

**VILLAGE OF MANCHESTER
REGULAR PLANNING BOARD MEETING
AND PUBLIC HEARING
8 CLIFTON STREET
AUGUST 07, 2018**

PUBLIC HEARING

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

Absent: None

Others Attending: Marty Barnett, Code Enforcement; John Sciarabba, LandTech; Ken Malcho, Malcho Mart; Patrick Nicoletta, MRB Engineering; Melissa Keifer, Oldcastle Lawn & Garden; Jack Melsom, Green Renewable; Judy Romeiser, Lisa Purdy, Robin Mincer.

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 July 19, 2018 and mailed to everyone within 500' of the Malcho Manchester Mart project. Due to the confusion of the tax parcel numbers, the clerk clarified the numbers as follows: 32.10-1-5.000 is vacant lot on N Main Street; 32.10-1-6.110 is the Manchester Mart parcel 70 N Main Street; 32-10-1-1.222 is the 4099 State Route 96 parcel that reaches Vanderwall Drive.

Mr. John Sciarabba and Mr. Ken Malcho went over the site plan. They would like to expand the building for storage and co-locate with a Taco Bell with a drive thru. The convenient store and gas station is to remain the same. They are proposing an addition to the south and east sides of the building. They only have .9 acre disturbance, so no DEC needed and the lights will be away from residents (Dark Sky Compliant).

Lisa Purdy and Robin Mincer expressed concerns about truck noise. Mr. Malcho said the plan is to have a living fence/barrier between his property and the trail.

July Romeiser was concerned about lights and noise. Again, it will be dark sky compliant.

Mr. Malcho also explained that during the transition there will be trucks and noise. Afterwards, if you need help, go to employee and report it. The information will get to him. Mr. Malcho likes the property to be aesthetically pleasing and would like to work with each other to make it so.

Chairman Robinson asked if anyone else would like to comment.

The Public Hearing was closed at 7:25pm.

REGULAR MEETING

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

Absent: None

Others Attending: Marty Barnett, Code Enforcement; John Sciarabba, LandTech; Ken Malcho, Malcho Mart; Patrick Nicoletta, MRB Engineering; Melissa Keifer, Oldcastle Lawn & Garden; Jack Melsom, Green Renewable

Recording: Rita J. Gurewitch, Village Clerk/Treasurer

Chairman Robinson called the meeting to order at 7:27 pm

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

MALCHO'S MANCHESTER MART HOLDINGS, LLC – 70 NORTH MAIN STREET

Mr. John Sciarabba addressed the Board in regard to Malcho's site plan application and last month's MRB comments.

Preliminary Subdivision Plat and General Comments (Sheet 1)

4. The Plat map has been revised to "Preliminary Plat" as requested.
5. Updated approval lines as requested
6. The zoning notes table has been updated to "Motor Vehicle Service Station" requirements as requested.
7. The adjacent property owners have been added to the as requested.
8. With the revised setback notes, the dumpster enclosure is located at a distance greater than the 15' side setback.
9. We are not aware of the for any area variances. None needed.

Existing Conditions and Demolition Plan (Sheet2)

10. The plan has been updated to better identify the removal work as requested.
11. Added Demolition Note #5 to address the need for security fencing.
12. The construction sequence has been added to the Utility Plan, Sheet 4. 12. The existing operation shall be shut down for only a day or two as new power is installed. 14. The existing entrances are to be used for construction.
13. Demolition Plan now clearly shows the areas of removal.
14. See 12.
15. No work is proposed within the NYS right of way.
16. The existing pavement is to remain and have identified on Sheet 2.

Preliminary Site Plan and General Comments (Sheets 3-6)

17. The facility currently operates 24 hours day and will continue to do so.
18. The zoning notes table on sheet 1 has been updated and clarified. The impervious area cover is the 58.6% number reference in the comment. Building coverage is under 5%.
19. See #18
20. See #18 The parking space information has been added to Sheet 3.
21. The parking space callouts have been corrected.
22. We look forward to receiving direction from the Fire Marshall and Code Enforcement Officer on where fire lanes need to be marked and signs placed. They will be marked as requested.
23. A turning movement plan has been provided for the improved areas of the site to show that there are no access issues.
24. The handicapped parking space dimensions have been added to the Site Plan sheet 3 that meet the code as well as a sign detail.
25. The additional pavement is desired for truck turning movements and trash pickup. A sign noting the "No Overnight Parking, 9pm to 7am" has been added to the Site Plan, Sheet3.
26. The lawn areas have been identified on sheet 5.
27. A landscaped schedule and seeding notes have been added to sheet 5 as requested.
28. A review of the storm water runoff has been submitted. The existing site 10 year storm water peak runoff rate was determined to be 6.4 cfs and with the proposed improvements will increase to 7.8 cfs. This is a minor increase in runoff which is directed to an existing drainage swale that flows across undeveloped area to an 18" culvert under Route 96. Given the porous nature of the sandy gravel loam soils, infiltration will occur as runoff slows over this soil. A stone check dam has been added to the swale to detain the runoff and allow it to infiltrate. Planning is underway for development of the remaining property. The future plans will require a storm water SPDES permit and at that time a holistic drainage mitigation plan will be developed.
29. The construction staging area has been shown on Utility & Grading Plan Sheet 4and includes space for material, equipment and worker vehicles.
30. The existing entrances will be used for the construction access.
31. The construction sequences have been added to Sheet 4.
32. The topsoil pile has been clearly shown and grading limits revised as shown on the Utility & Grading Plan Sheet 4.
33. Given the minimal increase in the impervious area and surrounding undeveloped area, green infrastructure is not being provided on this site.
34. The Landscape and Photometric Plan has been updated as requested.

Mr. Malcho and Mr. Sciarabba believe that all the questions and concerns have been resolved as requested.

The Board requested that they would like to see correspondence from the Department of Transportation (DOT) addressing the DOT concerns. Also the air pump located on the east side is to be relocated and not eliminated.

SEQR RESOLUTION – DESIGNATING LEAD AGENCY MALCHO’S MANCHESTER MART

The following Resolution was made by Member L. Gurewitch: Seconded by Member V. DelGatto, Jr. to wit:

WHEREAS, the Village of Manchester (hereinafter referred to as Planning Board) has on Tuesday, July 3, 2018 declared its intent to be designated the Lead Agency for the Village of Manchester Malcho’s Manchester Mart Project under the provisions of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Planning Board has provided written notices to this effect to the involved and interested agencies; and

WHEREAS, the Planning Board has not received any written objections from the involved agencies to the Board’s being designated as the lead agency under the SEQR Regulations; and

WHEREAS, the Planning Board has previously determined that it is the most appropriate agency to insure the coordination of this Action and for making the determination of significance thereon under the SEQR Regulations.

NOW, THEREFORE BE IT RESOLVED that the Planning Board does hereby designate itself as the lead agency for the Action identified above herein;

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.

The Board proceeded to Part Two of the State Environmental Quality Review (SEQR).

SEQR REVIEW – DETERMINATION OF ENVIRONMENTAL SIGNIFICANCE

The following Resolution was made by Member J. Kennelly: Seconded by Member Jennifer Davis to wit:

WHEREAS, the Village of Manchester Planning Board (hereinafter referred to as Planning Board) has determined the above referenced Action to be an Unlisted Action pursuant to Part 617 of the State Environmental Quality Review (SEQR) Regulations; and

WHEREAS, the Planning Board has reviewed and accepted the completed Short Environmental Assessment Form Parts 2 and 3 on the Action prepared by the MRB Group; and

WHEREAS, the Planning Board has completed the coordinated review and public comment period provided for under the SEQR Regulations; and

WHEREAS, the Planning Board has designated itself as lead agency under the SEQR Regulations for making the determination of significance upon said action; and

WHEREAS, the Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c) (1) of the SEQR Regulations and the information contained in Short Environmental Assessment Form Parts; and

NOW THEREFORE BE IT RESOLVED, that said Action **WILL NOT** result in any significant adverse environmental impacts based on the review of the Short Environmental Assessment Form; and

BE IT FINALLY RESOLVED that the Planning Board does hereby make a Determination of Non-Significance on said Action, and the Planning Board Chairperson is hereby directed issue the Negative Declaration as evidence of the Negative Board determination of environmental non-significance.

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.

After a brief discussion on the DOT comments, the Board decided to not stop the site plan process for Mr. Malcho. They will proceed and not wait for compliance with the Department of Transportation which could be a lengthy process; also their concerns have been there with the previous owner.

Ontario County Planning Department comments were also reviewed and considered.

PRELIMINARY SITE PLAN APPROVAL

WHEREAS, Macho’s Manchester Mart has submitted a site plan application for expansion to their existing building and lot subdivision; and

WHEREAS, the planning board has considered the application of Malcho’s Manchester Mart in detail, and under advisement of the village engineer and village attorney; and

WHEREAS, the conditions of a variance &/or special use permit DOES NOT apply; and

WHEREAS, all comments have been considered and reviewed; and

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

THEREFORE, LET IT BE RESOLVED, that Malcho’s Manchester Mart Holdings LLC is granted preliminary site plan approval.

BE IT FURTHER RESOLVED, the applicant still needs to acquire final site plan approval;

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

Chairman Judy Robinson	Voting	“AYE”
Laurent Gurewitch	Voting	“AYE”
Vincent DelGatto, Jr.	Voting	“AYE”
Jennifer Davis	Voting	“AYE”
Jake Kennelly	Voting	“AYE”

The resolution was then duly declared adopted.

FINAL SITE PLAN – MALCHO’S MANCHESTER MART, LLC – 70 N MAIN STREET

WHEREAS, the planning board has considered the application of Malcho’s Manchester Mart Holdings, LLC in detail, and

WHEREAS, according to the village’s Comprehensive Plan, a survey stated over 90% said ‘yes’ to *Should the Village actively encourage business and industry to locate in the Village?*, and

WHEREAS, the Ontario County Planning Board reviewed the application and commented there is little potential for countywide or intermunicipal impact, and

WHEREAS, the comments from the village engineer have been met satisfactorily to go forward, contingent on a few more to follow through on; and

WHEREAS, the applicant will require a Reduce Pressure Zone (RPZ) device and report on test and maintenance of Backflow Prevention Devices according to NYS Department of Health regulations, and

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

THEREFORE, LET IT BE RESOLVED, that Malcho’s Manchester Mart LLC be granted final site plan approval with the conditions set forth above and hereafter.

BE IT FURTHER RESOLVED, that renovation will not begin until permits have been issued by all governmental agencies involved (State, Federal & Local), and fees paid and that Taco Bell sign permit be according to village code.

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

Judy Robinson, Chair	Voting	“AYE”
Jake Kennelly	Voting	“AYE”
Vincent DelGatto	Voting	“AYE”
Laurent Gurewitch	Voting	“AYE”
Jennifer Davis	Voting	“AYE”

The resolution was then duly declared adopted.

LOT SUB-DIVISION

A motion was made by Vincent DelGatto, Jr., seconded by Jennifer Davis, to grant the sub-division as requested for Parcels 32.10-1-5.000, 32.10-1-1.222 and 32.10-1-6.110, voted on and unanimously carried.

Code Enforcement Officer Steve DeHond will meet with them in regard to a building permit. When signage is finalized they will submit a sign application at that time.

OLDCASTLE LAWN & GARDEN – 155 STATE STREET

Ms. Kiefer addressed the Board stating that Oldcastle Lawn & Garden would like to increase pallet storage in areas that were previously used as raw material storage. They anticipate storing approximately 50,000 pallets of finished goods. They also want to add landscaping stone. They proposed to build 5 landscape bins to store the already crushed stone, pine bark and peat moss that will be used in the bagging process. Oldcastle proposes to install a second production line inside the building. They would like to operate 24 hours a day, 7 days a week for indoor activities. Oldcastle anticipates only 10 additional trucks per day and they are working the Fingerlakes Railroad to begin off loading and loading material. There will be minimal land disturbance of less than .25 acres.

Chairman Robinson stated that a public hearing will be needed, along with sending the application to Ontario County Planning Department for their review. It was mentioned that a portion of this project is in the Town of Farmington. Their Planning Department will need to be involved. A discussion on possible annexation into the Village of Manchester is possible.

Chair Judy Robinson summarized going forward to the next meeting on September 4th. The Planning Board should be able to declare their intent to be Lead Agency, the County will be able to review at their September 12th meeting, a Public Hearing will be set for Oldcastle at the October meeting and a reply from Farmington might be available. The October 2nd meeting will be moved to October 9th to accommodate the SEQR mandates.

It was decided that all Board members will meet at Oldcastle, 155 State Street, prior to the next Board meeting on September 4th at 6:00 pm. Also invite the Fire Chief, Police Dept. and Village Board.

BRYAN BEATON – SPECIAL USE PERMIT FOR BEATON TECHNICAL

A Special Use Permit application has been submitted by Bryan Beaton, currently at 4 N Main Street.

Mr. Beaton is purchasing a home at 120 S Main Street in the village and would like to operate his IT (Information Technology) business out of this residence.

Chairman Judy informed the clerk to set up a Public Hearing for Mr. Beaton on September 4, 2018 at 7:00 pm. The Board will review everything at that time.

The meeting adjourned at 9:00 pm.

The next Regular Planning Board meeting is Tuesday September 04, 2018 starting at 7:00 pm.

Respectfully submitted,

Rita J. Gurewitch
Village Clerk/Treasurer