

**VILLAGE OF MANCHESTER
REGULAR PLANNING BOARD MEETING
8 CLIFTON STREET
DECEMBER 03, 2013**

Present: Michael Chase, Chairman
Laurent Gurewitch
Judy Robinson
Vincent DelGatto, Jr.

Absent: Sean Schumacher

Others Attending: Patrick Nicoletta, MRB Group; Brian Bouchard, CHA Consulting; Jayne & Martin McMillan, Property Owner.

Recording: Rita J. Gurewitch, Clerk/Treasurer

Chairman Chase called the meeting to order at 7:00 pm.

The minutes from the November meeting were approved upon motion from Vincent DelGatto, seconded by Laurent Gurewitch.

DUNKIN DONUTS – ROUTE 96

The Board discussed the State Environmental Quality Review (SEQR) form submitted with site plan application for Dunkin Donuts. It was decided that the SEQR form submitted with the application was acceptable as it was completed prior to the changes made to the form effective in October.

Brian Bouchard, CHA Consulting, submitted a revised site plan.

Ontario County Planning Board (OCPB) comments from their November 13, 2013 Board Meeting were reviewed as follows:

- 1.) SWPPP (Stormwater Pollution Prevention Plan) was provided. MRB will review.
- 2.) Soil information testing is being completed next week. MRB will confirm results.
- 3.) The owner will be responsible for long term operation and maintenance of stormwater.
- 4.) Silt fencing will be provided where earth work is planned west of the entrance.
- 5.) NYS DOT mitigation measures to be met. If there is any future development of 49 North Main Street, a cross access easement will be needed at that time. Dunkin' Donuts mentions on site plan.
- 6.) New site plans show front setback is pushed back 10 feet further from NYS Route 96 to comply with Section 100-68 A of Village Code and a left turn lane will be put in place on NYS Route 96 to reduce congestion and relieve potentially hazardous situations. In addition, trees shown on site plan will be removed and replaced with a low mulched landscape to provide better visibility.
- 7.) Screening landscape will be provided with a cedar tree line along the eastern side of the property.

OCPB approved upon motion at their November 13, 2013 Board Meeting to retain these applications (Lot Sub-division and Site Plan) as a Class 2 and recommends approval with comments.

MRB reported their review of the submitted Subdivision Plan and Legal Descriptions including Lot 1 and Lot 2 Boundaries, Access Easement (AE-1), Utility Easement (UE-1) and Utility Easement (UE-2) are accurate and acceptable. Applicant to provide documentation to the Village that the easements have been executed and filed at the Ontario County Clerk's Office prior to the issuance of a Certificate of Occupancy. Also a note should be added to Lot 2 stating "Not an approved building lot, site plan approval from the Village of Manchester Planning Board is required" as Lot 1 is the site for the proposed Dunkin' Donuts.

Discussion:

- 1.) Ms. Robinson inquired if the drainage was underground. Mr. Bouchard stated that water is retained on site in pipes underground with slow release.
- 2.) Need to investigate sanitary sewer connection. If connection is to a private sewer line, the connection will need to be changed.
- 3.) Water Dept., Sewer Dept., DPW and Fire Dept. will be worked with during Building Permit process.
- 4.) Committed to removing 5 parking spaces to green space and access to future development.
- 5.) Dumpster surround is vinyl fencing with 2 dumpsters; 1 cardboard, 1 garbage; matching colors of building.
- 6.) Need to see overall approval/permit from NYS Dept. of Transportation for turning lane.
- 7.) Need satisfaction of Plan review by MRB Group

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

After completing Part II of the EAF, Mr. DelGatto introduced the following NEGATIVE DECLARATION resolution, seconded by Mr. 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 Dunkin' Donut 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 above resolution was put to roll call vote, which resulted in the following:

Michael Chase	Voting	"AYE"
Judy Robinson	Voting	"AYE"
Laurent Gurewitch	Voting	"AYE"
Sean Schumacher	Absent	
Vincent DelGatto	Voting	"AYE"

The resolution was thereupon declared duly adopted.

RESOLUTION – PRELIMINARY & FINAL SITE PLAN – JFJ HOLDINGS LLC (DUNKIN' DONUTS)

WHEREAS, the planning board has considered the application of JFJ Holdings LLC in detail, and

WHEREAS, according to the village's 2005 Comprehensive Plan, a survey stated over 90% said 'yes' to *Should the Village actively encourage business and industry to locate in the Village and provide employment opportunities?*, and

WHEREAS, the Ontario County Planning Board reviewed the project and recommends approval with comments, such applications present little potential for countywide or intermunicipal impact, 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; and

WHEREAS, those concerns itemized under “discussion” and Ontario County Planning “comments” of these minutes will be addressed; and

WHEREAS, Lot 1 and Lot 2 Boundaries, Access Easement and Utility Easement are accurate and acceptable;

THEREFORE, LET IT BE RESOLVED, that JFJ Holdings, LLC be granted preliminary and final site plan approval with the conditions set forth above and hereafter.

BE IT FURTHER RESOLVED, that applicant will provide documentation that the easements have been executed and filed at the Ontario County Clerk’s Office prior to the issuance of a Certificate of Occupancy and a note added to Lot 2 stating “Not an approved building lot, site plan approval from the Village of Manchester Planning Board is required”;

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.

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

Michael Chase	Voting	“AYE”
Judy Robinson	Voting	“AYE”
Vincent DelGatto	Voting	“AYE”
Laurent Gurewitch	Voting	‘AYE”
Sean Schumacher	Absent	

The resolution was then duly declared adopted.

Code Enforcement Officer Steve DeHond will meet with them in regard to a building permit.

The meeting was adjourned upon motion at 8:00 pm. The next Regular Planning Board meeting will be Tuesday, January 7, 2014 at 7:00 pm .

Submitted by,

Rita J. Gurewitch
Village Clerk/Treasurer