

**PLANNING BOARD
TOWN AND VILLAGE OF ARCADE
17 Church Street, Arcade, New York 14009
Village Office 585 492-1111
Town Office 585 492-4685**

At a meeting of the Planning Board of the Town and Village of Arcade held on Wednesday, August, 8, 2012, at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

MEMBERS PRESENT: Don Suttell, Aaron Felber, Andy Schnitzler and Paul Bijhouwer

MEMBERS ABSENT: Rich Kosmerl

OTHERS PRESENT: Doug Ronan

The meeting was called to order at 7:00 P.M. by Chairman Bijhouwer.

APPROVAL OF MINUTES:

MOTION by Don Suttell, seconded by Andy Schnitzler and unanimously carried, to accept the minutes of the meeting of July 11, 2012 with the following change: Page 2 under the first MOTION, delete "will have no negative environmental impacts and is not subject to further review."

SITE PLAN REVIEW, SBL NO. 174.-1-4.12, SUBMITTED BY TED HOBIN JR. OF MAPLE GROVE CORP., REQUESTING A 7,000 SQ. FT. ADDITION TO AN EXISTING BUILDING LOCATED AT 7075 RTE. 98N, TOWN OF ARCADE:

There was no one present to represent Maple Grove Corp.

In discussion:

1. The Board reviewed the recommendation and comments from the Wyoming County Planning Board (see Attachment A). The WCPB recommended approval.
2. The applicant has submitted the requested:
 - a. Tax map showing all adjacent properties.
 - b. A larger size survey.
 - c. Contour map showing proposed drainage.
3. The applicant has not submitted the following that was requested by the Board:
 - a. Calculation of capacity of drywell and how much storm water might flow out under a storm event.

- b. A plan showing silt fencing during construction.
 - c. Sample picture of the pre-fab building exterior.
 - d. Written statement indicating exterior lighting will comply with Town of Arcade lighting regulations.
4. Although the Board has no issues with the proposed project, until all the requested items are submitted the Board cannot approve the Site Plan Application.

MOTION by Andy Schnitzler, seconded by Aaron Felber and unanimously carried, to table Site Plan Application SBL No. 174.-1-4.12, submitted by Ted Hobin Jr. of Maple Grove Corp. requesting a 7,000 sq. ft. addition to an existing manufacturing building located at 7075 Rte. 98N, Town of Arcade. Further, the Board directed the Secretary to contact the applicant and request the submission of the missing items by Tuesday, September 4, 2012 in order to complete the application process for approval at the next meeting.

DISCUSSION OF CONCERNS REGARDING THE FINAL EIS FOR THE TRI-COUNTY BUSINESS PARK, SARDINIA:

In discussion:

1. The Board reviewed the steps in the SEQR process for a Full EAF. (See chart Attachment B.) They are not aware if step 6, Scoping Option, was completed.
2. Step 12 regards each agency making findings. In Arcade, three boards need to complete findings statements.
 - a. The Planning Board has the discretionary approval for all individual Site Plans that are submitted for the portion of the project to be developed in the Town of Arcade if or when they are submitted.
 - b. The Town Board would complete a Statement of Findings before a change in zoning can take place if or when building would occur in that area.
 - c. The Village Board would have two discretionary decisions to make; whether to provide sewer and whether to provide water. The Village Board has major leverage concerning this project. They could require whatever supplemental requirements they choose in the Impact Statement.
3. The question is whether or not an agency finds that the published Final EIS is insufficient for them to make findings. In this case, the three Arcade Boards cannot make findings until Supplemental EIS's are completed for each individual Site Plan if or when submitted.
4. The Board concluded that at this point there is not enough information to make findings.
5. It was noted that the Sardinia Board did not meet the 30 day requirement between accepting the Final EIS and adopting the Findings Statement. According to letters addressed to this Board, Sardinia accepted the Final EIS on May 16, 2012 but did not

adopt the Findings Statement until June 20. It is possible a law suit could be filed in the future.

The Secretary was directed to draft a letter to be sent to the Arcade Town and Village Boards with copies forwarded to Sardinia and Clark Patterson regarding the inability to make findings until supplemental are completed. Upon completion of the draft it should be emailed to all Board members for their input.

PRELIMINARY DISCUSSION PRIOR TO THE JOINT MEETING WITH THE ARCADE TOWN BOARD REGARDING ADDING ENERGY DEVELOPMENT TO THE TOWN ZONING LAW:

In discussion:

1. The Planning Board read the article from the Arcade Herald regarding the last Town Board meeting where they discussed an energy development policy to be added to Town Zoning as opposed to a moratorium on hydro-fracking.
2. Such a law will need to be broad in scope to cover all energy, such as wind, solar, oil and gas.
3. Much research will need to be done. Examples of existing laws will be needed from which to draw from as well as examples of model laws. It was suggested that laws from California would be helpful as they have dealt with solar and wind for a lengthy amount of time.
4. It was suggested that Wyoming County Planner Art Buckley be invited to the next meeting to help the Board begin this lengthy process of developing an energy policy.
5. The Board was reminded that the joint meeting with the Town Board will be held at the Town Barns on Monday, August 20, 2012 at 7:30 P.M. The Secretary informed the Board that if the Zoning Board of Appeals needs to meet on that date that she will be late for the meeting with the Town.

ADJOURNMENT:

There being no further business brought before the Board, the meeting adjourned at 8:00 P.M. upon **motion** by Paul Bijhouwer, seconded by Don Suttell and unanimously carried. The next regular meeting of the Planning Board of the Town and Village of Arcade will be held on Wednesday, September 12, 2012, at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter
Secretary

Attachment A
Pl. Bd. Aug. 8, 2012

WCPB Review #

12-18

Wyoming County Planning Board REFERRAL RESPONSE FORM

For referrals as required in accordance with NYS General Municipal Law Article 12B, Section 239-l and m

Location of Proposed Action: 7075 Rt 98N, Town of Arcade

Applicant: Ted Hobin, Jr./Maple Grove Corp

Type of Proposed Action (separate form completed for each action): Addition to Existing Building

- Area Variance
- Use Variance
- Site Plan
- Special Use Permit
- Other: New Zoning Ordinance/Local Law
- New/Amend Comprehensive Plan
- Amend Zoning Text/Map

WCPB Recommendation on this Action

The WCPB took the following action at their meeting on August 6, 2012 with respect to this referral:

- Approval w/comments
- Disapproval
- None
- No recommendation; proposed action has no significant negative county-wide or inter-community impacts

Comments: The proposed action is the construction of a 7,000 sq. ft. in-fill addition to an existing manufacturing facility.

1. The proposed project is construction of a new 7,000 sq. ft. in-fill addition to the Applicant's manufacturing facility. The fabrication business is an as-of-right use in the district.
2. The Town and Applicant are commended for submitting a completed Site Plan Checklist and very complete referral.
3. There appear to be no significant county-wide negative impacts related to this proposed project.

Site Plan

1. Engineering drawings including the name and address of applicant and person responsible for preparation of drawing have been included. The drawings have a north arrow, scale and date.
2. All lighting must meet Wyoming County building codes. No glare or light should be allowed to spill onto the adjoining roadways or abutting properties from outdoor lighting fixtures for any reason.
3. There do not appear to be any outstanding issues related to the checklist.
4. A record of application for and approval status of all necessary permits from county agencies or officials must be provided by the Project Sponsor.
5. Maps and aerial identifying adjacent parcels and land usages have been provided.
6. A State Environmental Quality Review Act (SEQR) Short Form has been provided.
7. **Section 239-m of general municipal law requires referring bodies to file a report of the final action it has taken regarding the referral made to the WC Planning Board. This report must be sent to the WCPB within thirty days after final action.**

Report of Final Action:

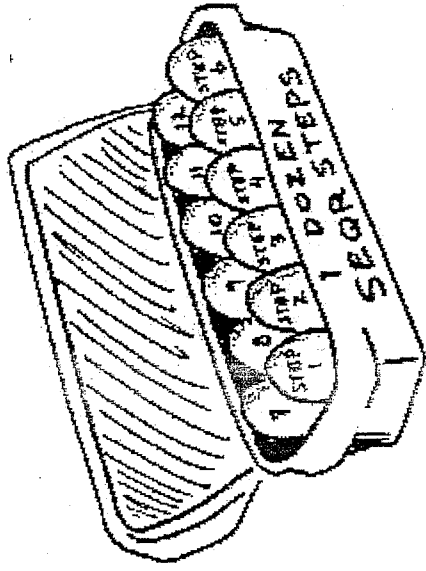
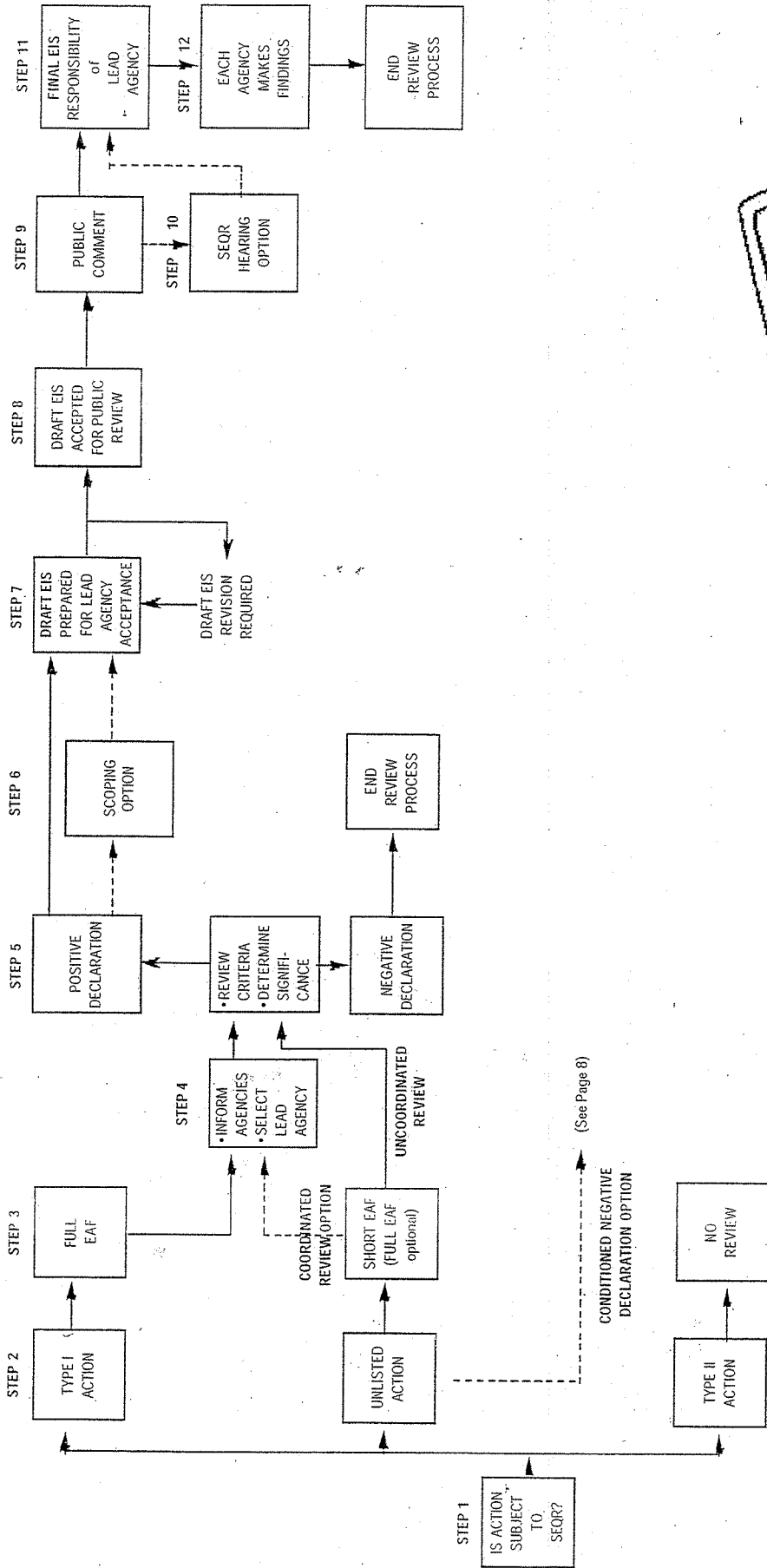
Within 30 days after final action, **the referring body is required to file a report of its final action** with the Wyoming County Planning Board. If such action is contrary to a WCPB recommendation of modification or disapproval, this report should include the reasons for such contrary action.

Note: Please provide this report of final action below on the PINK response form and mail or deliver to: Wyoming County Planning & Development, 6470 Route 20A, Suite 4, Perry, NY 14530-9796

On _____ (date), the _____ (Board Name) took the following final action on the above proposed action previously referred to the WCPB.

- Approval
- Modification
- Disapproval

Report by: _____ Received Time Aug. 7. 4:17PM Date: _____



The SEQR Process