

**Town of Alexander**  
**PLANNING BOARD REGULAR MEETING**  
**AND PUBLIC HEARING**  
**September 24, 2007**

Present: David Kelsey, Chairman; Michael Schmieder, Linda Higley, John O'Neil (7:15);  
Laura Schmieder, Recording Secretary  
Absent: Robert Kelsey  
Guests: Randall Wall

The Chairman called the meeting to order at 7:00 p.m. On motion by Michael Schmieder, seconded by Linda Higley, and carried, the minutes of the August 29, 2007 meeting were approved as written. 3 – Yes 0 – No Motion carried

Motion by Linda Higley, seconded by Michael Schmieder, and carried, to finalize the land separation request from Jantzi/Bontrager-tax map #14-1-1, as all paperwork has been submitted and filed. 4 – Yes 0 – No Motion carried

The Chairman opened the Public Hearing at 7:09 p.m. Randy Wall answered questions from the Board in regard to the comments made by the County Planning Board. There is a drainage swale that will have to be re-routed once construction begins. Randy addressed this in his proposal-that he will be re-routing this particular drainage ditch to go around his proposed building sites.

The Board discussed the criteria on the SEQRA form. As the re-classification of this parcel required a Type I Action, the short form of SEQRA is applicable to this action. The following resolution was then acted on:

**WHEREAS**, all Planning Board Members, having due notice of said meeting, and that pursuant to Section 94 of the Public Officers Application (Public Meetings Application), said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by application; and

**WHEREAS**, the Planning Board of the Town of Alexander is considering an application for the construction of a self service storage facility to be located on the east side of Route 98 at the end of Dodgeson Road, being parcel number 15-1-12.12 and consisting of four (4) self service storage units with individual footprints of approximately 34' x 150' of wood, pole barn type construction with metal siding, a copy of said application is attached hereto as **Exhibit A**; and

**WHEREAS**, pursuant to §305 a. of Article 25-AA of the New York State Agriculture and Markets Law, an Agricultural Data Statement was completed and submitted by the applicant as part of the application which acknowledges that there are no actively farmed parcels located within five hundred (500) feet of the project parcel and no further compliance with said law is required, a copy of said statement is attached hereto as **Exhibit B**; and

**WHEREAS**, pursuant to sections 239-l and 239-m of the General Municipal Application, said application was submitted to the Genesee County Planning Agency for their review and recommendations and at their September 13, 2007 meeting stated that the proposed project will not pose any significant, adverse environmental impacts upon the surrounding uses, a copy of said comments is attached hereto as **Exhibit C**; and

**WHEREAS**, in accordance with Article VIII of the Town of Alexander Zoning Law, specifically §808 C. (1), notice was sent by regular mail to the following property owners situated within two hundred fifty (250) feet of the project property which is located in a Commercial District:

1. Lenape Resources, 9498 Alexander Road, Alexander, New York
2. Todd & Romana Denbesten, PO Box 344, Valatie, New York
3. Edward & Sophie Tydelski, 3781 Dodgeson Road, Alexander, New York
4. Peter Baudanza, 9463 Alexander Road, Alexander, New York
5. Myron Day & Norma Nelson, 16 Webber Avenue, Oakfield, New York; and

**WHEREAS**, a Notice of Public Hearing was duly advertised in the Batavia Daily, the official newspaper of said Town, on or about the 10<sup>th</sup> day of September 2007 advising that a public hearing would held on the 24<sup>th</sup> day of September 2007 at 7:00 p.m., a copy of said affidavit is attached hereto as **Exhibit D**; and

**WHEREAS**, pursuant to Part 617 of the implementing regulations pertaining to Article 8 State Environmental Quality Review Act (SEQRA), the Planning Board of the Town of Alexander sought lead agency by Resolution dated August 29, 2007, a copy of which is attached hereto as **Exhibit E** and conducted an uncoordinated review and proceeded as if it were the only involved agency; and

**WHEREAS**, the Planning Board, pursuant to and in accordance with, the provision of Section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations, completed a short Environmental Assessment Form for an Unlisted Action, a copy of which is attached hereto as **Exhibit F**, took a hard look at the environmental impacts of the proposed action; considered the project; thoroughly analyzed the relevant areas of potential environmental concern, impacts and magnitude and hereby finds and determines that said project will not result in any large and important environmental impacts.

**NOW, THEREFORE, ON MOTION OF** Michael Schmieder, which has been duly seconded by Linda Higley, therefore be it

**RESOLVED**, by the Town of Alexander Planning Board, as Lead Agency, with reference to said project hereby adopts a negative declaration pursuant to 6 NYCRR Section 617.7 and authorizes the Chairman of the Town of Alexander Planning Board to sign the Negative Declaration determination of non-significance with respect to the proposed project, a copy of which is attached hereto as **Exhibit G**.

4 – Yes 0 – No Resolution carried

On motion by John O’Neil, seconded by Michael Schmieder, the public hearing closed at 8:00 p.m.

The resolution for the site plan approval for Randall Wall’s self service storage facility is as follows:

**WHEREAS**, all Planning Board Members, having due notice of said meeting, and that pursuant to Section 94 of the Public Officers Application (Public Meetings Application), said meeting was open to the general public and due and proper notice of the time and place whereof was given as required by application; and

**WHEREAS**, the Planning Board of the Town of Alexander is considering an application for the construction of a self service storage facility to be located on the east side of Route 98 at the end of Dodgeson Road, being parcel number 15-1-12.12 and consisting of four (4) self service storage units with individual footprints of approximately 34' x 150' of wood, pole barn type construction with metal siding, a copy of said application is attached hereto as **Exhibit A**; and

**WHEREAS**, pursuant to §305 a. of Article 25-AA of the New York State Agriculture and Markets Law, an Agricultural Data Statement was completed and submitted by the applicant as part of the application which acknowledges that there are no actively farmed parcels located within five hundred (500) feet of the project parcel and no further compliance with said law is required, a copy of said statement is attached hereto as **Exhibit B**; and

**WHEREAS**, pursuant to Sections 239-l and 239-m of the General Municipal Application, said application was submitted to the Genesee County Planning Agency for their review and recommendations and at their September 13, 2007 meeting stated that the proposed project will not pose any significant, adverse environmental impacts upon the surrounding uses, a copy of said comments is attached hereto as **Exhibit C**; and

**WHEREAS**, in accordance with Article VIII of the Town of Alexander Zoning Law, specifically §808 C. (1), notice was sent by regular mail to the following property owners situated within two hundred fifty (250) feet of the project property which is located in a Commercial District:

1. Lenape Resources, 9498 Alexander Road, Alexander, New York
2. Todd & Romana Denbesten, PO Box 344, Valatie, New York
3. Edward & Sophie Tydelski, 3781 Dodgeson Road, Alexander, New York
4. Peter Baudanza, 9463 Alexander Road, Alexander, New York
5. Myron Day & Norma Nelson, 16 Webber Avenue, Oakfield, New York; and

**WHEREAS**, a Notice of Public Hearing was duly advertised in the Batavia Daily, the official newspaper of said Town, on or about the 10<sup>th</sup> day of September 2007 advising that a public hearing would held on the 24<sup>th</sup> day of September 2007 at 7:00 p.m., a copy of said affidavit is attached hereto as **Exhibit D**; and

**WHEREAS**, pursuant to, and in accordance with, the provision of Section 617.6 (Initial Review of Actions and Establishing Lead Agency) of the New York State Environmental Quality Review Regulations (6 NYCRR part 617) the Planning Board of the Town of Alexander sought lead agency, by Resolution dated August 29, 2007, a copy of which is attached hereto as **Exhibit E**, for purposes of SEQRA and conducted an uncoordinated review and proceeded as if it were the only involved agency; and

**WHEREAS**, pursuant to Part 617 of the implementing regulations pertaining to Article 8 State Environmental Quality Review Act (SEQRA) by the completion of a Short Environmental Assessment Form for an Unlisted Action, the Planning Board took a hard look at the environmental impacts of the proposed action and hereby finds and determines that it has considered the Action, reviewed the short environmental assessment form, a copy of which is attached hereto as **Exhibit F**, thoroughly analyzed the relevant areas of potential environmental concern, duly considered all of the potential project environmental impacts and their magnitude in connection with the proposed action will not result in any large and important environmental impacts, and, therefore, is one which will not have a significant impact on the environment; and

**WHEREAS**, the Planning Board, as Lead Agency, with reference to said project hereby adopts a negative declaration pursuant to 6 NYCRR Section 617.7 with respect to the action and authorizes the Chairman of the Town of Alexander Planning Board to sign the Negative Declaration determination of non-significance with respect to the proposed project, a copy of which is attached hereto as **Exhibit G**; and

**WHEREAS**, in accordance with the Zoning Law of the Town of Alexander, specifically, Article VII, §808 C. (2), the Planning Board of the Town of Alexander has reviewed the application, the submission of site plan and date and considered the site plan review criteria and finds that said application hereby is in compliance with the same.

**NOW, THEREFORE, ON MOTION OF** Michael Schmieder, which has been duly seconded by Linda Higley, therefore be it

**RESOLVED**, that the Planning Board of the Town of Alexander feels it is in the best interests of the Town to approve the site plan, as presented by the applicant, relative to the construction of a self service storage facility to be located on the east side of Route 98 at the end of Dodgeson Road, being parcel number 15-1-12.12 and consisting of four (4) self service storage units with individual footprints of approximately 34' x 150' of wood, pole barn type construction with metal siding.

4 – Yes 0 – No Resolution carried

On motion by Michael Schmieder, seconded by Linda Higley, and carried, the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Laura Schmieder  
Recording Secretary