

**REGULAR PLANNING BOARD MEETING  
HELD JANUARY 03, 2008**

Present: Michael Chase, Chairman  
Gary Bogner, Alternate  
Vincent DelGatto, Jr.  
Laurent Gurewitch

Absent: Daniel Cianfoni, Judy Robinson

Others attending: Ken Litfin, John Bitter, Dan Silber, RGE, Terry Duerr, Jeremy Ayers, William Westerman.

Recording: Rita J. Gurewitch, Clerk/Treasurer

A motion was made by Member DelGatto, seconded by Member Gurewitch to accept the minutes of the December 4, 2007 meeting. Unanimously carried.

**ROCHESTER GAS AND ELECTRIC CORP – STATION 168 EXPANSION**

Rochester Gas & Electric Company re-capped the position of their application for site plan approval to expand their existing substation No. 168 located on the south side of State Street at the west village boundary. The substation occupies land located in the Town of Farmington and the Village of Manchester and is wedged between National Grid and village property. RGE attorney, Dan Silber stated that the whole parcel owned by the village is currently being purchased by RGE. He would like to see five conditions met. He would like both the Village of Manchester Planning Board and the Town of Farmington Planning Board to sign off on the site plan when all conditions are met. Lighting at the site is for emergency cases only. Drainage has been worked out accordingly. The State Environmental Quality Review has been done and the Ontario County Planning Board has reviewed the plans and responded accordingly. Preliminary Site Plan Approval has been granted. The purchase and sale agreement with the village is being drawn up. The passing of the deed takes approximated two months, environmental tests are being done on property and if RGE accepts all will go forward. Village attorney, John Tyo, is working on the water easement agreement and all will be signed at the closing of the property. The berms that were an issue are no longer, as RGE will purchase all the property, but will require an affidavit from Old Castle East that no claims will be made on the property. In the easement language they will address the fence portion over the easement when repairs or maintenance must be done by the village

**VILLAGE OF MANCHESTER PLANNING BOARD RESOLUTION –  
FINAL SITE PLAN APPROVAL - ROCHESTER GAS & ELECTRIC CORPORATION**

WHEREAS, Rochester Gas & Electric Corp. has submitted a site plan application for expansion to their existing substation No. 168 located at the west end of State Street; and

WHEREAS, the planning board has considered the application of Rochester Gas & Electric in detail, and under advisement of the village engineer and village attorney; and

WHEREAS, preliminary site plan approval has been granted and it has been determined that this application will not be detrimental to the public good and will have no significant environmental impact;

WHEREAS, it is the intent of Rochester Gas & Electric Corporation to purchase the land necessary from the Village of Manchester to proceed with the expansion project; and

WHEREAS, in the Sale and Purchase agreement the easement issues will be addressed; and

WHEREAS, the Town of Farmington Planning Board has granted final site plan approval, contingent on RGE purchasing the land from the Village of Manchester; and

WHEREAS,

THEREFORE, LET IT BE RESOLVED, that Rochester Gas & Electric Corporation is granted final site plan approval.

BE IT FURTHER RESOLVED, that this approval is contingent upon the signing of the Sale and Purchase Agreement between Rochester Gas & Electric Corporation and the Village of Manchester and the closing of the sale thereof.

The above resolution was offered by Vincent DelGatto, Jr., seconded by Gary Bogner and put to roll call vote as follows:

Chairman Michael Chase	Voting	“AYE”
Gary Bogner	Voting	“AYE”
Vincent DelGatto, Jr.	Voting	“AYE”
Laurent Y. Gurewitch	Voting	“AYE”
Judy Robinson	Absent	
Daniel Cianfoni	Absent	

The resolution was then duly declared adopted.

### **FRESH-AYR TRANSPORT – 28 CENTER STREET – SPECIAL USE PERMIT**

An appeal for an area variance was granted by the Zoning Board of Appeals on January 2, 2008 to allow, a repair shop cannot be within 200 feet of a residential zone. A public hearing was held on December 4, 2007 and also January 2, 2008.

Member Gurewitch stated that there appears to be enough space to the rear of the building so that there would be no noticeable change in the property appearance. He asked if any additional illumination would be added to the building. Mr. Ayers stated there would be no change, just what was already there. The hours of operation would be 8:00 am to 5:00 pm. There would actually be more trailer repair than truck repair.

### **RESOLUTION – SPECIAL USE PERMIT – FRESH-AYR TRANSPORT**

WHEREAS, the proposed special use (commercial truck repair) is consistent with the general intent of the village’s Comprehensive and Strategic Plans, and;

WHEREAS, the location, size and use of the structures involved, nature and intensity of the operations involved and size and layout of the site in relation to the proposed special use are such that it will be compatible with the orderly development of the use district, and;

WHEREAS, the operation of the proposed special use is no more objectionable to the uses of nearby properties, by reason of dust or smoke emission, noise, odors, fumes, pollution of air or water, including subsurface waters, unsightliness or similar conditions, than would be the operation of any permitted use, and;

WHEREAS, the proposed special use satisfies each and all standards and conditions specified for such special use by the relevant provisions of this Article, and;

WHEREAS, the Code Enforcement Officer shall make an on-site visit not less than one (1) time each year to ensure that the use is being operated in accord with the conditions specified to protect public health and safety, the quality of natural resources and the value of property. If the CEO determines that a violation exists, the certificate of occupancy shall be null and void and a new special use permit application shall be required, and;

THEREFORE BE IT RESOLVED, that the Village of Manchester Planning Board, does hereby grant a special use permit to Fresh-Ayr Transport.

The above resolution was offered by Laurent Gurewitch, seconded by Vincent DelGatto, and put to a roll call vote as follows:

Michael Chase	Voting	“AYE”
Judy Robinson	Absent	
Vincent DelGatto	Voting	“AYE”
Daniel Cianfoni	Absent	
Gary Bogner	Voting	“AYE”
Laurent Gurewitch	Voting	“AYE”

The resolution was thereupon declared duly adopted.

### **SKETCH PLAN SUBDIVISION SOUTH AVENUE – DAVID WARNER – VACANT LAND**

A plan to subdivide 3.6 acres on the east side of South Avenue was submitted by Mr. David Warner, was presented by Mr. Warner’s agent, William Westermann. The property is divided by the Town and Village of Manchester boundary lines. Mr. Warner will be requesting to annex the town land into the village portion.

Mr. Warner would like to develop anywhere from two to four lots, maybe 5, with ranch style homes. A thorough discussion followed on the property. They will need engineer plans. The annexation would make it

easier to work with only one planning board and not two. A seasonal wet area that is sometimes a small stream is present on the property. The question of whether a dedicated road is indicated or a private driveway for access to lots. Easements would be needed for water & sewer lines. As stated previously Mr. Warner would need an engineer to help him with his plans. Variances will be needed and more that one subdivision of lots must go to Ontario County Planning Department.

After the discussion, a motion was made by Mr. Bogner, seconded by Mr. DelGatto, that the application be denied, voted on, and unanimously carried.

The next Planning Board meeting will be Tuesday, February 05, 2008.

Meeting was adjourned upon motion at 8:07pm.

Respectfully submitted,

Rita J. Gurewitch