

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

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At a meeting of the Planning Board of the Town and Village of Arcade held on Wednesday, May 13, 2015 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

**MEMBERS PRESENT:**      Rich Kosmerl, Don Suttell, Paul Bijhouwer

**MEMBERS ABSENT:**      Andy Schnitzler, Aaron Felber

**OTHERS PRESENT:**      Doug Ronan, Ray Miranda

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

**APPROVAL OF MINUTES:**

April 8, 2015 – Tabled as a quorum from that meeting was not present.

**PRELIMINARY REVIEW FOR NEW BUILDING CONSTRUCTION AT THE TOPS PLAZA FOR USE AS A RESTAURANT:**

Ray Miranda, the developer and franchisee, presented preliminary engineering drawings and drawings of the prototype building model for a Tim Horton's Café and Bake Shop to be constructed at the Tops Plaza.

The Board learned:

1. The applicant owns the Tim Horton's in Sardinia as well as others in the southern tier. Tim Horton's often places their restaurants in close proximity for the ease of the customer as they are location oriented.
2. The location will be opposite Top's gas station, to the left of the entrance, and the applicant is working with the property management company, which is based out of Texas, and the landlord to purchase the parcel.
3. The building will be approximately 1776 sq. feet with seating for 28. Drive through purchases account for 70% of business.
4. Entrance will be from the existing plaza entrance at the traffic light. There will be no new curb cuts to West Main Street.
5. There will be 20 parking spaces which is more than the Sardinia location. There will be an easement allowing employees and additional customer parking in the Tops parking lot near the restaurant.
6. The drawings include a patio but the applicant has not yet decided if one will be included.
7. Setbacks are based on owning the parcel as a separate property.

In discussion:

1. The Board does not feel this qualifies as a commercial subdivision. They requested that the applicant seek the guidance of the Village ZEO.
2. The Board has one concern regarding traffic control at the entrance to the plaza. Vehicles now proceed in all directions in and out of the gas station and across the parking lot to various stores. They requested the applicant brain storm with his engineer and the plaza owner to see what could be done that is not overly burdensome but organizes traffic control in some way. Suggestions for better flow within the plaza included:
  - a. Raised curbed islands,
  - b. Specific entry/exist to and from the gas station,
  - c. Directional arrows and stop signs,
  - d. Painted arrows at traffic light indicating right and left turns only,
  - e. It would also be beneficial to work with the DOT to install a left turn arrow into the plaza going west.
3. The applicant was given a copy of the exterior lighting code for the Village regarding “down” lighting.

The Board thanked Mr. Miranda for the opportunity to review the preliminary plans and make suggestions and comments.

### **REVIEW OF TOWN OF BENNINGTON PROPOSED REGULATION OF WIND ENERGY SYSTEMS:**

1. It was decided to use the Town of Bennington Proposed Regulation of Wind Energy Systems as a model in developing such for the Town. Much of it can also be applied to other energy sources.
2. Rich Kosmerl volunteered to make appropriate changes and prepare a draft for review at the next meeting.
3. Chairman Bijhouwer offered to scan the paper copy to make a digital copy to work with.

### **IN OTHER BUSINESS:**

1. Rich Kosmerl spoke with Town Supervisor Berwanger the precious day and gave the Board an update on the Draft Road Use Law.
  - a. The insurance company has made a change to dollar amounts.
  - b. The attorney for the Town is now reviewing the draft.
  - c. It will be returned to the Planning Board for review and any updates to the master copy.
  - d. It will then be returned to the Town Board which will be responsible for forwarding it to the Wyo. Co. Planning Board for recommendation and comment as is required.
2. The Secretary informed the Board that the ZEO for the Town is now Don Roberts.

**ADJOURNMENT:**

There being no further business brought before the Board, the meeting adjourned at 7:40 P.M. upon **motion** by Don Suttell, seconded by Rich Kosmerl and unanimously carried. The next regular meeting of the Planning Board of the Town and Village of Arcade is scheduled for Wednesday, June 10, 2015 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter  
Secretary