

**VILLAGE OF MACEDON PLANNING BOARD
81 MAIN STREET
MACEDON, NY 14502**

**PLANNING BOARD MEETING
Wednesday, March 4, 2009**

ORDER: Chairperson Kim Thompson called the meeting to order at 7:00 p.m. In attendance were Planning Board members: Jennifer Delehanty, Linda Braun, Steve Poutre, Andrew Bazinet, Planning Board Secretary Kathy Reilly, Zoning Enforcement Officer Phil D'Allesandro, Mayor James Hoteling, Village Engineer Dan Cornwall, Revitalization Director Marcy Frey, (Applicant) Robert Palmiere, Kris Mago and LAMAR Representatives Bob Nersinger and Jim Newton
Absent: David Sliney Planning Commissioner

MINUTES: The following MOTION was made by Steve Poutre and seconded by Kim Thompson:

RESOLVED that the minutes from meeting dated February 4, 2009 be approved with revisions.

Motion carried
5 votes in favor

APPLICATIONS:

MDM Enterprises (Ward's/McLouth), Main Street.....Special Use Permit

Applicant: Richard McLouth

Applicant, Rick McLouth, stated to the Board on January 7 meeting that he would like to use the property located at 1A Main Street (former Ward's Restaurant) as overflow parking for new and used vehicles for sale at the McLouth dealership.

The following MOTION was made by Jen Delehanty and seconded by Steve Poutre

WHEREAS, the Planning Board made the following findings of fact:

1. An application for a Special Use Permit was received by the Zoning Officer/Secretary of the Planning Board for a project entitled MDM Enterprises (Ward's/McLouth) on 1/2/09.
2. The applicant prepared and submitted a Short Environmental Assessment Form (EAF) for review under New York State Environmental Conservation Law, Article 8 (State Environmental Quality Review Act), and 6 NYCRR Part 617.
3. The application is deemed an Unlisted Action pursuant to Section 8 of the New York State Environmental Quality Review Act Regulations.

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4. The Planning Board has carefully considered the criteria for determining significance as set forth in the SEQRA regulations (6 NYCRR 617.7); the Environmental Assessment Form; the application materials; and all correspondence provided to the Board.

NOW, THEREFORE BE IT RESOLVED that the Village of Macedon Planning Board has considered the environmental effects and concluded that the proposed action will not result in a significant adverse environmental impact and therefore issues a Negative Declaration of Environmental Significance for the Project for purposes of Article 8 of the Environmental Conservation Law.

MOTION CARRIES: Yes = 5 / No = 0 / Abstain = 0

Motion carried
5 votes in favor

The following MOTION was made by Jen Delehanty and seconded by Steve Poutre

WHEREAS, the Planning Board made the following findings of fact:

1. An application for a Special Use Permit was received by the Zoning Officer/Secretary of the Planning Board for a project entitled MDM Enterprises (Ward's/McLouth) on 1/2/09.
2. The Applicant wishes to park vehicles inventoried for sale (under the McLouth dealership) on the property formerly serving as parking for the former Ward's restaurant.
3. The Applicant wishes to establish a tenant for the restaurant building and return it to a restaurant use, in which case the overflow parking for the dealership would be temporary or short-term.
4. The Applicant has been parking vehicles as proposed under the Special Use Permit, unaware it is a code violation. During such time, the Board is not aware of any concerns raised by the public.
5. Parked vehicles are deemed less objectionable than the traffic activity experienced during the use of a restaurant, in terms of potential impacts such as noise, safety and light glare.
6. The applicant prepared and submitted an Environmental Assessment Form. The application was deemed to be an Unlisted Action pursuant to Section 8 of the New York State Environmental Quality Review Act Regulations.
7. The Planning Board considered areas of environmental concern and found that there would be no significant adverse impacts to the environment as a result of the action and issued a Negative Declaration.
8. The Application was referred to the Wayne County Planning Board under Section 239 of the General Municipal Law on 1/8/09.

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9. The Wayne County Planning Board in a letter dated 1/29/09 indicated their meeting was cancelled for 1/28/09 and consequently they could not take action on the referral. Follow-up phone call from the Village to the County indicated the referral would not be heard.
10. The Planning Board has carefully considered the application materials, and all supporting documents, studies and correspondence provided to the Board.

NOW, THEREFORE BE IT RESOLVED that the application for the MDM Enterprises (McLouth) project,

FOR: a Special Use Permit,

BE APPROVED WITH THE FOLLOWING CONDITIONS:

1. The parcel shall be used for overflow parking only and no servicing and/or repair of vehicles is permitted.
2. The Applicant shall maintain access for emergency purposes by utilizing the existing curb cuts to/from NYS Route 31.
3. The Special Use Permit shall expire after 12/31/13; however, if the primary use as a restaurant is resumed, the Special Use Permit shall be suspended.

MOTION CARRIES: Yes = 5 / No = 0 / Abstain =

Motion carried
5 votes in favor

OTHER BUSINESS:

Robert Palmiere/Incentive Zoning

Informal Discussion

The Planning Board entertained discussions regarding the proposed Incentive Zoning Local Law. The Planning Board could not act on an application until that Local Law is in place. The submittal was determined an incomplete application at this time.

Robert Palmiere, Kris Mago and Representatives of LAMAR, Bob Nersinger and Jim Newton were present to discuss informally the possibility of utilizing a part of Village owned land to place a billboard sign.

R. Palmiere stated that he would like to donate a 2+ acre parcel next to Gravino Park and in exchange he would like to erect a billboard sign on Village property along Route 31 in front of the Wastewater Treatment Plant.

A video presentation by LAMAR was shown in hopes to answer any questions regarding the billboard sign and to give an overview of why the applicant

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representatives believe that a digital billboard sign is also better for the environment.

R. Palmiere asked for a timeline of when the Incentive Zoning Law may be in effect. It was estimated that after all public hearings and continuing through the process, The Village Law could be adopted in May and become effective 30 days after that.

The Planning Board made a few initial comments to Mr. Palmiere:

- Mr. Palmiere will have to contact the Village Board and request a letter of intent granting him permission to use, lease or buy a parcel of Village owned land in order to erect the proposed billboard. The letter of intent needs to be forwarded to the Village Planning Board.
- A completed Incentive Zoning application will have to be submitted to both the Village Board and Planning Board.
- All testing results on the 2+ acre parcel to be donated must be submitted with the application.
- Landscaping and aesthetics along the Route 31 corridor is of concern to the Board.

Main Street Overlay Zoning/Marcy Frey

Discussion

The CAP study that took place last summer took in a larger target than the Main Street target is. The Main Street target stage 1 is basically just West of Center and down to West of Route 350 on the North and South sides of Main Street. That is where the target for an overlay district will need to be put in place.

The size of the municipal parking lot could be increased to include the old Erie Street. The Village of Macedon, through the MPA, is working on grants to possibly cover the cost of doing this. M. Frey stated that she has talked to potential tenants for businesses on Main Street and they stated that if you can give to me in writing that this parking lot would be a possibility for use then they would move their business here.

D. Cornwall reminded everyone that the public municipal parking lot could not all be promised to property owners or tenants to use as business parking. In other words all the spaces cannot become reserved or promised because it is public municipal parking.

ADJOURN: There being no further business the following motion was made by Steve Poutre and seconded by Kim Thompson:

WHEREAS, at this time there being no further business, now

THEREFORE BE IT RESOLVED, that the meeting be adjourned.

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Motion carried
4 votes in favor

Andy Bazinet left the meeting at 8:40 p.m.

The meeting was adjourned at 9:30 p.m.
Respectfully submitted,

Kathleen M. Reilly, Planning Board Secretary