

**VILLAGE OF MANCHESTER
PUBLIC HEARING AND
PLANNING BOARD MEETING HELD JANUARY 03, 2012**

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

Absent: None

Others Attending: Scott Hurd, Gregory Moore, Terry Duerr, Kelly Dean and Richard Dean.

Recording: Rita J. Gurewitch, Village Clerk/Treasurer

PUBLIC HEARING

Chairman Chase called the Public Hearing open at 7:00 pm. Chairman Chase read the Public Hearing Notice that was published in the Daily Messenger on December 27, 2011 stating that the Village Planning Board would consider the application for a Special Use Permit requested at 28 Center Street for using the site for Indoor Automotive Dismantling and Storage subject to Article X Section 100-35 D, Special Uses. All property owners within 500 feet of 28 Center Street received the notice in the mail along with a copy of the Letter of Intent from Mr. Moore who would do business as Phoenix Automotive.

Chairman Chase asked if anyone would like to speak.

Scott Hurd inquired if any there would be any outside storage that would block him access taking his boat on and off his property.

Property owner Terry Duerr and Tenant Gregory Moore, answered no. There will be no interference with access.

Richard Dean asked if there would be any large trucks on the property.

Mr. Moore stated only small ones. Mr. Moore did not want anyone to label his business as a junkyard. Vehicles will enter an indoor facility where parts will be removed, stored and sold. Any remaining parts will be recycled including oils and coolants. A NY State certified refrigerant collection machine is required by the NYS Department of Motor Vehicles for certification in vehicle dismantling.

He does not foresee having more than one vehicle outdoors at a time.

Mr. Moore stated that noise production will not exceed that of a typical automotive garage.

The majority of sales conducted by this business will be executed via web based sales.

Property Owner Terry Duerr presented the board with a letter stating that it is his intention to rent approximately 2000 square feet of space at 28 Center Street to Gregory Moore for his business upon approval.

No other comments were presented.

The Public Hearing was closed at 7:10 pm.

REGULAR MEETING

Chairman Chase opened the regular meeting at 7:11 pm.

The minutes of the December meeting were reviewed and approved upon motion by Mr. DelGatto, seconded by John Schram.

Chairman Chase stated that he contacted the Town of Victor after Mr. Moore tried a location in Victor. No problems were listed.

A discussion followed.

Also noted is that this location has had various other Public Hearings, both by the Planning Board and Zoning Board of Appeals. CL Enterprises at this location also holds a Special Use Permit.

A Short Environmental Assessment Form was submitted. The board proceeded in reviewing the SEQR. After completing Part II of the EAF, Mr. Gurewicz, introduced the following NEGATIVE DECLARATION resolution, seconded by Mr. DelGatto 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 Gregory Moore's DBA Phoenix Automotive 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"
Vincent DelGatto	Voting	"AYE"
Laurent Gurewicz	Voting	"AYE"
John Schram	Voting	"AYE"

The resolution was thereupon declared duly adopted.

RESOLUTION – SPECIAL USE PERMIT – PHEONIX AUTOMOTIVE – 28 CENTER STREET

WHEREAS, the proposed special use (AUTOMOTIVE DISMANTLING AND STORAGE) 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 PHEONIX AUTOMOTIVE, Gregory Moore.

BE IT FURTHER RESOLVED, that business will not begin until permits have been issued by the Code Enforcement Office 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”
John Schram	Voting	“AYE”

The resolution was thereupon declared duly adopted.

PLANNING BOARD TRAINING

Chairman Chase stated he would get in touch with John-David Wood, from NYS Dept. of State to see his available dates as a potential training speaker.

It was discussed to change the time of the Planning Board meetings. No action taken.

The meeting adjourned upon motion at 7:38 pm. The next Regular Planning Board meeting will be Tuesday, February 7, 2012 at 7:00 pm.

Respectfully submitted,

Rita J. Gurewitch
Village Clerk/Treasurer