

MINUTES OF THE REGULAR MEETING
SEPTEMBER 12, 2005

The Regular Meeting was called to order by Chairman Joseph Yagey at 4:30 P.M. at which time the Pledge of Allegiance was recited. Board Members present were Hans Arnold, Ronald Morelle, Jerome Donovan and Bob Wood. Board Members absent: Gerald Green and Bob Imobersteg. Also in attendance were Town Supervisor Ralph Humphreys, Police Chief Raymond Philo, Town Planner Kurt L. Schwenzfeier, AICP, and Senior Engineer John Meagher.

Minutes of the August 8, 2005 meeting were distributed and motion was made by Board Member Bob Wood to approve these minutes as written; seconded by Board Member Hans Arnold. All in favor (Board Member Jerome Donovan abstained from voting as he was not at the August 8th meeting).

Ms. Nancy Falk/Fieldstone Collectibles, Preliminary and Final Site Plan Review of a proposed 1,200 square foot garage addition to be used as an antique shop and storage to her property at 8063 Seneca Turnpike. Tax Map #328.000-2-8; Lot Size: approximately 9.98 Acres; Zoning: Planned Highway Business. Ms. Falk appeared before the Board.

Chairman Yagey mentioned that this property is located in the GEIS area, which prompted the Site Plan Review for this small project. This is an existing residents and Ms. Falk has been operating her antique and collectible business at this location for sometime. The volume of customers is only a few a day, April to October. There is a narrowness of the entrance to the driveway and Staff has suggested a turnaround. County 239 Review was made with no recommendations – this is a Type 2 action, therefore, SEQR is not required.

Board Member Arnold stated that this is a very low impact use and the property is already being used for this purpose. Board Member Arnold welcomes this type of low impact use. He also asked the Town Planner . . .1) is there a parking standard that the applicant has to meet – Town Planner Schwenzfeier said no because it is more of a home-type use; 2) what about signage – Town Planner Schwenzfeier said she is going to keep the existing sign, which meets Codes.

Board Member Donovan asked the Town Planner what, if any additional level of review were needed if the applicant's business became full time – Town Planner Schwenzfeier stated any change of use would require a Site Plan Review.

Ms. Falk said she is aware of the driveway situation and will provide a turnaround.

At this time, motion was made by Board Member Jerome Donovan to grant Preliminary Approval; seconded by Board Member Ronald Morelle. Vote taken:

Chairman Joseph Yagey – yes	Board Member Jerome Donovan – yes
Board Member Ronald Morelle – yes	Board Member Hans Arnold – yes
Board Member Bob Wood – yes	

Motion was passed by a vote of 5 – 0.

Motion was made by Board Member Hans Arnold to grant Final Approval based on the applicant providing a turnaround on the property for vehicles – either a “T” or circular effect; seconded by Board Member Bob Wood. Vote taken:

Chairman Joseph Yagey – yes	Board Member Jerome Donovan – yes
Board Member Ronald Morelle – yes	Board Member Hans Arnold – yes
Board Member Bob Wood – yes	

Motion was passed by a vote of 5 – 0.

The Pre-development Agreement is in the process of being prepared.

Mr. Tom Davis, Utica Gas & Electric Federal Credit Union, 213-215 Old Champion Road (by Niagara Mohawk). Conceptual/Preliminary Site Plan Review of a proposed Credit Union. Tax Map #329.010-2.3 & 2.4; Lot Size: 0.8 Acres; Zoning: Retail Business 2. Mr. Tom Davis appeared before the Board. Messrs. Tom Davis/President of Utica Gas & Electric and David Schlosser of Schopfer Associates, LLP, appeared before the Board.

Chairman Yagey stated that this Credit Union purchased two single-family homes and that property is adjacent to Niagara Mohawk property. The two homes will be demolished and a 4,125 square foot single-story Credit Union constructed at that site.

Mr. Schlosser stated that 80% of the Niagara Mohawk employees use the Credit Union. From a traffic standpoint, the majority of the people will be coming from the adjacent site. The Credit Union needs additional space (they are housed in the Niagara Mohawk building now). He presented a sketch of the project with exterior elevation.

Mr. Davis stated that he had applied to the Zoning Board of Appeals for a Use Variance a few months ago on the site of Niagara Mohawk for a Credit Union - his variance was granted. Since that time, things have changed and they looked for an alternate site.

Town Planner Schwenzfeier stated that there are 21 parking spaces. There is a single curb cut on Campion Road. The main entrance to the Credit Union is on Campion Road and there is a stacking area for an ATM drive-thru lane. They meet all setback requirements; are 41% permeable; they are under the height restrictions; most of the parking is to the side (7 parking spaces in front); one entrance on the front of the building with a sidewalk from the parking lot – there won't be any crossing driving lanes. A grading plan has been submitted. There will be six (6) catch basins and will drain to a new catch basin. Lighting plans have been submitted with a number of single shielded poles – 12' high. The lights have a full canopy, shielded fixtures and they have added a 6' high vinyl fence on the side of the home adjacent to a neighbor. The fence sets in about 3' – 4' off the property line with about an 8' separation between the properties – this adjacent property has mini-storage units). There are large maple trees in the back, which will be retained.

Chairman Yagey referred to signage – Mr. Schlosser stated that there will be a wall mounted sign, 3' x 7' and a ground mounted sign located in the front about 3' 6" high by 8' wide (one sided ground lit and ground mounted).

Motion was made by Board Member Ronald Morelle to have the Planning Board Lead Agency for this project for SEQR; seconded by Board Member Hans Arnold. Vote taken:

Chairman Joseph Yagey – yes	Board Member Jerome Donovan – yes
Board Member Ronald Morelle – yes	Board Member Hans Arnold – yes
Board Member Bob Wood – yes	

Motion was passed by a vote of 5 – 0.

Board Member Donovan addressed drainage and would it come across Campion Road – Mr. Schlosser said no, the threshold is one acre and he will verify it with the Town Planner. Board Member Donovan addressed security – Mr. Schlosser said they have

done 30 Credit Unions and this setup is fully within the banking commission's guidelines. The front of the building will be quite exposed.

Chairman Yagey updated the Board and referred to a major subdivision project that came before this Board across the street from the next proposal. That project is at a standstill at this time until easements are worked out.

Jewel Ridge Major 8-Lot Subdivision; Higby Road northwest of Christopher Circle. Conceptual Review. Tax Map #340.000-2-1.1; Lot Size: 5.63 Acres; Zoning: Low Density Residential. Mr. Donald D. Ehre, P.E. and Mr. Gregg Grates appeared before the Board.

Mr. Grates appeared before the Board stating that this project is located behind Christopher Circle. He referred to the existing tree line and he said it would remain. There is a creek behind the property. He said all the lots meet the criteria in the Zoning Law. The lots are anywhere from 0.41 acres to 0.71 acres. Utilities are in the back, water and sewer on Higby Road.

Board Member Arnold referred to storm water runoff and would it drain to the cul-de-sac – Mr. Grates said the property is on a decline and it will drain to the back of the property. Town Planner Schwenzfeier said the Town has storm water requirements that have to be met.

Mr. Donald Ehre addressed the Board stating that he is waiting for the typos to work out the actual design of the storm water facilities. Chairman Yagey explained what he knows about this area regarding water runoff and asked about runoff when houses start to be built. Mr. Ehre said he would know more when the typos are received and whether a retention basin would be required. Chairman Yagey suggested a swale – Mr. Ehre will look into this, but he also has to look at vegetation also.

Board Member Donovan asked if they have sufficient property to address a storm water retention area – Mr. Ehre said they may lose a lot, but he doesn't know until he does the calculations. Mr. Ehre said they are aware of the water problem and runoff in this area.

Senior Engineer John Meagher showed the Planning Board where the Town put in 18" pipe near this project on Christopher Circle.

Discussion ensued regarding storm water – Chairman Yagey asked Mr. Ehre if he saw a problem before sending it out for SEQR – Mr. Ehre said no. Board Member Arnold would like to hear from the people who are here today to voice their concerns – he knows it isn't a public hearing, but they are here. It was decided to address them at this time:

-Mr. Dennis Thompson, 8 Christopher Circle. In addition to storm water, traffic is a big problem. There are speeders in this area, icy roads, and school buses in and out. Work will be done on Chapman Road next year and people will be utilizing alternate routes. He feels this is becoming a dangerous area. He said storm water is a problem, especially in the spring. Lots 8, 16, 18 and 20 all have storm water issues.

-Susan Kalmurray, 358 Higby Road. She would like to preserve the natural habitat – there are a lot of animals in this area.

-Mr. Len Grucza, 18 Christopher Circle. He is also concerned about storm water. Look at both the front and back of the properties. He also asked if the utilities would be underground – yes.

-Mr. Greg DeBernardis, 358 Higby Road – he said this development would make his home a corner lot. He feels this project will decrease his property value. His property is always wet now – he is against this project.

-Mrs. Kalil, 22 Christopher Circle. She asked if the entire infrastructure would be done before the lots are sold – Town Planner Schwenzfeier said yes.

Mr. Grates said he can help with some of the storm water – he will do his best – he will not make it worse.

Board Member Arnold referred to the open space that exists in this area. He explained the review process for approval or disapproval of a project and the process this Board follows for a full-scale review.

Town Supervisor Ralph Humphreys asked if this project was on public sewer and would it need a pumping station – Mr. Ehre said it is on public sewer, but he is awaiting the typos to review them.

Motion was made by Board Member Jerome Donovan to declare the Planning Board as Lead Agency for SEQR; seconded by Board Member Bob Wood. Vote taken:

Chairman Joseph Yagey – yes

Board Member Jerome Donovan – yes

Board Member Ronald Morelle – yes Board Member Hans Arnold – yes
Board Member Bob Wood – yes

Motion was passed by a vote of 5 – 0.

The paperwork will not be sent out until the applicant and/or Mr. Donald Ehre gives the information to us.

A resident from 9 Christopher Circle asked to be notified when this project reappears before this Board. Chairman Yagey explained that a Public Hearing will be held for this project and residents will be notified.

Chairman Yagey updated the Board concerning his meeting and discussion with Town Attorney Vincent Rossi regarding the Town Master Plan, Findings Statement and Parks Plan. Chairman Yagey was to have had those findings for the Planning Board's review and recommendation to the Town Board. As of this date, he does not have this report from the Town Attorney. Also, Chairman Yagey was not sure whether peter j. smith & company prepared their proposal to submit to the Town Board for completing the Master Plan (Town Planner Schwenzfeier stated that this proposal was received and the cost is \$87,000).

He also referred to the update he has received from Shumaker Engineering on their water runoff report for Longworth Acres and the adjacent area. As of this time, it is only a draft – further calculations have to be done. Shumaker stated they would have the final report for the Town in about another month.

Board Member Donovan raised a question as to what the scope of those updates are and feels that we as a Board are dealing with projects without knowing what these updates are. He feels we have something to add regarding clarification in the Zoning Law and amending the Master Plan.

Town Supervisor Ralph Humphreys stated that he was unaware that the Chairman hadn't received the information and would find out why.

The Board discussed receiving a draft of the updates for our review and input. Board Member Arnold feels that the Town Planner could come to the Planning Board and say what he thinks should be done in a Master Plan and then this Board would work with him. He would like to see a designated agenda where the Town Planner tells him what is needed on the Town Master Plan and why.

Chairman Yagey said the Findings are done by Mike Jeffery, Parks & Recreations but the Town Attorney needs to approve that plan. He asked the Board if they wanted a copy of this – the response was yes.

Chairman Yagey this Board could do three (3) things:

- Look at the Findings Statement with or without the advice of Town Attorney Rossi
- Take a look at the items for the Master Plan
- Have Shumaker Engineering come before this Board for his update on Longworth Acres and surrounding area

Town Planner Schwenzfeier stated that he would get copies of the Master Plan Proposal.

Chairman Yagey said after we had a chance to review what the Town Planner submits, he could discuss it at a special meeting.

There being no further business, the meeting adjourned at 6:20 P.M.

Respectfully submitted,

Dolores Shaw
Secretary

dbb