

Village of Bergen  
Planning Board Meeting  
March 20, 2013

**Planning Board Attendees:**

Vickie Almquist, Chairperson  
David Burke  
Mike Fleming  
Cyndi Utter Payne  
Vicky Truax  
Christina Bergeron, Alternate  
René Vurraro, Secretary

Other attendees: Kamaljit Sembhi, Kamaljit Sembhi Jr., Carl Schoenthal, Mayor Ralph Marsocci, William Waldruff

Meeting Opened at 7:35 pm

**Approval of meeting minutes:**

A motion to approve the meeting minutes of the Planning Board meeting held February 20, 2013 was made by Cyndi Utter Payne and seconded by Vicky Truax. The motion carried by the following vote:

Chairperson Almquist – aye  
David Burke - aye  
Mike Fleming – aye  
Vicky Truax – aye  
Cyndi Utter Payne - aye

**Reports**

Chairman Almquist thanked René Vurraro for setting up the recent Planning Board training on March 13, 2013. She noted that it was well attended and very informative.

**Public Hearing open at 7:35 pm.**

The purpose of the Public Hearing is for the site plan and special use permit application of the Bergen Country Deli, located at 8073 Clinton Street Road. These applications were sent to the Genesee County Planning Board and the Genesee County Planning Board Zoning Referrals Notice of Action was received and approved with the following modifications:

1. The applicant eliminates the four parking spaces south of the proposed convenience store in order to minimize conflict points with the entrance and

drive-thru exit, as well as to prevent vehicles from backing onto the public right-of-way.

2. The applicant works with the NYS Department of Transportation to determine whether the size and location of the curb cuts provide adequate and safe access to and from the property
3. The applicant shall comply with the Village's Zoning Law as it pertains to signage.

A brief overview of the project was done by the applicant for those attending the Public Hearing.

### **The applicant addressed the proposed modifications:**

#### **Addressing the first modification (parking on south side of store)**

The applicant agreed to remove the 4 parking spaces south of the proposed store, adding two to the east side of the building and adding one to the north parking area, bringing the total number of spaces up to 15, the required amount. There will be one handicap parking space, which meets the requirements.

#### **Addressing the second modification (DOT and curb cuts)**

The applicant does not intend to change any entrance/exit to the property and has what they believe to be an adequate setback.

#### **Addressing the third modification (sign requirements)**

The applicant agreed to follow the Village of Bergen Zoning Law sign requirements and had already received the information for review.

#### **Privilege of the Floor:**

William Waldruff addressed the applicant, asking if the new facility would have a full-serve option. The applicant stated the initial plans are to have one pump that would be full-serve (gas pumping only).

Ken Kuter, CEO/ZEO for the Village of Bergen inquired about bulk ice sales and propane tank exchange, these particular items would require some additional permits. The Bergen Country Deli intends to sell bulk ice, but inside the store which would not require any permits and at this point in time would not be doing a propane exchange.

Carl Schoenthal addressed the DOT modification, stating that the applicant was concerned about having to contact the DOT when no changes are being made to the curb cuts and additional fees and permits were not part of the original project costs.

Ken Kuter, CEO/ZEO stated that Genesee County added modification 2 because the property is on a state road and he encouraged DOT's involvement on the project.

A motion to close the Public Hearing was made by Cyndi Payne Utter and seconded by Vicky Truax. The motion carried by the following:

Chairperson Almquist – aye  
David Burke - aye  
Mike Fleming – aye  
Vicky Truax – aye  
Cyndi Utter Payne – aye

The Public Hearing was closed at 7:42 pm

Chairman Almquist noted that if the Planning Board disapproved the

A motion to approve Site Plan 2013-01 for the Bergen Country Deli, agreeing with Genesee County Referral recommendations number 1 (eliminate 4 parking spaces on south side of building) and number 3 (sign requirements), overriding number 2 (DOT curb cuts) based upon no changes proposed to current curb cuts and the fact that it was adequate for previous business was made by Cyndi Utter Payne and seconded by Vicky Truax. The motion was carried by the following vote:

Chairperson Almquist – aye  
David Burke - aye  
Mike Fleming – aye  
Vicky Truax – aye  
Cyndi Utter Payne – aye

Chairman Almquist and the Planning Board stated that they do not see any reason to have the DOT get involved with the project because no changes are being made to the curb cuts and entrance/exits to the property and these were adequate in the past.

A motion to approve the Special Use Permit 2013-02 Gas Station/Market a permitted use in a C-2 district with a special use permit, for the Bergen Country Deli was made by Cyndi Payne Utter and seconded by Mike Fleming. The motion was carried by the following vote:

Chairperson Almquist – aye  
David Burke - aye  
Mike Fleming – aye  
Vicky Truax – aye  
Cyndi Utter Payne – aye

**Adjournment**

A motion to adjourn was made by Vickie Almquist and seconded by Vicky Truax. The motion carried by the following vote:

Chairperson Almquist – aye  
David Burke - aye  
Mike Fleming – aye  
Vicky Truax – aye  
Cyndi Utter Payne – aye

The meeting was adjourned at 8:00 pm

Respectfully submitted,

René Vurraro  
Village of Bergen Planning Board Secretary

**Completed Training Hours (June 2012 – May 2013)**

Chairman Vickie Almquist

2 hours complete – Bergen Planning Board Training 3/13/13

Vicky Truax

2 hours complete – Bergen Planning Board Training 3/13/13

Cyndi Utter Payne

2 hours complete – Bergen Planning Board Training 3/13/13

David Burke

6 hours – Fall Local Government 2012 11/16/12

Mike Fleming

2 hours complete – Bergen Planning Board Training 3/13/13

Ken Steinmetz

0 hours complete

Christina Bergeron

2 hours – Planning Board training Corfu 10/24/13