

**VILLAGE OF MANCHESTER
REGULAR PLANNING BOARD MEETING
AND PUBLIC HEARING
8 CLIFTON STREET
SEPTEMBER 04, 2018**

PUBLIC HEARING

Present: Judy Robinson, Chairperson
Vincent DelGatto, Jr
Jennifer Davis
Jake Kennelly
Laurent Gurewitch

Absent: None

Others Attending: Marty Barnett, Code Enforcement; Patrick Nicoletta, MRB Engineering; Melissa Keifer, Jim McKay, Oldcastle Lawn & Garden; Jack Melsom, Sean Gallivan, Green Renewable; Bryan Beaton, Jena Caramazza.

Recording: Rita J. Gurewitch, Village Clerk/Treasurer

Chairman Robinson opened the PUBLIC HEARING 7:00 pm.

The Clerk read the legal notice that was posted in the Daily Messenger on August 19, 2018 and mailed to everyone within 500' of 120 South Main Street. Mr. Beaton would like to operate a Home Based Business from that location. The business is Beaton Technical, and IT (computer) service provider. This would require a Special User Permit.

Mr. Beaton described the business to the Board. Hours are 11am-5pm Monday through Friday and 11-3:00 pm Saturday. He has parking space for three, but barely has more than one customer at a time. He would like a small sign and will come back to request a sign application/permit.

A letter was read from Mr. Robert Tolpa, 4571 Herendeen Road, Shortsville NY, the property owner of 120 S Main Street:

"I, Robert Tolpa, owner of property located at 120 S Main St., approve of the application to run a home occupation business named Beaton Technical from said property. Bryan Beaton and Jenna Caramazza will be tenants as of October 1st at this property and are in the process of making arrangements to purchase this property. Following village approval, I give my tenants the right to operate a home occupation (Information Technology) service provider for residential and business customers..."

No spoke against this home occupation business.

Ms. Robinson asked three times if anyone wanted to speak.
She closed the Public Hearing at 7:07pm.

REGULAR MEETING

Present: Judy Robinson, Chairperson
Vincent DelGatto, Jr
Jennifer Davis
Jake Kennelly
Laurent Gurewitch

Absent: None

Others Attending: Marty Barnett, Code Enforcement; Patrick Nicoletta, MRB Engineering; Melissa Keifer, Jim McKay, Oldcastle Lawn & Garden; Jack Melsom, Sean Gallivan, Green Renewable; Bryan Beaton, Jena Caramazza.

Recording: Rita J. Gurewitch, Village Clerk/Treasurer

Chairman Robinson called the meeting to order at 7:09 pm

A motion was made by J. Kennelly to approve the August minutes, seconded by J. Davis, voted on and unanimously approved.

**BEATON TECHNICAL – HOME OCCUPATION – SPECIAL USE PERMIT
120 SOUTH MAIN STREET**

A Short Environmental Assessment Form was submitted. The board proceeded in reviewing the SEQR.

After completing Part II of the EAF, Mr. DeGatto introduced the following NEGATIVE DECLARATION resolution, seconded by L. Gurewitch who moved its adoption:

WHEREAS: In accordance with Section 8-0113 Article 8 of the New York Environmental Conservation Law, the Planning Board of the Village of Manchester has conducted an initial review to determine whether the Beaton project may have a significant affect on the environment, and;

WHEREAS: The Planning Board has compared the application and plans submitted with the criteria set forth in Part 617.7 of the Regulations, and;

NOW, THEREFORE, BE RESOLVED, The Planning Board of the Village of Manchester, as lead agency, has determined on the basis of that review that (1) The proposed project constitutes an “Unlisted Action” since it has not been classified as a Type 1 Action or a Type II, and (2) that the proposed action described will not have a significant environmental impact and an Environmental Impact Statement will not be prepared.

The resolution was put to a roll call vote:

Judy Robinson, Chairperson – “AYE”

Vincent DeGatto, Jr – “AYE”

Jennifer Davis – “AYE”

Jake Kennelly– “AYE”

Laurent Gurewitch– “AYE”

The resolution was duly adopted.

The Planning Board then reviewed Code Section 100-58, Home Occupation, Special Use Permit required actions.

RESOLUTION – SPECIAL USE PERMIT – Bryan Beaton, BEATON TECHNICAL

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

WHEREAS, the location, size and use of the structure 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 no 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 granting of this application will not be detrimental to the public good and will have no significant environmental impact; so

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 Bryan Beaton, for Beaton Technical IT service.

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

Judy Robinson, Chairperson – “AYE”

Vincent DeGatto, Jr – “AYE”

Jennifer Davis – “AYE”

Jake Kennelly– “AYE”
Laurent Gurewitch– “AYE”

The resolution was thereupon declared duly adopted.

OLDCASTLE LAWN & GARDEN – 155 STATE STREET

Member V. DelGatto inquired if the village engineer was acceptable to the fact that the Full Environmental Assessment Form Part One be started. Mr. Nicoletta agreed it could be started. The Board began the SEQR process.

RESOLUTION – SEQR INTENT TO BE LEAD AGENCY

The following Resolution was made by Member V. DelGatto: Seconded by Member Jake Kennelly to wit:

WHEREAS, the Village of Manchester Planning Board (hereinafter referred to as Planning Board) has reviewed the SEQR Full Environmental Assessment Form (EAF) Part 1, prepared by Chris Main (hereinafter referred to as Applicant) on the above referenced Oldcastle Lawn & Garden (hereinafter referred to as Action); and

WHEREAS, the Planning Board determines that said Action is classified as an Unlisted Action under the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Planning Board determines that said Action is also subject to review and approval by other involved and interested agencies under SEQR Regulations; and

WHEREAS, the Planning Board determines that it is the most appropriate agency to insure the coordination of this Action and will provide written notifications to involved agencies, for the purposes of conducting a coordinated review and making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Planning Board does hereby declare its intent to be designated as the lead agency for the Action.

BE IT FURTHER RESOLVED, that the Village Engineer is directed to provide notice hereof to the involved and interested agencies, seeking their agreement (or objection thereto) in writing on or before **12:00 PM on Tuesday, October 9, 2018.**

The resolution was put to a roll call vote:

Judy Robinson, Chairperson – “AYE”
Vincent DelGatto, Jr – “AYE”
Jennifer Davis – “AYE”
Jake Kennelly– “AYE”
Laurent Gurewitch– “AYE”

The resolution was duly adopted.

A discussion followed on the portion of pallet storage in the Town of Farmington. Whether annexation is an option or a separate site plan for Farmington is needed. In order to review a Village of Manchester site plan, the pallet storage cannot be shown into Farmington. The MRB comments were reviewed.

Code Enforcement sees no other issues. Marty Barnett, Deputy CEO, asked if the photo enclosed (stacked pallets) with application was accurate. It was an example of what not to do. Stacking pallets up beyond two is what they don't want to do.

Chairman Judy Robinson informed the clerk to set up a Public Hearing for Oldcastle on October 09, 2018 at 7:00 pm. That meeting the Board may be able to declare lead agency, then complete the SEQR process.

The meeting adjourned at 9:00 pm.

The next Regular Planning Board meeting is Tuesday October 9, 2018 starting at 7:00 pm.

Respectfully submitted,

Rita J. Gurewitch
Village Clerk/Treasurer