

**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, September 14, 2016, at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

MEMBERS PRESENT: Rich Kosmerl, Don Suttell, Andy Schnitzler, Paul Bijhouwer,

MEMBERS ABSENT: Aaron Felber

OTHERS PRESENT: Doug Ronan, Erannan Shattuck, Mark Shattuck (developer),
Thomas Shelberg (architect)

The meeting was called to order at 7:08 P.M. by Chairman Bijhouwer.

APPROVAL OF MINUTES:

MOTION by Rich Kosmerl, seconded Don Suttell and carried three yes votes to one abstention, to accept the Minutes of the meeting of August 10, 2016. Paul Bijhouwer abstained as he was not present at that meeting.

SITE PLAN REVIEW REQUESTED BY SKYLINE DEVELOPMENT AND MANAGEMENT CO., LLC, FOR CONSTRUCTION OF FREE STANDING BUILDING TO HOUSE ADVANCED AUTO PARTS, ON PROPERTY LOCATED AT 697 WEST MAIN STREET (YANSICK LUMBER CO. PROPERTY):

In discussion:

1. This 1.1 acre parcel is zoned HC/LI and .95 will be disturbed.
2. The developer will retain ownership of the property with Advanced Auto Parts leasing.
3. The applicant/developer provided a letter indicating a contract had been signed to purchase the property and will provide a copy of the actual copy (with price blacked out) in the final package of documents. **(This, and the final revised plans, has been received as of Sept. 19th).**
4. The Board reviewed all plans and completed the Site Plan Checklist (see Attachment A). Please refer to the checklist for additional comments.

Determining SEQR classification:

1. The property line of this parcel is 75 feet from the A & A Railroad tracks' right-of-way which is on the National Register of Historic Places. The back of the proposed building is 163 feet from the tracks.
2. The Board reviewed the SEQR Handbook for Type 1 Actions (see Attachment B).

3. The Board referred to the on-line Oxford dictionary for the definitions of “contiguous” and “substantially”.
4. The Board reviewed comments from the NY Planning Federation and the Wyoming County Zoning Officer.
5. The Board considered whether there would be an effect on the historic landmark:
 - a. This part of the A & A tracks is used only for freight and has nothing to do with the tourist line so will have no impact on the tourist line.
 - b. This parcel will have less of an impact in that the proposed building is no more impactful than the Aronson’s building or Zimmer’s NAPA store and less than Aronson’s. Additionally, the original freight track location was relocated to accommodate the Aronson expansion several years ago.
 - c. There are other commercial buildings along this section.
 - d. What is pertinent is the distance from the tracks’ right-of-way – 75 feet from the property line and 165 feet from the rear of the building, plus another 50 feet to the tracks.
 - e. There was no impact found when Aronson’s went through the Type 1 process previously.
 - f. The rear of the Aronson’s building is much closer than the existing metal building at the back of the Yansick property.
 - g. The intent of the historical designation is understood to be to protect the view-shed of the tourist train excursions. This part of the track will have no impact.
 - h. The general character will not be a significant change to what is existing.
 - i. The intent of the HC/LI district is to use the freight rail as Blue Seal already does and this is prime industrial property.

MOTION by Rich Kosmerl, seconded by Don Suttell and carried three yes votes to one no vote, that in determining the SEQR type regarding the A & A Railroad which is on the National Register of Historic Places, by definition this proposed project is not substantially contiguous to it.

MOTION by Paul Bijhouwer, seconded by Andy Schnitzler and unanimously carried that the above listed Site Plan requested by Skyline Development, is an Unlisted Action under SEQR.

The Board completed Parts 2 and 3 of SEQR finding no moderate or large impacts.

MOTION by Paul Bijhouwer, seconded by Andy Schnitzler and unanimously carried to accept as complete, the Site Plan requested by Skyline Development and Management Co., LLC, for construction of free standing building to house Advanced Auto Parts, on property located at 697 West Main Street, contingent upon receipt of updated plans as discussed by September 21, 2016. Further, the Secretary was directed to forward the Site Plan to the Wyoming County Planning Board for recommendation and comment.

NEW BUSINESS:

Rich Kosmerl suggested that an addition to the Site Plan Checklist be made that indicates the number of copies that applicants need to submit for the various requirements. The Board

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directed the Secretary to do so.

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ADJOURNMENT:

There being no further business brought before the Board, the meeting adjourned at 8:59 P.M. upon **motion** by Don Suttell, 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, October 12, 2016, at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter
Secretary

Attachment A follows below.

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ATTACHMENT A – Planning Board September 14, 2016

Applicant's Name Skyline Dev.

Permit No. 2321

Date Sept 14, 2016

SBL No. 182.15-1-7

ARCADE PLANNING BOARD

WYOMING COUNTY PLANNING BOARD

SITE PLAN AND SPECIAL USE PERMIT APPROVAL CHECKLIST

The Planning Board of the Town and Village of Arcade and the Wyoming County Dept. of Planning and Development has identified the following as important elements which must be included if applicable when submitting site plans.

Failure to submit the requested documentation and information, if applicable, may cause either Board to consider the application incomplete and consequently table the proposed project until complete materials are submitted. For questions or assistance, please contact the TOWN or VILLAGE Zoning Enforcement Officer.

- 1. All application fees paid; completed, signed and submitted Certificate of Zoning Compliance; Site Plan Application and/or Special Use Application.
- 2. Tax map. If applicable: Agricultural Data Statement, Flood Hazard Permit.
- 3. Property Survey prepared and stamped by a registered NY State surveyor. **Besides the stamped survey of the parcel being purchased, the applicant also provided an overall unstamped survey of the total Yansick property.**
- 4. Title of drawing, including name and address of applicant and person responsible for preparation of drawing; stamped by a registered NY State engineer or architect.
- 5. North arrow, scale and date.
- 6. Boundaries of the property plotted to scale; location and dimensions of setbacks; exact size and location of all existing buildings/structures on property; elevation views; location of proposed building on lot drawn to scale with all dimensions. **It was noted that the strip of land between Old Rte. 39 and New Rte. 39 is under the jurisdiction of the DOT. The driveway to the east of parcel will continue to be owned by Yansick and there will be no shared access. The DOT has approved a new curb cut for driveway to business and the present one will be closed as per agreement with Yansick.**
- N/A 7. Existing watercourse and bodies of water.
- 8. Grading and drainage plan showing existing and proposed contours and location of any

proposed storm sewer drains, culverts, retaining walls or fences; erosion and sediment control. Disturbed area will be .95 of an acres. No SPDES Permit is required. Erosion and sediment control is shown on the grading plan. The Board requested that silt fencing be carried around to the back and the applicant agreed. The front parking lot will have two receivers which go out to the existing ditch. The existing curb cut will initially be used during construction.

- 9. Type of construction materials; exterior dimensions of all buildings; architectural design features. Masonry load-bearing building with steel roof. Picture was provided.
- 10. Location of any outdoor storage and/or dumpster with type of screening to be used. Cedar fencing/gate will be used.
- 11. Truck loading areas showing points of entry and exit from the site. Deliveries will not be made during store hours allowing for better access. There will be approximately one truck per week.
- 12. Parking facilities including size, arrangement and number of parking areas and surface treatment. Asphalt driveways/parking areas with concrete aprons. The Board noted that parking spaces on the side were only 18 feet. The applicant agreed to change them to 19 feet in length as per zoning.
- 13. Description of the method of sewage disposal & location of sewage disposal facilities. Public sewer. This is included on the grading plan. Applicant has shared plans and will work with Supt. of Public Works, Larry Kilburn.
- N/A 14. Pedestrian access if any; public and private pedestrian walkways.
- 15. Identification and description of the method, location, design and source of securing public or private potable water. Public water.
- 16. Location, size and design of any and all proposed signs. (A separate sign permit is required in the Town and Village of Arcade available through the Zoning Officer.) A pylon sign is shown on plan. Board determined all signs are within zoning regulations.
- 17. Location and proposed development of all open space and buffer areas, including existing vegetation cover. Trees, shrubs around entrance. Applicant will keep as many existing mature trees as possible. Grass areas.
- 18. Location and design of any and all outdoor lighting facilities. Plans meet Arcade zoning regulations.
- 19. General landscaping and/or screening plan with planting schedule. Shown on site plan.

- 20. Snow storage areas. **Towards back of site and will be trucked off when necessary.**
- 21. Location of fire lanes and hydrants.
- 22. Identification of the location and amount of building area proposed for retail sales or similar commercial activity.
- 23. Location and design of all energy distribution facilities, including electrical, gas and solar energy; any easement and deed restrictions.
- 24. An estimated project construction schedule. **Whether construction begins this fall or in the spring will depend on when completion of this site plan process concludes. Construction time will be 12 weeks.**
- 25. Record of application for, and approval status, of all necessary permits from State or County agencies or officials. **DOT curb cut permit, County Building permit.**
- 26. Map or aerial view identifying adjacent parcels and land usages.
- 27. Appropriate State Environmental Quality Review form (SEQR) completed. (Short or Long Form, whichever is applicable.) **Please see discussion in the Minutes.**