

**PLANNING BOARD
TOWN AND VILLAGE OF ARCADE
17 Church Street, Arcade, New York 14009
Village Office (585) 492-1111
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At a meeting of the Planning Board of the Town and Village of Arcade held on Wednesday, November 12, 2008 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

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

MEMBERS ABSENT: None

OTHERS PRESENT: Alan Bliss, Marty Mucher, Robert Vollmer, Denny Heimburg, Timothy Kupinski, Robert Runge, Jack Pohlman, Larry Kilburn, Paul Burkett, Rich Kosmerl

The meeting was called to order at 7:09 P.M. by Chairman Bijhouwer.

APPROVAL OF MINUTES:

MOTION by Andy Schnitzler, seconded Tom Mason, and carried four yes votes to one abstention, to accept the minutes of the meeting of October 8, 2008. Don Suttell abstained as he was not present at that meeting.

DETERMINATION BY ZONING BOARD OF APPEALS OF THE DEFINITION OF A GARAGE:

As requested by Wyoming County Community Action as brought about by the Northridge Phase II project, the Zoning Board of Appeals made a determination of the definition of a “garage” after holding a Public Hearing on October 20, 2008 for Permit No. 1965-Interpretation Variance. It was determined that “a garage is a closed shelter that is securable. A carport is an open structure that is not securable.”

LETTER AND SITE PLAN REVIEW CHECKLIST FROM WYOMING COUNTY PLANNING AND DEVELOPMENT AND UPDATED CHECKLIST FOR ARCADE PLANNING BOARD:

The Board reviewed a letter received from Wyoming County Planning and Development. They have been receiving incomplete Site Plan and Special Use Permit referrals from some Planning Boards. As a result, they have adopted a checklist to use as a model and guide. Chairman

Bijhouwer previously instructed the Secretary to review the County checklist and consolidate it with the checklist presently used by this Board. The consolidation is complete and the new checklist has been given to the Village Clerk, Town Clerk and the ZEO to be included with all application packets. Board members were also presented with the new checklist which will be used when reviewing all Site Plan and Special Use Permit applications.

SITE PLAN REVIEW, PERMIT NO. 1965-SP, SUBMITTED BY WYOMING COUNTY COMMUNITY ACTION, REQUESTING BUILDING OF PHASE II OF NORTHRIDGE HOMES LOCATED ON NORTH STREET:

In review and discussion:

1. In light of the determination of the definition of a garage by the Zoning Board of Appeals, Mr. Vollmer presented updated plans showing 9 garages that are in compliance with the definition of closed and securable.
 - a. There will be three units holding three garages each, spaced evenly across the site. According to Village Zoning Law 50% of units must have garages. There are 18 rental units proposed.
 - b. Since the State will not likely finance the construction of the garages, the client is working with the State to determine if a higher rent can be charged for those who wish a garage.
2. Mr. Vollmer stated that another engineer is now assisting on the project. Other changes made include:
 - a. The sidewalk for school children to wait for the bus has been moved.
 - b. Retention basins have been changed and water storage tanks added. The Board reminded the applicant that storage tanks need to be maintained (emptied and cleaned).
 - c. The infiltration beds have been removed.
3. The Stormwater Pollution Prevention Plan and Stormwater Management Report were presented to the Board. Copies were given to the Superintendent of Public Works, Larry Kilburn, for his review.
4. The Secretary reported a response had not been received from the Arcade Fire Department regarding any concerns they might have regarding the size of the turn-arounds.
5. The configuration of public water and sewer versus private is still not resolved. The proposed plan is not acceptable to the village engineer, Larry Kilburn.
 - a. Supt. Kilburn's preference is that the public connections be extended along North

- b. Street along the public right of way at the expense of the developer, and then dedicated to the Village. Standard taps are all that are needed adjacent to the driveway.
- c. The Arcadia Heights project has plans that have been approved by the Village.
- d. The applicant stated willingness to share the expense with the Arcadia Heights developer.
- e. The Board agreed that a fair allocation of the costs be established between the Northridge and Arcadia Heights developers.
- f. Supt. Kilburn will provide the applicant with the approved plans and work with both the applicant and Mr. Trent of the Arcadia Heights project to develop a plan acceptable to all. Alan Bliss of Wyo. Co. Community Action stated they will gladly hook into the mains and this is not an issue.

The Board again reviewed the previous comments from the Wyoming County Planning Board and the minutes of the October meeting and determined the following still needs to be addressed or submitted by the applicant:

1. Resolution of water and sewer lines.
2. Submission of updated SEQR form.
3. Location of signage added to plans and submission of printed material.

The applicant stated that all issues could be resolved and updated materials submitted by November 17, 2008, which would enable the Secretary to forward them to the Wyoming County Planning Board to be included on their agenda of December 1, 2008.

Items to be submitted:

1. Two copies of updated engineering drawings, with sewer/water resolved.
2. Two copies of updated SEQR form.
3. Two copies of the printed material regarding lighting.

MOTION by Paul Bijhouwer, seconded by Andy Schnitzler and unanimously carried, to accept as complete Site Plan Application, Permit No. 1965-SP, submitted by Wyoming County Community Action, requesting building of Phase II of Northridge Homes located on North Street, contingent upon resolution of water/sewer lines, submission of updated engineering drawings and updated SEQR and placement of signage on plans. The Secretary was directed to forward the application to the Wyoming County Planning Board for recommendation and comment. Further, the Secretary was directed to publish a Public Hearing for the Special Use Permit to be held on Wednesday, December 10, 2008 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

PRELIMINARY SITE PLAN REVIEW, PERMIT NO. 1982-SPR SUBMITTED BY TPI ARCADE, INC., REQUESTING TO ERECT AN ADDITIONAL BUILDING TO AN EXISTING MANUFACTURING FACILITY, LOCATED AT 7888 RTE. 98S.

In review and discussion:

1. The Board reviewed the original drawings of the site plan of 1999 which included this proposed expansion. The SEQR did not include the expansion, thus the applicant has submitted a SEQR with this application. Also reviewed was the Stormwater Management Plan from 1999.
2. With the expansion, the facility will almost double in size. The applicant stated that approximately 65 new jobs will be added in the next three to five years.
3. Drainage for this expansion was built as part of the original 1999 construction.
 - a. Although originally built as a dead end system, it will now be tied into the retention pond. The pond was designed in size in anticipation of the expansion. However, due to new State regulations, the pond will be segmented. Half will be for water quality control and half for quantity.
 - b. The retention pond eventually discharges into a trout stream after leaving the retention pond and entering a ditch along Haskell Avenue and proceeding under a culvert on Route 98. The State gives local municipalities the right to allow the applicant a discharge time from the pond of 12 hours instead of the standard 24 hours. The lesser time will prevent over-warming of the water. The water needs to remain cool when being discharged into a trout stream.
4. A flood plain does run through part of the property; however construction will not take place in that area.
5. The applicant stated that a new Stormwater report will be submitted. The original design went far beyond regulations of the time so modifications will be minor.
6. An additional entrance off Route 98 is being added so the applicant will be working with the DOT.
7. Additional parking will be added that was not included on the original site plan as well as access for fire protection around the rear of the building.
8. There will be no additional utilities hook ups.
9. There will be less office space in this addition than in the original building.
10. The applicant will be applying for funding through Empire State Development and seeking tax credits.
11. It was determined that all operations take place inside so the SPDES report for industrial facilities is not necessary, just the report for construction.

In review of SEQR:

1. The Board reviewed the SEQR as well as comments from the Zoning Enforcement Officer. The applicant agreed to make necessary changes and additions and will submit

a revised copy by the end of the week.

2. It has not yet been determined if the site is still within a Wyoming County Ag District. If it is, SEQR would have to be determined as a Type I Action. Otherwise it would be an Unlisted Action.
3. This property was annexed into the Village from the Town and since that time the Ag Districts have been changed and the Board believes the designation was removed from this site. However, until this can be determined, the Board agrees with the applicant that it would be prudent to begin the Lead Agency Coordinated Review Process. The Secretary was directed to mail the letters and appropriate materials to all Involved and Potentially Interested Agencies.
4. The ZEO indicated on the SEQR form that there had been a noise complaint. The applicant stated it had been taken care of quite some time ago. The Board directed the applicant to contact the ZEO to find out if any additional complaints had been received.

The Board thanked the applicant for the preliminary information and stated they look forward to the full Site Plan Review next month.

NORTH STREET INFRASTRUCTURE STUDY:

The Board was provided final copies of the North Street Infrastructure Study completed by Clark Patterson Lee. In discussion with Mayor Kosmerl and Superintendent of Public Works Kilburn, the Board learned the main concern was planning for system development charges for water tie-ins. The study also suggests the eventual construction of a water tower in that area.

ARCADE FIRE DEPARTMENT SIGN:

The Board reviewed the picture of the proposed sign for the Fire Department and the agreement with the Village on the placement.

APPLICATION OF THE VILLAGE OF ARCADE AND NOBLE ALLEGANY WINDPARK, LLC, FOR A CERTIFICATE OF ENVIRONMENTAL COMPATIBILITY AND PUBLIC NEED REGARDING TRANSMISSION LINE:

Chairman Bijhouwer informed the Board that because the proposed transmission line from the Freedom/Centerville area is near his home, he had made an official statement. He has been notified that his statement is being made part of the official record. He provided the Board with a map of the different proposed routes including a route he and Kim Offers have proposed. He will keep the Board apprised of the developments.

ADJOURNMENT:

There being no further business brought before the Board, the meeting adjourned at 10:11 P.M. upon **motion** by Don Suttell, 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, December 10, 2008 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter
Secretary