

Village of Bloomfield Planning Board meeting of February 13, 2014

The planning board meeting was called to order at 7:00 p.m. by Chairman Dan Morley. Present were: Dan Morley, Nancy Witt, Nikki Every and Ken Martin. Gail Harrington and CEO Andy Hall were excused. Also present were guests: Nancy Long, John O'Mara, Terry and Estelle Hall, Jay Mitchell, Jim and Pam Perkins, Terry Baird, Peter and Colin Bruckel, John Sciarra, and William LaForte (atty. for Mr. Bruckel). The meeting was held at the Village Office, located at 12 Main St.

Dan motioned, Ken seconded and it was unanimously carried to accept the minutes of the January 9 meeting as submitted. Dan motioned, Nancy seconded and it was unanimously carried to accept the minutes of the January 23 meetings as submitted.

Privilege of the Floor: Jim Perkins addressed the board concerning the restaurant located at 5 Main St. He is concerned that the new project for the convenience store/gas station on the corner proposes a fence along the western border. His comments included:

1. The fence will eliminate his access to the rear of his property on the eastern side.
2. He feels that the existing vegetation, including pine trees, should serve as adequate buffer without the need for a fence.
3. Without access to the rear of the property from the east, there can be no garbage pick-up and the dumpster would have to be relocated in the easement on the west.
4. He feels that the CEO has overstepped his bounds in the number of visits to the business regarding needed repairs to the outside of the building which resulted from a car accident.

Dan Morley responded:

1. Any concerns about the CEO should be directed to the mayor and trustees
2. The Village zoning code requires buffering for the drive-thru restaurant proposed for the adjacent property. The type of buffering will be discussed by the planning board as part of the project review.
3. There is a permanent easement on the western side of the property and it is the only legal access to the rear of his business.
4. The access on the eastern side has always been at the generosity of the adjacent property and is not a legal right.
5. The concerns expressed are a civil matter between the property owners of both his restaurant and the adjacent parcel. Although the planning board is sensitive to the problems, they do not have the authority to resolve the matter.

EAF for 3 Main St. site plan: Dan Morley motioned and Nikki Every seconded the following: WHEREAS, on January 13, 2014, the Village of Bloomfield Planning Board passed a Resolution to seek Lead Agency status, pursuant to the State Environmental Quality Review Act (hereinafter "SEQR"), for a review of a project known as "Bloomfield Crossing"; and

WHEREAS, the Village Clerk has served by mail a "Notice of Intent to Establish Lead Agency" to all of the required or interested Agencies; and

WHEREAS, no Agency has filed an objection to the Village of Bloomfield Planning Board assuming Lead Agency status for this project;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the Village of Bloomfield, New York, that it does hereby establish itself as the Lead Agency for a coordinated SEQR review of an unlisted action regarding the Application for a Preliminary Site Plan Review, dated December 23, 2013, submitted by PEMM to expand the existing building at 3 Main Street, Bloomfield NY.

The roll call vote was: Nikki Every– yes, Ken Martin - yes, Nancy Witt – yes, Dan Morley – yes and Gail Harrington – excused and the resolution was duly adopted.

The board reviewed part 2 of the EAF for the preliminary site plan application to expand an existing gas station/convenience store on the northwest corner of Main and Elm Streets. Dan Morley reminded the board that they are to conduct the environmental review for this project as it is proposed and further that environmental reviews are intended for planning boards without

the need for outside experts. The board members are not assumed to be experts and are required only to deal with impacts that are reasonably foreseeable. Highlights of the review include:

1. Impact on Land – consensus to answer “Yes” based upon answers in part 1 but determined that for subsections a-g there would be little or no impact and added further that the development of the vacant lot will have a positive impact.

2. Geological Features – consensus to answer “No” as there are no unusual landforms present on site

3. Surface Water – decision tabled until Feb 27 as Nancy Witt has concerns with subsection 3d as the project lies near a DEC stream and would like the engineer’s opinion. The following was noted:

A. The engineer has already reviewed the project and expressed no concerns for any negative impacts upon surface water

B. DEC guidelines do not require a SWPP for disturbances of land in amounts less than 1 acre.

C. Subsection 3j - only normal yard sprays are proposed.

D. There are currently 3 large culverts under the property that feed into the stream. The runoff from this project will tie into the existing system.

4. Groundwater - consensus to answer “No” as there is no aquifer located on this site and no new or additional uses of ground water proposed

5. Flooding – consensus to answer “No” as this parcel does not lie within the 50 or 100 year flood plain.

6. Air – consensus to answer “No” as the only impact on air quality will be a temporary increase in predictable noise resulting from construction

7. Plants and Animals – consensus to answer “No” as there are no endangered species or flora present on the site

8. Agricultural Resources – consensus to answer “No” as this parcel does not lie within the agricultural district nor is it located adjacent to agricultural land.

9. Aesthetic Resources – consensus to answer “No” as this parcel is not located near any officially designated resources.

10 Archaeological and Historic Resources – answered “Yes” based upon answers in part 1 but consensus that the impacts are little to none as OPRHP was contacted and sent a written response that the project will have no impact upon any cultural resources.

11. Open Space and Recreation – consensus to answer “No” as this project lies within a commercial district and there are no recreational resources located at or near this site.

12. Critical Environmental Area – consensus to answer “No” as there is no CEA within the Village of Bloomfield.

13. Transportation – decision tabled until Feb 27 as there are concerns about increased traffic and Nancy Witt would like the opinion of the engineer. The following was noted:

A. Nancy Witt feels that the drive-thru may generate more traffic onto Main St. than can be accommodated by the existing road

B. Nancy Witt feels that concerns raised by the public should be included in subsection f.

C. DOT has expressed no concern for a need to re-configure the road as a result of this project.

D. Dan and Ken feel that the proposed traffic flow is an improvement over the existing pattern

E. There will be a new access onto Elm St. further from the corner than the existing access and the second access on Main St., closest to the corner will be eliminated.

14. Energy – consensus to answer “No” as this addition to an existing business will not generate any changes in energy use beyond the expected increase in electricity normally associated with the business.

15. Noise, odor, light – consensus to answer “Yes” but no consensus on the size of impact so it is tabled until Feb. 27. Nancy Witt would like the opinion of the engineer. She has concerns about the effect of the post lighting.

16. Human Health – consensus to answer “No” as no contaminants will be introduced and the parcel is not under any remediation.

17. Community Plans – no consensus so it is tabled until Feb 27. There is disagreement as to whether the question includes the need for area variances. The following was noted:

A. The project does not comply with all of the regulations in the zoning of the village center district but does comply with the goals in the comprehensive plan.

B. Dan feels that there will be no negative impacts upon community growth as the result of the building improvements.

C. Nancy Witt feels that the remaining vacant land will be compromised in terms of desirability for future development if it is located between a gas station and a wastewater treatment plant.

18. Community Character – no consensus so it is tabled until Feb 17. The board was reminded that the issue with the adjacent restaurant located to the west is an emotional issue and not a legal or planning issue.

The board will discuss items 3, 13, 15, 17 and 18 at the Feb 27 meeting and will make an environmental determination at that time as a full board.

Sign application

The planning board will review the sign law to make a determination on a sign proposal for a free-standing sign on East Main St. This will be discussed at the Feb 27 meeting.

Adjournment: Dan motioned, Nancy seconded and it was unanimously carried to adjourn the meeting at 9:10 p.m.

Respectfully submitted,

Kathleen Conradt
Clerk