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**VILLAGE OF MACEDON PLANNING BOARD  
81 MAIN STREET  
MACEDON, NEW YORK 14502**

**REGULAR MEETING  
PUBLIC HEARING  
WEDNESDAY, JUNE 6, 2007**

**ORDER**

Chairperson Kim Thompson called the meeting to order at 7:00 p.m. In attendance were Planning Board members: Steve Poutre, Jennifer Delehanty, Andy Bazinet and Dennis Berryman. Also in attendance were Trustee Sandra Ellis, Building & Zoning Officer Tom Slater, and Village Engineer Dan Cornwall. Public attendance consisted of Mike Curry representing ReRobb, Inc., Mr. & Mrs. Dave Morrell Owners of Community Car Wash, David Rasmussen, legal counsel for Dave Morrell, Chuck McGuire and Jim Beckenbach

**MINUTES**

The following MOTION was made by Dennis Berryman and seconded by Andy Bazinet:

RESOLVED that the minutes from meeting dated May 2, 2007 be approved with the following changes:

- Remove "Public Hearing" from heading
- Correct spelling on 2<sup>nd</sup> page

Motion carried  
5 votes in favor  
None opposed

**EXPRESS  
MART APP**

Kim Thompson, Chairperson opened the Public Hearing for this application at 7:15 p.m.

Statements were made from David Rasmussen, Attorney for Dave Morrell owner of Community Car Wash, in opposition to the car wash portion of the application that included the following:

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- Motor vehicle service station within 1000 ft. of another service station.
- Commercial use within 500 ft. of a residential district.
- Safety concern with traffic pattern, no escape lane and emergency vehicle access.
- Number of uses on property (3 different business uses)
- Details of the Village/Rerobb land swap (Variances required to be approved prior to land swap being finalized.)

Dave Morrell expressed his concern with the car wash, as he believes it would create competition to his business. Additional concerns were traffic issues. Jim Beckenbach stated his opposition to several of the variance requests, the Planning Board Public Hearing being held before the ZBA has made their decision and stated that he would be filing a grievance should the Zoning Board approve the request for variances.

Kim stated that the primary purpose of a scheduled Public Hearing is so that the public can make their comments and concerns with regard to the application so that the Planning Board members can take them into consideration when making their decision. She also stated clarification to Mr. Beckenbach that the Planning Board is required to review the site plan and special use permit application that is before them and that the Zoning Board of Appeals is a separate Board and that it is not un-common for the Planning Board's work to run concurrently with other Boards such as the Zoning Board. By holding the Public Hearing tonight we are following our required process regardless of where the applicant is with the Zoning Board of Appeals.

**CLOSE  
PUBLIC  
HEARING**

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

THEREFORE BE IT RESOLVED, that the Public Hearing be closed at this time.

Motion carried  
Five votes in favor  
None opposed

Discussion continued on the site plan for review purposes that included number of signs, placement, zoning requirements with regard to the car wash as an accessory use. Tom Slater read a letter that he submitted to the Planning Board in reference to the 2005 ExpressMart application (see attached).

**MOTION**

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

THEREFORE BE IT RESOLVED that the Village of Macedon Planning Board declares itself lead agency under SEQR for the ExpressMart application.

Motion carried  
Five votes in favor  
None opposed

The following MOTION was made by Kim Thompson and seconded by Dennis Berryman:

THEREFORE BE IT RESOLVED that the Village of Macedon Planning Board classifies the ExpressMart application an unlisted action under SEQR.

Motion carried  
Five votes in favor  
None opposed

Mike Curry reviewed the variances that have been applied for to the Zoning Board of Appeals.

The Planning Board makes recommendation to the Zoning Board of Appeals for the variances requested on the ExpressMart application in that it finds no significant impact in terms of their site plan review.

**LAWSON &  
WHITING**

Richard Deis was present to represent this special use application to operate as an inspection station – motor vehicle repair shop for heavy trucks. This is a new NYS requirement for them to continue their current operation in order to inspect the equipment that they build before it can moved to it's final work location. The Planning Board stated that in order for them to approve a special use on this property, they would require that the property become in conformance as per stated in the previous application. This would require a subdivision of the current property to separate the mini-storage, industrial business and the residential uses as well as addresses the water line connection issue. The applicant agreed to re-activate the previous application to bring it into conformance and the Board agreed to work on both applications concurrently.

**VELOCITEL/  
CINGULAR  
WIRELESS**

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

THEREFORE BE IT RESOLVED that having received letter dated May 11, 2007 from applicant that they do not wish to further pursue this application at this time, the Planning Board denies said application without prejudice.

Motion carried  
Four votes in favor  
One abstained  
None opposed

**ADJOURN**

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

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

THEREFORE BE IT RESOLVED, that the meeting be adjourned.

Motion carried  
5 votes in favor  
None opposed

The meeting was adjourned at 10:15 p.m.  
Respectfully submitted,

Lisa M. Davis  
Planning Board Secretary