

**PLANNING BOARD
TOWN AND VILLAGE OF ARCADE
17 Church Street, Arcade, New York 14009
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At a meeting of the Planning Board of the Town and Village of Arcade held on Wednesday, April 9, 2008 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

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

MEMBERS ABSENT: None

OTHERS PRESENT: Rich Kosmerl, Mayor
Larry Kilburn, Supt. of Public Works
John Schleyer, The Krog Corp.
Greg Elko, Noble Environmental Power

The meeting was called to order at 7:06 P.M. by Chairman Paul Bijhouwer.

APPROVAL OF MINUTES:

MOTION by Andy Schnitzler, seconded by Dan Meyers and carried four yes votes to one abstention, to approve the minutes of the meeting of March 12, 2008. Paul Bijhouwer abstained as he was not present at that meeting.

SITE PLAN REVIEW REQUESTING CONSTRUCTION OF A MULTI-TENANT INDUSTRIAL FACILITY AT THE ARCADE BUSINESS PARK LOCATED ON ROUTE 98N, BY THE KROG CORP.

The Board reviewed the areas that needed attention from the last meeting.

1. John Schleyer, representing the Krog Corp. stated that purchase of the property is not yet complete but is progressing.
2. Both Mr. Schleyer and Supt. of Public Works for the Village, Larry Kilburn, stated that as per the Wyoming County IDA, the transfer of the road to the Town of Arcade will be done. Mr. Schleyer stated that the purchase of the property is contingent upon that fact.
3. The Board requested that the Secretary contact the Town Board and obtain such indication from them regarding the road.
4. In reviewing the engineering drawings, it was established that all set backs have

now been met.

5. Placement of future signage has been added to the drawings.
6. Exterior lighting was reviewed and Mr. Schleyer stated that Phase 2 will follow the same lighting scheme.
7. The dumpster is now shown as fenced in.
8. Phase 2 parking area will not be paved at this time. It will be paved when Phase 2 of the building is constructed.
9. During Phase 2 additional drainage will be constructed including an 8 inch storm and catch basin placed on the corner of the Phase 2 parking area and will tie into the line to the west.
10. The Board suggested that the applicant may want to run the pipe now for future drainage of Phase 2 so as not to have to cut up the pavement later. The Board requested that a dashed line be added to the drawings to show the future location of the catch basin and line so that the applicant does not have to return for another site plan.
11. Future stripping of the Phase 2 parking lot is now shown on the drawings as well as the space between docking doors.
12. It was noted that the ZEO has spoken extensively with the applicant and is satisfied with the site plan.

The Board reviewed the recommendation and comments from the Wyoming County Planning Board (see Attachment A). It stated, "No recommendation; proposed action has no significant negative county-wide or inter-community impacts."

In discussion of the comments:

1. a. SEQRA has been annotated regarding the parking and travel lanes.
1. b. Regarding threatened and endangered species, this was included in the original IDA site plan for the Arcade Business Park.
2. a. Screening of residential neighbors was addressed in original site plan.
2. b. The Town Highway Dept. will be responsible for placement of a stop sign at the corner of the new road and Rte. 98. Stop signs at the end of private property are not required.
2. c. According to the plans it is obvious as to the location of the loading docks and it is not necessary for signage.
3. a. Calculations for stormwater runoff were included in the original site plan.
3. b. Installation of the sanitary sewer and the water lines have been completed by the Village.
4. Construction and stabilization has been completed on the road.

The Board requested more detail be added to the drawings regarding the site entrance from the road. It was also noted that the applicant must comply with the original State Pollutant Discharge Elimination System General Permit for Stormwater Discharge from Construction Activities and the Notice of Intent that was approved with the original site plan for the Arcade Business Park. This was addressed in a

telephone conversation between the Secretary and Joe Murray of the DEC on April 8, 2008.

In further discussion:

1. The Arcade and Attica Railroad National Register Site was addressed in the original site plan and this site has been removed from the Wyo. Co. Ag. District map. This was also addressed in the telephone conversation with Joe Murray of the DEC.
2. The remaining issue regards drainage into the swale owned by API to the west. Tim Webber notified the Board by email (see Attachment B) that API has not granted an easement at this time. Mr. Webber assured the Board that there are alternatives which Clark Patterson is diligently working on to obtain a legal discharge for the storm water. Various things can be done to get the water from the retention pond to Rte. 98 and this should be concluded in the near future.
 - a. Mr. Schleyer stated that purchase of the property would be contingent upon the stormwater discharge issue being satisfactorily completed.
 - b. The Board stated that this is a lesson learned for future site plans that include discharge onto an adjacent property. A record of agreement allowing such will be needed.
3. The Secretary reported that no negative responses were received regarding the Planning Board assuming Lead Agency status for the project.
4. The Board reviewed the building materials to be used for construction.
5. The SEQRA Determination of Significance and the Negative Declaration were completed. The applicant had completed Part 1 of the EAF and part 2 was completed with the original site plan for the Business Park. A copy of the Negative Declaration was given to the applicant.

MOTION by Paul Bijhouwer, seconded by Don Suttell, and unanimously carried, that the Site Plan submitted by The Krog Corp., requesting construction of a multi-tenant industrial facility in the Arcade Business Park, Rte. 98 N, will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration has been prepared on the basis of the EAF Part 1 provided by the applicant and the SEQRA documentation previously provided by Clark Patterson and the Wyo. Co. IDA business park and the EAF Part 2 at the time of the SEQRA process for the original site plan for the Arcade Business Park.

MOTION by Paul Bijhouwer, seconded by Andy Schnitzler and unanimously carried, to approve the Site Plan submitted by The Krog Corp., requesting construction of a multi-tenant industrial facility in the Arcade Business Park, Rte. 98 N, with the following conditions:

1. The applicant may not connect the storm drainage system to the existing stormwater detention basin owned by the Wyoming County IDA until such time as the IDA has provided documentation to the Arcade Planning Board that they have a legally uncontested method for discharge of water from the basin.
2. The applicant has obtained title to the property.

At this time the Village Supt. of Public Works, Larry Kilburn, was asked by the Board to watch the progress on the above conditions and he agreed to do so.

PROPOSED ALLEGANY 115 KV TRANSMISSION LINE:

Larry Kilburn, Supt. of Public Works, and Greg Elko, representing Noble Environmental Power, were present.

An email was received from Cindy Markowitz representing Epsilon Associates. Epsilon Assoc. is assisting the Village of Arcade Electric Dept. and Noble Power with the proposed Allegany 115 kv overhead transmission line from a new substation in the Town of Centerville, through Arcade to the National Grid interconnect in the Town of Yorkshire.

She stated, "As part of the Article VII application to the State Public Service Commission, we need to identify if there are any planned developments (residential, commercial or industrial) in the area and any effects the construction or operation of the proposed facility may induce in the land-use patterns of any area adjacent to any portion of the proposed facility. As you are probably aware, a portion of the proposed transmission line will run on the existing electric right-of-way in the Village of Arcade. In other locations, new right-of-way will be required to accommodate the facility."

The Board reviewed maps of the existing and proposed power transmission lines. The proposed new line will run between the Freedom substation to the Bixby Hill substation.

In discussion:

1. This transmission line is subject to a NYS Public Service Commission Article VII review process, not SEQRA. This is much more in depth than a normal SEQRA. This covers all studies of wildlife, wetlands, archaeological, etc.
2. The Village of Arcade and Noble are acting as co-applicants for Lead Agency.
3. This is the construction of a new electric transmission line along or very near an existing electric transmission line right-of-way. Mr. Kilburn stated that he does not know but cannot imagine any induced development.
4. This is a high voltage transmission line from which service connections will not be provided, an 115,000 volt transmission facility only.
5. There is no provision for underbuilding to accommodate distribution lines. The

- existing Village of Arcade substations are tied into the existing transmission line and there are no new distribution circuits proposed from any of the substations.
6. The majority of the transmission line will be passing through cleared wooded areas or farmland. From the Freedom substation to the Tap onto National Grid transmission line, the new line will be within or very close to the existing transmission line.
 7. Mr. Elko stated that obtaining of easements for the proposed new transmission line is almost complete.
 8. Noble has already conducted many informational meetings for this project and will meet again with the Village of Arcade Board of Trustees.
 9. The Planning Board requested that a meeting be held for the public in Arcade and that the Board be notified of the time and date. The Planning Board feels that the public has a right to be part of the discussion and planning of this new transmission line though the area. Mr. Kilburn stated he would convey this to the Village Board.

ADJOURNMENT:

There being no further business brought before the Board, the meeting adjourned at 9:23 P.M. upon **motion** by Dan Meyers, seconded by Tom Mason, and unanimously carried. The next regular meeting of the Planning Board of the Town and Village of Arcade will be held on Wednesday, May 14, 2008 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter
Secretary