

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

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At a meeting of the Planning Board of the Town and Village of Arcade held on Wednesday, May 9, 2007 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York:

**MEMBERS PRESENT:** Paul Bijhouwer, Andy Schnitzler, Don Suttell and Mark Schultz

**MEMBERS ABSENT:** Dan Meyers

**OTHERS PRESENT:** David Trent and Susan King  
Larry Kilburn, Supt. of Public Works

The meeting was called to order by Chairman Bijhouwer at 7:04 P.M.

**APPROVAL OF MINUTES:**

The minutes of the meeting of February 14, 2007 were tabled as a quorum from that meeting was not present.

**MOTION** by Don Suttell, seconded by Andy Schnitzler, and carried three votes to one abstention, to accept the minutes of the meeting of April 11, 2007. Mark Schultz abstained as he was not present at that meeting.

**PRELIMINARY LAYOUT OF ARCADIA SUBDIVISION, SUBMITTED BY DAVID TRENT, LOCATED ON NORTH STREET AND CRAMER DRIVE:**

In discussion:

1. According to the application signed by the Village Clerk, a fee of \$150 has been paid. Article IV – Fees of the Subdivision Regulations states that “the subdivider shall pay to the Planning Board an application fee in the amount of \$10.00 per lot.” Since the intent of the preliminary layout must include the entire project even though additional phases may be conceptual at this time, the total number of lots must be included in the calculation of the fee. The total number of lots is 87, thus the fee should be \$870. Mr. Trent was informed that an additional \$720 needs to be paid to the Village Clerk.
2. The Board reviewed the Preliminary Layout for Phase I. The following discussion ensued and comments made:

- a. A dashed line needs to be included indicating the pipe that runs west under the road from the invert point at the curve at the south end of Cramer Drive.
- b. Regarding Article II – Procedure, Page 5, letter f. states: “Subsurface conditions on the tract, if required by the village Board, location and results of tests made to ascertain subsurface soil, rock and groundwater and conditions.” The inclusion of this on the Preliminary Layout is at the discretion of the Village Board.
- c. There appears to be no trees on the property at this time. Mr. Trent indicated that saplings will be planted.
- d. The far side water connections have been worked out with Larry Kilburn, Supt. of Public Works.
- e. It was indicated that any work that the Village performs will be paid for by the subdivider.
- f. In reference to Page 3, item 9a of the minutes of the meeting of April 11, 2007 regarding discussion of discharge from a culvert, to a piped ditch and then into a 4<sup>th</sup> order stream, Chairman Bijhouwer did contact Bill Smythe at the DEC. Since the Village owns the system that the discharge from the Subdivision will be entering, the Village has the right to require appropriate storm water calculations showing that the capacity of the system will not be over taxed. This will be at the discretion of the Village Board. The Planning Board commented that the simplest way to handle this would be through SPDES. Supt. Kilburn stated he would work with the developer on this issue.
- g. Susan King questioned whether the Wyoming County Health Department must approve preliminary plans for sewage collection and disposal as indicated on Page 5 and 6 of the Subdivision Regulations. She felt this was incorrect. The Board asked Supt. Kilburn if he would please contact the County Engineer regarding this.
- h. Annexation of the property by the Village is completed and the zoning/rezoning procedure is underway.

The Board concluded that the Preliminary Layout of Phase I is complete. However, according to Subdivision Regulations the entire project, even if conceptual, must be included. Location of utilities, cross section of roadway, location of sidewalks, etc. are missing for the additional phases. The Board discussed whether a conditional approval can be granted, citing Page 17, Article VI, Section 1. Hardships, of the Subdivision Regulations.

**MOTION** by Paul Bijhouwer, seconded by Andy Schnitzler, and unanimously carried, to approve the Preliminary Plat for the Arcadia Subdivision, located on North Street and Cramer Drive, submitted by David Trent, with the following conditions:

1. The appropriate zoning and rezoning of the portion of property annexed by the Village of Arcade must be completed;
2. In accordance with the requirements of the Subdivision Regulations, Page 5, Section 2, C., must be met for the entire proposed development; and

3. The additional amount of \$720 in fees (\$10 per lot for 87 lots) must be made to the Village Clerk (\$870 minus the \$150 already paid).

In further discussion:

The Board made the following suggestions regarding completion of the Preliminary Layout of the entire Subdivision:

1. The layout should recognize the wetland area. The concept plan does not show it at this time. It appears that it is being “stepped on” by the roadway and parcels No. 2 and 3.
2. The location of the park needs to be indicated. It was noted that a wetland area cannot be included as part of the Park. Mr. Trent stated that it is not an official designated wetland area, however to avoid any repercussions from the Corps of Engineers, it will not be part of any development.
3. All requirements in the Subdivision Regulations – location of utilities, cross section of roadway, location and size of sidewalks on one side of roadways, etc. – should be indicated.
4. If the Village Board feels the Final Plat provided is within the reason of intent, they will approve. The placement of the park at this time does not have to be “carved in stone” and lot sizes could increase. Even though it is a concept, plans need to be worked out sufficiently so that the concept is workable.
5. The Planning Board will be glad to provide comments on future phases.

Chairman Bijhouwer apologized for any misinterpretations of the Subdivision Regulations and stated it was a complicated procedure that no one presently on the Planning Board has dealt with before.

It is the opinion of the Board that the Subdivision Regulations need to be reviewed in the near future with needed corrections and updates completed and clarifications made.

**LETTER OF RESPONSE FROM CLARK PATTERSON ASSOCIATES  
REGARDING TRI-COUNTY BUSINESS PARK, SARDINIA:**

The Board read the letter indicating that correction of the date and name of action has been made on the positive declaration form and referred to the Town of Arcade’s plans to rezone the area to LI/HC. (See Attachment A).

**REQUEST FROM ZONING BOARD OF APPEALS FOR COMMENTS AND  
RECOMMENDATION REGARDING AREA VARIANCE APPLICATION,  
PERMIT NO. 1883-ZBA, SUBMITTED BY KOIKE ARONSON, INC.,  
REQUESTING ADDITION TO AN EXISTING MANUFACTURING PLANT AT  
635 WEST MAIN STREET, NOT IN COMPLIANCE WITH SECTION 430(7)  
MINIMUM SIDE YARD DIMENSION TO RESIDENTIAL LOT:**

The Board reviewed the Area Variance Application submitted by Koike Aronson Inc. The Secretary was instructed to notify the ZBA of the following:

1. A vegetative buffer should be planted along the property line between the addition and the home.
2. The Planning Board recommends approval.

**REQUEST FROM ZONING BOARD OF APPEALS FOR COMMENTS AND RECOMMENDATION REGARDING AREA VARIANCE APPLICATION, SBL NO. 182.1-30-1, SUBMITTED BY PIONEER CHRISTIAN FELLOWSHIP CHURCH, REQUESTING CONSTRUCTION OF AN ADDITION TO AN EXISTING BUILDING LOCATED AT 303 RTE. 39 WEST, NOT IN COMPLIANCE WITH SET BACK:**

The Board reviewed the Area Variance Application submitted by Pioneer Christian Fellowship Church. The Secretary was instructed to notify the ZBA of their recommendation of approval.

**ADJOURNMENT:**

There being no further business brought before the Board, the meeting adjourned at 9:25 P.M. upon motion by Paul Bijhouwer, seconded by Mark Schultz, and unanimously carried. The next regular meeting of the Planning Board of the Town and Village of Arcade is scheduled for Wednesday, June 13, 2007 at 7:00 P.M. in the Village Boardroom, 17 Church Street, Arcade, New York.

Respectfully submitted,

Holly L. Almeter  
Secretary