

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, June 12, 2013, at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

MEMBERS PRESENT: Andy Schnitzler, Rich Kosmerl and Don Suttell

MEMBERS ABSENT: Paul Bijhouwer, Aaron Felber

OTHERS PRESENT: Clair Bragg, Dan Cass

The meeting was called to order at 7:00 P.M. by Acting Chairman Rich Kosmerl.

APPROVAL OF MINUTES:

Approval of the Minutes of the meetings of February 13, 2013, March 13, 2013 and May 8, 2013 were all tabled as a quorum from those meetings was not present.

SITE PLAN REVIEW, PERMIT NO. 2179-SPR, SUBMITTED BY CLAIR BRAGG, JR., REQUESTING CONSTRUCTION OF AN ENCLOSURE TO RECONNECT THE GENTECH SCIENTIFIC BUILDING TO THE FORMER HILEC BUILDING LOCATED AT 23 MILL STREET AND 11 RAILROAD AVENUE:

The Acting Chairman read the recommendation and comments from the Wyoming County Planning Board (see Attachment A). They recommended approval. The Site Plan Checklist was completed at the last meeting and there were no outstanding issues.

MOTION by Andy Schnitzler, seconded by Don Suttell and unanimously carried to approve the Site Plan, Permit No. 2179-SPR, submitted by Clair Bragg, Jr., requesting construction of an enclosure to reconnect the GenTech Scientific building to the former Hilec building located at 23 Mill Street and 11 Railroad Avenue.

SITE PLAN REVIEW, PERMIT NO. 2181, SUBMITTED BY DAN CASS, REQUESTING MOVEMENT OF EXISTING COOLER FROM JOHN AND MARY'S RESTAURANT LOCATED AT 621 WEST MAIN STREET TO THE NEW RESTAURANT LOCATION AT 496 MAIN STREET (FORMERLY DELIGHTFULS):

The Acting Chairman read the recommendation and comments from the Wyoming County

Planning Board (see Attachment B). They recommended approval. The Site Plan Checklist was completed at the last meeting and there were no outstanding issues.

MOTION by Andy Schnitzler, seconded by Don Suttell and unanimously carried to approve the Site Plan, Permit No. 2181, submitted by Dan Cass, requesting movement of existing cooler from the John and Mary's Restaurant located at 621 West Main Street to the new restaurant location at 496 Main Street (formerly Delightful's).

WORK SESSION:

1. The Secretary presented her report (see Attachment C). She had been asked to contact Wyoming County Planner Art Buckley to obtain answers to questions regarding the EAF for the Comprehensive Plan Amendment.
2. The Board completed the EAF.
MOTION by Rich Kosmerl, seconded by Don Suttell and unanimously carried, to submit the draft EAF for the Comprehensive Plan Amendment to the Arcade Town Board for review and approval.
3. The Board reviewed the draft Lead Agency letter and packet prepared by the Secretary. The Secretary reported that she was keeping Chairman Bijhouwer up-to-date via email and that he had approved of the Lead Agency letter and packet.
MOTION by Rich Kosmerl, seconded by Andy Schnitzler and unanimously carried, to submit the amended Lead Agency letter and packet to the Arcade Town Board for action.
4. The Secretary distributed information to Board members that she had received via email from Supervisor Berwanger. The information was a print copy of a recent presentation made by Wyoming Co. Planner Art Buckley regarding energy development.
5. The Secretary will attend the July Town Board meeting to present the EAF and Lead Agency letter and packet. The Board requested that she also update the Town Board on the steps for this process.
6. At the July meeting the Board will develop the amendment to the Comprehensive Plan for Energy Development.

7. The Board inquired if any other towns within the State had a completed amendment and zoning laws for energy development. The Secretary stated that according to Art Buckley none have been completed. The only other town that is in the process of doing

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this is Perry. The Board asked the Secretary to contact Perry to see if they could compare notes and information.

ADJOURNMENT:

There being no further business brought before the Board, the meeting adjourned at 7:45 P.M. upon **motion** by Rich Kosmerl, seconded by Andy Schnitzler and unanimously carried. The next regular meeting of the Planning Board of the Town and Village of Arcade is scheduled for Wednesday, July 10, 2013 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter
Secretary

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Attachment A
Pl. Bd. Minutes June 12, 2013

Jennifer
WCPB Review #
13-11

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: 23 Mill St. and 11 Railroad Ave. Village of Arcade

Applicant: Clair Bragg, Jr.

Type of Proposed Action (separate form completed for each action): Construction of a 12'x52' 6" enclosure to re-connect the GenTec Building with the former Hilec 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 June 3, 2013 with respect to this referral:

Approval with Modification Disapproval w/comments None No recommendation;

proposed action has no significant negative county-wide or inter-community impacts

Comments: The proposed action is the construction of a 12'x52' 6" enclosure to re-connect the GenTec Building with the former Hilec Building. No variances are requested in conjunction with this project.

1. The Village and applicant are commended for submitting a completed Site Plan Checklist with the referral.
2. The property is zoned Neighborhood Commercial (NC). The proposed action is an addition to an as-of-right use in the NC Zoning District.
3. There appear to be no significant county-wide negative impacts related to this proposed project.

Site Plan

1. A Site Plan drawing including the name and address of applicant and person responsible for preparation of drawing(s) was provided. The drawings have a north arrow, scale and date.
2. The boundaries of the property are shown.
3. There do not appear to be any outstanding issues related to the Checklist that need to be addressed by the Applicant.
4. A record of application for and approval status of all necessary permits from State and/or County agencies or officials must be provided by the Applicant.
5. A New York State SEQR Short Environmental Assessment Form has been submitted.
6. **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: _____ Date: _____

Attachment B
Pl. Bd. Minutes June 12, 2013 WCPB Review #
13-12

Wyoming County Planning Board REFERRAL RESPONSE FORM

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

Location of Proposed Action: 496 West Main Street, Village of Arcade

Applicant: Dan and Beth Cass

Type of Proposed Action (separate form completed for each action): Removal and reassembly of a walk-in cooler from 621 W. Main St. to 496 W. Main St.

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 June 3, 2013 with respect to this referral:

Approval with Modification Disapproval w/comments None No recommendation;

proposed action has no significant negative county-wide or inter-community impacts

Comments: The proposed action is the disassembly of the Applicants' walk-in cooler from their current John and Mary's restaurant located at 621 West Main St. to their proposed new location at 496 West Main in the Village of Arcade. No variances are requested in conjunction with this project.

1. The Village and applicant are commended for submitting a completed Site Plan Checklist with the referral.
2. The property is zoned Highway Commercial (HC). The proposed action is an addition to an as-of-right use in the HC Zoning District.
3. There appear to be no significant county-wide negative impacts related to this proposed project.

Site Plan

1. A Site Plan drawing including the name and address of applicant and person responsible for preparation of drawing(s) was provided. The drawings have a north arrow, scale and date.
2. The boundaries of the property are shown.
3. There do not appear to be any outstanding issues related to the Checklist that need to be addressed by the Applicant.
4. A record of application for and approval status of all necessary permits from State and/or County agencies or officials must be provided by the Applicant.
5. A New York State SEQR Short Environmental Assessment Form has been submitted.
6. 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: _____ Date: _____

Attachment C
Pl. Bd. Minutes June 12, 2013

SECRETARY'S REPORT - June 2013

I spoke with Wyo. Co. Planner Art Buckley at length regarding the questions the Board had at the May meeting regarding the EAF for the Comprehensive Plan Amendment. We also reviewed Parts 2 and 3.

Part 1:

Art added a few words to the Description of Action (page 2) and it now reads (underlined words are his additions):

The Town and Village of Arcade, Wyoming County, propose the adoption of an amendment to the Comprehensive Plan to guide the location of energy development within its boundaries.

The amendment provides a framework and guidelines which will allow for the adoption of Local Zoning Laws to regulate the location of development of both commercial and private oil, natural gas, wind, solar, biomass, bio digestion, geothermal and water energy sources.

- 3b. Leave blank
- 9. Leave blank
- 11. The 2 sections in which comments can be made – Leave blank
- 25. Add that the Planning Board needs to approve.

Part 2:

All of Part 2 should be marked NO as it is Site Specific to a project, not an amendment.

Part 3:

We developed a narrative in which you can add to if desired:

1. As this is an amendment to the Comprehensive Plan and not a site specific project, the majority of the EAF is not applicable.
2. The potential for increased energy development in Arcade, both commercially and privately, is significant. The area sits upon the Marcellus Shale and the Utica Shale opening it to the possibility of natural gas drilling using the conventional method as well as hydraulic fracturing. Arcade is well situated for the development of wind farms as have been constructed in adjacent townships. Farming is a major industry within the town and the biomass and bio digester technology is emerging.
3. Many sites within the Town could be suitable and available for energy development. Constraints to these sites include private residences and land used for agricultural purposes. Some of these sites may pose conflicts with neighboring farms, residences and industry.