

Planning Board Minutes of October 6, 2015

Present:

Brian W. Murray, Chairman
Mary Jane Shonn
Daniel Kowalik
Robert Anderson
Darrin Folger
Gregg Brown
Andrew Borden - Village Attorney
Paul Bowers – Village Engineer
Donald Hoefler-Village Engineer
Michael Borth - Code Enforcement Officer

Absent:

Jon Cummings, Public Works Manager

Meeting Began: 7:00 pm.

Chairman Murray opened the meeting with a welcome to everyone.

RESOLUTION duly moved by Kowalik and seconded by Shonn to approve the minutes of the Planning Board Meeting of September 15, 2015. Carried unanimously

66 Main Street – Sandro Passalacqua/Pizzabella – Sign

Code Enforcement Officer Borth explained to the Board that Mr. Passalacqua has come before the Board with renderings of a new canopy for the proposed restaurant at 66 Main Street. The canopy will extend the entire 30' width of the building and have Pizzabella on the front and may be illuminated by led lighting underneath. It will extend out 2' from the building, be 9' high off the ground, and will fit into the architecture of the new building. The height of this new canopy is about the same height as the sidewalk cover next door. Above the canopy will be a sign that will be mounted between the windows of the second floor and will sit perpendicular to the building. This sign will be illuminated by a gooseneck light.

Village Attorney Borden stated because the sign is in the right of way, it must be approved by the Village Board as well as the Planning Board.

RESOLUTION, duly moved by Brown and seconded by Anderson to approve both sign requests for Sandro Passalacqua/Pizzabella contingent upon Village Board approval of the 9' height for the canopy be and hereby is approved. Carried unanimously

Vacant Land Hake Road – PM Development LLC – Minor Subdivision

Chairman Murray invited Real Estate Agent Kelly Spurlock to the table. He stated that the Board reviewed the Drafts for Lead Agency, Negative Declaration and the supporting documents regarding the Minor Subdivision on Hake Rd. Chairman Murray reminded the Board that the subdivision consists of 3 parcels which have wetlands located in the rear of the property, the parcels will all have septic systems, water would be supplied from Erie County Water Authority through an Inter-municipal Water Service Agreement with the Town of Newstead, the electric would be supplied by Akron Electric which is sufficient for one house but would need to be upgraded to handle the other two houses.

Village Attorney Borden stated that the Erie County Planner has no comment regarding the minor subdivision

Village Engineer Bowers recommended having the Developer do a Topographic Survey and then request a grading and drainage plan for all three parcels submitted before any building permits are approved.

After discussion the Board agreed to approve the following:

RESOLUTION duly moved by Kowalik and seconded by Shonn to approve the following:

WHEREAS, PM Development Co., LLC of 10215 Main Street, Akron, New York (the applicant) has submitted an application for preliminary plat and site plan review and approval to the Planning Board concerning the premises located as SGL# 47.10-1-19 along Hake Road, Akron, NY (the premises); and

WHEREAS, pursuant to the project, the Applicant seeks to develop the 15.6 acre property in accordance with a certain preliminary plat map submitted by PM Development CO., LLC, and

WHEREAS, the project, among other things, proposes a total of 3 residential single family units, the construction of public water service laterals, on-site wastewater disposal systems, storm drainage, and electric service systems; and

WHEREAS, in connection with the application, preliminary plat and site plan, the applicant submitted to the Planning Board, Part 1 of the Environmental Assessment Form prepared by the Village Engineer; and

WHEREAS, the Village Engineering Consultant, Wm. Schutt & Associates, PC, concurs that the Planning Board declare itself lead agency for the purposes of SEQRA for the action described herein;

NOW, THEREFORE, BE IT RESOVED: That based on the information included in Part 1 of the Environmental Assessment Form, and the criteria outlined in 6 NYCRR 617.7, the Planning Board is hereby declared lead agency for SEQRA review of the proposed action, and copies of the SEQRA materials will be open to the involved and interested agencies and public during the site plan review process of the project; and

BE IT FURTHER RESOVED: That this resolution shall take effect immediately. Carried Unanimously.

RESOLUTION duly moved by Kowalik and seconded by Shonn to approve the following:

WHEREAS, PM Development Co., LLC of Akron, New York has proposed a 3 lot subdivision on 15.6 acres of land in Lot 3, Township 12, Range 5, along Hake Road across from McNeeley Road in the Village of Akron,

WHEREAS, the parcel is owned by PM Development Co., LLC and is sub-lot number 47.10-1-19; located in the northwest section of the Village of Akron, and is currently vacant land zoned R-1,

WHEREAS, PM Development Co., LLC has submitted Environmental Assessment Forms Parts 1 and 2 as required under the State Environmental Quality Review Act (SEQRA) and has had Earth Dimensions conduct a walkover for preliminary location of USACOE wetlands,

WHEREAS, the Village of Akron Planning Board reviewed copies of the SEQRA related reports and forms during the review process for the project,

WHEREAS, the project, among other things purposes a total of 3 residential single family units, the construction of homes, water service line, septic systems, storm culverts, grading, landscaping and electric service systems,

WHEREAS, after further review by the Village of Akron Planning Board the project is determined to be an Unlisted Action in matters involving SEQRA,

NOW, THEREFORE, BE IT RESOVED, that based on all available information the Village of Akron Planning Board determines that the areas of identified potential impact and the consideration of possible mitigation measures can be resolved as part of the subdivision design, review and approval process,

BE IT FURTHERED RESOLVED, that the Village of Akron Planning Board determines that this action will have no significant environmental impact under the SEQRA as supported by the attached determination of significance prepared in accordance with Article 8 of the Environmental Conservation Law,

BE IT FURTHERED RESOLVED, that the Village of Akron Planning Board Chairman be authorized to sign and file any documents required under the SEQRA. Carried Unanimously

RESOLUTION duly moved by Anderson and seconded by Kowalik to approve the application of PM Development Co., LLC for a three parcel subdivision with the following conditions: that any buildings would have a 50' buffer to wetlands, that a topographic Survey be completed and a grading and drainage plan be presented to the Code Enforcement Officer before he accepts any building permits be and hereby is approved. Carried Unanimously.

Akron Village Commons – Hake Road/Clarence Center Road Subdivision

No activity from the Akron Village Commons this month

Miscellaneous -

Chairman Murray informed the Planning Board that Village Engineer Paul Bowers will be retiring this December and Donald Hoefler from Wm. Schutt & Associates will be taking his place as Village Engineer. Chairman Murray thanked Mr. Bowers for his help over the past several years and wished him luck in his retirement.

Code Enforcement Officer Borth notified the Planning Board that Mr. Kelkenberg from the Cornerstone Subdivision will be putting in sidewalks on Brody's way as the homes

are built and the sidewalk on Jackson Street will be added after the majority of the homes on that section of Jackson are built.

Training –

Chairman Murray and Member Mary Jane Shonn will be attending a training sessions at the Orchard Park Municipal Building on October 21, 2015

Meeting adjourned at 8:00 P.M. on a motion from Kowalik and seconded by Anderson. Carried Unanimously

Next Planning Board meeting: Tuesday November 17, 2015 at 7:00 pm

Submitted by:

Brian W. Murray, Planning Board Chairman