

**PLANNING BOARD  
TOWN AND VILLAGE OF ARCADE  
17 Church Street, Arcade, New York 14009  
585 492-1111**

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At a meeting of the Planning Board of the Town and Village of Arcade held on Wednesday, February 13, 2008 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

**MEMBERS PRESENT:** Paul Bijhouwer, Tom Mason, Dan Meyers, Don Suttell and Andy Schnitzler

**MEMBERS ABSENT:** None

**OTHERS PRESENT:** David Trent, Larry Kilburn

Chairman Bijhouwer called the meeting to order at 7:00 P.M

**APPROVAL OF MINUTES:**

MOTION by Paul Bijhouwer, seconded by Andy Schnitzler and unanimously carried to accept the minutes of the meeting of January 9, 2008.

**ARCADIA DEVELOPMENT, NORTH STREET:**

**A. David Trent requests six month extension of Preliminary Plat that was approved on May 9, 2007**

**B. Village Board requests Planning Board recommendations on Final Plat submission**

A.

The Board reviewed the Subdivision Regulation Policy, Article II, Section 3.12 and agreed that it does not specifically state that the Board cannot approve an extension of the Preliminary Plat retroactively. They also reviewed Article VI, Section 1.0 regarding hardships and deemed this to apply.

1. The original approval was granted on May 17, 2007 and expired on November 17, 2007.
2. The extension will be for 6 months from the original expiration date of November 17.
3. The extension will expire on May 16, 2008.

**MOTION** by Paul Bijhouwer, seconded by Tom Mason and unanimously carried, to grant a retroactive six month extension of the Preliminary Plat of the Arcadia Development on North Street/Cramer Drive as requested by David Trent. The Preliminary Plat will now expire on May 16, 2008.

B.

In discussion:

1. David Trent stated that he has received approval from the Wyoming County Health Department, however it is not yet stamped on the Plat. Larry Kilburn stated he has a letter stating such.
2. When asked about a Plat Sheet, Mr. Trent stated that Page 2 would be considered the Plat sheet.
3. Mr. Trent stated:
  - A. All lots are larger than the minimum required in R2.
  - B. Drainage plan is included with approval of DEC.
  - C. A retention pond will eventually be built in later stages of the development and has been cleared with the DEC. This phase does not require a retention pond.

In reviewing the Final Plat, referring to Section 4.0 FINAL PLAT CONTENT AND SUPPLEMENTARY INFORMATION, the Board made the following comments and recommendations:

1. Asked Larry Kilburn, Superintendent of Public Works, to ensure that the Village has a Final Plat set with the engineer's stamp.
2. 4.2.1c - All the specified information is not included. The intent of the Subdivision Regulations is to provide a drawing labeled "Final Plat" with at least one or two sheets that show all of the specified information. A Plat Sheet should be developed that includes all the information. Among the things that need to be added:
  - A. Back lot lines for lots 11 and 12
  - B. Interior angles
  - C. Curves in property lines
  - D. Bearings or deflection angles
  - E. Easement for utilities

Mr. Trent was given a copy of the Jackson Ave. Subdivision Plat Sheet to use as a guide for the development of a Plat Sheet to be submitted to the Village Board. At this time he was also given a copy of the updated Subdivision Regulations.

3. 4.2.1h - Monuments need to be shown in the following places:
  - A. Locations on existing right-of-ways
  - B. Northeast corner of Cramer Drive
  - C. At all proposed corners and all corners of all lots
  - D. Points of tangency of curves
  - E. Corners of future roadway extensions along North Street and Cramer Drive
4. On Sheet 5: There needs to be an explanation in front of lots one and two where a piece of property appears to be in the right-of-way or road. It is unclear what is happening to this piece of property. Who owns it now and who is going to own it?
5. 4.2.1i - The names of record owners of adjoining unplatted land need to be added on the east, west and north.
  - A. Sheet 3 - owner to west
  - B. Sheet 5 - owner to east
  - C. To the north it would be the applicant
6. 4.2.1k - Certification by registered land surveyor is needed. Mr. Trent will inquire if the engineer, Susan King, has dual certification as an engineer and surveyor. If not, a surveyor will need to be engaged to meet this requirement.

The Board also referred to Article II, Section 2.3.2 which states “A preliminary layout map of all proposals shall be prepared by a licensed professional engineer or surveyor...”.

Section 4.2.1k states a surveyor. The Planning Board will investigate whether this is appropriate and make a recommendation to the Village Board addressing this in a future update to the Subdivision Regulations.

7. 4.2.2 - What is the mechanism for dedication of the easements shown? The Board recommends that the Village Board should come to agreement with Mr. Trent on how this will occur and seek opinion of the Village Attorney.
8. 4.2.3 - It was noted that “Engineer” in this section refers to the Village Engineer, Larry Kilburn.
  - A. The Planning Board leaves this to the Village Board and Supt. of Public Works as to how these requirements are to be addressed.
  - B. A signature block is needed on the Plat with lines for signatures by the applicant, Village Board and Supt. of Public Works.
  - C. Mr. Trent was given a copy of the Jackson Subdivision Plat to use as a guide.
9. 4.3.3 - The Board recommends that the Village Board and Supt. of Public Works decide what is needed and obtain a statement by the Village Attorney.

10. 4.3.4 - If there are to be any protective covenants this needs to be completed.

In further review of the drawings, the Board recommends:

1. Manhole No. 6 appears to be closer than 10 feet to the water line. The location should be shifted on the plan.
2. The following should be shown on Page 2 of the Plat:
  - A. Add symbol for the swale outlet sediment traps.
  - B. Proposed location of silt fencing.

In further discussion:

Mr. Trent brought to the attention of the Board inconsistencies in the Subdivision Regulations that could cause legal problems with future developments.

1. The Planning Board recommends that the Village Board review again these regulations, paying specific attention to the duties of the Planning Board and the Village Board.
2. Specifically, Article VII - Enforcement, is contradictory to previous sections. The Planning Board feels that Section 1.0 should state "...approved by the Arcade Village Board..." not the Planning Board as they have Final Plat approval.
3. The Planning Board also recommends that a review by the Planning Board of the Final Plat be specifically added to the regulations. As it stands now, this review is only by discretion of the Village Board.

#### **IN OTHER BUSINESS:**

The Chairman has reviewed the information given to him by the Village Board regarding the proposed Tri County Business Park in Sardinia. He shared information with Board Members.

The following was noted:

1. The plan indicates 4.7 million dollars but does NOT include the 1.5 million dollars it would require for waste water treatment which is proposed to be provided by the Village of Arcade plant.
  - A. This should be incumbent on the developer to finance, not the taxpayers of Arcade.
  - B. Yorkshire can provide potable water but cannot meet the requirements for water to meet fire protection requirements. This would fall to the Village of

Arcade. A study should be completed, financed by the developer, as to whether there is a sufficient supply in sources of the Village. This should include a real assessment of future needs of the Village, total available supply of water and whether we have sufficient capacity to meet the demands of the proposed business park and all future demands of the Village.

2. The Board directed the Secretary to request a copy of this packet from the Village Clerk.

**ADJOURNMENT:**

There being no further business brought before the Board, the meeting adjourned at 9:28 P.M. upon motion by Dan Meyers, 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, March 11, 2008 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter  
Secretary