposed addition is under the limit, there will be more than 13 feet of clearance on side yard and is in compliance with the provisions of zoning in the NC district.
6. The site plan indicates the area presently has a shed with concrete pad that will be removed, thus there will be zero impact on drainage.
7. The survey indicates the property is within 500 feet of State Route 98 (Liberty Street)

The application will be forwarded to the Wyoming County Planning Board.

8. The Board reviewed SEQR.

**MOTION** by Paul Bijhouwer, seconded by Don Suttell and unanimously carried that Site Plan Application, Permit No. 1936-SPR submitted by Five Trees Development is determined to be a Type II Action under SEQR 617.5 (c) 7 with no significant environmental impacts and not subject to further review.

**MOTION** by Paul Bijhouwer, seconded by Andy Schnitzler and unanimously carried, to accept as complete Site Plan Application, Permit No. 1936-SPR, submitted by Five Trees Development, requesting a 14' x 28' office addition to an existing building located at 23 Mill Street, and further, directed the Secretary to forward the application to the Wyoming County Planning Board for recommendation and comments.

December 12, 2007

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**IN OTHER BUSINESS:**

The Chairman informed Board members that he was in receipt of a communication from Village Mayor Kosmerl regarding a proposed change to Village Subdivision regulations, Article II, Section 2B. **The Mayor believes that the current regulation is unclear and proposes to amend it to explicitly permit phased submittal of preliminary map layouts.**

The Board discussed the interpretation of this section. The Board believes the current regulation clearly requires the developer to submit a preliminary layout map that covers the entire subdivision, and that this is appropriate in the context of the SEQR requirement for unsegmented environmental review of the entire subdivision prior to final approval of any phase of the project.

The Chairman indicated that he has spoken with and also emailed Dave Treacy of the DOS asking him to provide a written opinion of the following questions:

1. Is there ambiguity in the language of the current Subdivision Regulation regarding the required coverage of the preliminary layout map submission, specifically as to whether submission of phased preliminary layout maps are allowed?
2. Is it permissible to allow approval of preliminary layout map for a subdivision in a phased manner similar to that in which final plats are approved? If so, is the language in the attached Word document acceptable?
3. How does this issue relate to the Village's obligations for review of the subdivision under SEQR?

Chairman Bijhouwer has also suggested that the Village Board seek legal opinion from the Village Attorney.

**ADJOURNMENT:**

There being no further business brought before the Board, the meeting adjourned at 8:11 P.M. upon motion by Don Suttell, 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, January 9, 2008, at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter  
Secretary