

**PLANNING BOARD MEETING  
NOVEMBER 5, 2002**

**CALL TO ORDER:7:03**

**BOARD MEMBERS PRESENT:**

Chairman Robert Garlick  
Carol Nellis-Ewell  
Denny Marra  
Tom Fairbrother  
Joe Slominski

**BOARD MEMBERS ABSENT:**

**OTHERS PRESENT:**

Margaret Gioia/Planning Board Secretary  
Mayor Ted Walker  
Ted Rauber/Village Trustee  
Jack Crooks/Building Inspector  
John Stapleton/400 Whitney Road, Penfield, NY  
Robert Burgdorf/Clinton Square, Rochester,  
Mark Camelery

**Public Hearing**

Comprehensive Plan 2002 Revision

Chairman Garlick opened the Public Hearing on the Comprehensive Plan 2002 Revision at 7:03 p.m.

Chairman Garlick asked the public for any comments.

Mayor Walker: Complimented the Planning Board on a fine product. It's a lot of work. I just have one question why was it recommended to review it in another ten years?

Chairman Garlick: We left some latitude; it was a number that we just picked. It probably would take us that long to get it completed. When looking thru the Comprehensive Plan I did find some typos and I would ask Mr. O'Toole how to handle them?

Attorney O'Toole: They are technical revisions. Cross them out and write on the Comprehensive Plan and give revised draft to the Village Board.

Trustee Rauber: On behalf of the Village Board "Nice job"

Chairman Garlick closed the Public Hearing on the Comprehensive 2002 Revision at 7:15 p.m.

Resolution: 11/02

**INTRODUCED BY:** Chairman Garlick  
**SECONDED BY:** Tom Fairbrother

**RECOMMENDATION RESOLUTION OF COMPREHENSIVE PLAN COMMITTEE**

**RE: RECOMMENDATION TO THE VILLAGE BOARD OF TRUSTEES  
REGARDING OF “Village of Spencerport Comprehensive Plan”**

**Whereas**, the Comprehensive Plan Committee has caused to be drafted a comprehensive plan entitled “Village of Spencerport Comprehensive Plan – 2002”; and

**Whereas**, the Comprehensive Plan Committee did schedule a public hearing for the date and notice of same was published as required as required by law; and

**Whereas**, a copy of said plan had been timely transmitted to the Monroe County Planning Department prior to the public hearing; and

**Whereas**, the public hearing came on to be heard and opportunity for public comment was given to all interested parties;

**NOW THEREFORE BE IT RESOLVED,**

**Section 1.** That the Comprehensive Plan Committee does recommend that the Village Board of Trustees adopt “Village of Spencerport Comprehensive Plan – 2002” and be it further

**Section 2.** That the Planning Board Secretary transmit a copy of the resolution and “Village of Spencerport Comprehensive Plan – 2002” to the Village Board of Trustees along with the Long Form Environmental Assessment Form prepared by this committee.

Ayes: Garlick, Fairbrother, Marra, Nellis-Ewell, Slominski  
Nays: None

**Unfinished Business**

Chairman Garlick stated that the Public Hearing for ESL is still open. He further stated that there were significant changes since the last meeting.

Robert Burgdorf (Nixon Peabody): On behalf of ESL also with me is John Stapleton, engineer with Parrone Engineering. This application is to replace the Char-Broil at 41 Nichols Street. We would like to replace it with an ESL Automatic Teller Machine Station. This board met September 3, 2002 and reviewed the project in detail. The remaining issues left were; traffic circulation. The way the board left it was they asked the applicant to go back to the DOT to get conclusions. To see if the DOT thought it was better to have access run counter clockwise or would it be better as proposed, running it clockwise. So that the exit would line up with McDonald's ingress and egress point. The DOT came back and were very clear, they thought it should be clockwise. However, they made an additional change that they wanted to pull the stacking lane further to the east. So that the entrance is actually off of the property owned by ESL and on to DOT property. That is what led to this modified plan which was submitted to the town. We asked for an amendment to the application for the new site plan that is in front of you. This traffic plan would require the property line to run on the DOT property. Then there is the portion that would be owed by ESL and there is also a sliver in there which would encroach onto the property to the south. ESL approached that neighbor and there would be some benefits to that neighbor. When this is developed and DOT likes the idea of centralizing the ingress and egress of both parcels at this point. The owner could utilize the ingress and egress with having better access to Route 31. But during the course of our process we were notified by Mr. Crooks that the property was sold. So we need to start back at square one with the new owner. We have just recently contact the new owner who is here tonight. He has only had these plans for one day, so he needs to look these over. Any approval would be conditioned on us reaching an agreement with the new land owner to the south. It would mean putting a little pavement on their property, with a view towards eventually opening that up as they come to the board for development with a cross easement so they can use it as well. If that doesn't pan out we will be back. But again any approval would be conditioned on that. We have also met with the Architectural Review Board on September 18, 2002 and received approval from them. On September 19, 2002 we received the required set back variances from the Zoning Board of Appeals. Now we are back to this board for the remaining approval which is Site Plan approval as amended by the DOT plan. So this is where we are now and I will take any questions from the board.

Chairman Garlick: They gave you set backs for the original lot?

Robert Burgdorf: We originally asked for amended and additional set backs. We thought it might come further back. We had some misinformation.

Chairman Garlick: Have you heard from the DOT on this revised plan?

Robert Burgdorf: This is their plan.

John Stapleton: This is revised in accordance with the letter that they provided. We resubmitted on or about October 25, 2002. But to answer your questions no we have not heard back from them yet.

Chairman Garlick: On the two major issues I would ask the board for any comments.

John Stapleton: My conversation with the DOT was that they weren't going to allow access to Route 259. That is why the DOT is the one who actually made the proposal. They felt that it was a "win, win" situation, for ESL because it increases our stacking and reduces the possibility of vehicles cueing out onto the highway. It also provides viable access to the parcel to the south.

Robert Burgdorf: It could also end up having egress from the property to the south too.

John Stapleton: No, it would be ingress and egress.

Denny Marra: But then you're fighting your concept because you're going against the traffic flow. Which personally I am surprised the DOT is allowing. Now by coming in your saying that this parcel owner, by DOT suggestion, this is where you can come and go. But you still have to come back for approvals. You're saying ingress which I disagree with and saying to the other parcel, ingress and egress.

Robert Burgdorf: I don't know if they were talking right turn only.

John Stapleton: This for us would be ingress now, and that is how we would construct it. It would be reserved as ingress and egress for the parcel to the south.

Denny Marra: Providing approvals are granted.

Robert Burgdorf: Absolutely, the DOT would not take away the zoning powers of this board. The DOT is suggesting that they would be comfortable with this traffic arrangement for the property to the south. That doesn't mean that they would change the zoning.

Denny Marra: Then why preliminarily are we putting it in? If you we're going to look down the road to the future. I'm going to go back to my original statement. If the bowling alley gets sold, this is hypnotically now, there is going to be development. Now where Mr. Schum's property is next door the curb cut is ingress and egress. What if they decide to put up a delineation there, they can no longer go out the bowling alley side. Now what we are doing is clustering up in a short distance from Route 259 five

Denny Marra continues: driveways. That's why are we here? I'm looking down the road because I think that is a charge for this Planning Board. We don't need a bigger disaster nor do we need to help a disaster happen up there. We can't disregard something from being developed on the corner. I still say I'm totally against it. Once you put in the kiosk and your stacking people coming in. What about the people counting their money going out? People come out of an ATM and count their money. You need the stacking over there. If in accordance with ESL's theory and it doesn't work then you want to make a change you have to move the kiosk? Don't get me wrong I think it's a great plan and it belongs there. It will get good use.

Robert Burgdorf: Your saying people come out of here and they stop to count their money will cause a stacking problem or a traffic hazard? I'm not sure I follow that.

John Stapleton: Generally, with the ATM's your not looking at a cueing or a stacking problem on the exit. It is usually on the entrance, so we were looking at maximizing that as best a possible. The DOT is looking at this and looking forward saying if we allow ESL a small version of this one-way traffic pattern. Then the parcel to the south comes in we really can't deny them access. Now your going to have three versus the arrangement now of two.

Denny Marra: DOT is looking down the road and I'm trying to look down the road to things that have happened before where it has caused a problem and now try and fix it. Here is a chance where we as a board and the developer to work with it and make it a little bit easier from a traffic flow stand point. So if down the road something happens with the property next door on either side it's not going to have an effect on traffic.

Tom Fairbrother: Would you happen to have a map of this presentation that would show both properties on either side.

Mr. Burgdorf produced a map then he, John Stapleton, and the board reviewed said map. They also discussed the ingress and egress question.

Denny Marra: You stated earlier that the DOT said that they would not allow another curb cut on Route 259.

Robert Burgdorf: That is my understanding.

Denny Marra: So this piece of property if we go with your presentation is already going to have an ingress/egress mentioned on the plans. That piece of property if I'm not mistaken is going to have restricted use just because of the parcel it is. So the only other chance is to come out on Timber Ridge, and that is going to be plugged.

Jack Crooks: I think your right. It will depend on the type of use, if that is developed into its currently zoned single family residential. I suspect that some kind of commercial development would be likely. I think that it is worth noting that we had prior application for small restaurant. But NYS DOT suggested that they acquire the property that now belongs to ESL. To have ingress/egress located approximately where it is suggested at this point to get it far enough away from the intersection to allow cueing. That folded because the DOT said at that time we don't want any more access to Route 31 east of this current location where the Char-Broil is. That is where they came up with this marriage so we really don't inhibit the development of this project. That is the history that I know.

Mark Camelery: They wanted a low use impact on this corner. Obviously, I had to purchase the Char-Broil to make this happen for the high use I wanted. The DOT thought it was a good marriage with ESL and the use of the corner land, because of the peak traffic in the afternoon.

Robert Burgdorf: Both properties would share this access point. The cross access doesn't necessarily have to be executed. In other words if Mr. Camelery allows us to install this and we grant an easement to him then it comes before this board and you decide that it is not the appropriate access for you. It can be placed at another spot. In other words while he has that option of using that with the approval of the board he is not forced to. I think that what the DOT is saying is that if you want access out onto Route 31 that is where it has to be. I think they are saying that if we allow that to happen then we know we are going to get a combined access rather than an additional access.

Denny Marra: For the interest of both parties I would rather resolve it now. Then have to come back and deal with the changes. If it is going to be ingress/egress on one then why can't it be made bigger to make both shared occupancies? Instead of exiting out or entering into where Mr. Schum's property is what if you come in drive around to the kiosk and then exit out, that allows sharing of this piece of property. Come in and out of the same driveway. Imagine now, one car going to ESL, a car coming into lets say a donut shop, and a car coming out of the donut shop your going to play bumper cars right there.

John Stapleton: This will be nothing more than a T intersection at some point in the future. I would love to be able to come in one and go out the same, but unfortunately the geometry of the lot isn't big enough. It doesn't allow me to get proper turning movements for a vehicle to come in access the ATM turn around and come back out.

Tom Fairbrother: Does the width of the NYS right-of-way change somewhere across that parcel?

John Stapleton: It actually changes beyond our parcel.

Tom Fairbrother: So the whole ingress/egress is in the right-of-way?

John Stapleton: Yes, it is.

Denny Marra: I know that DOT will not admit to it but from studies I have had in the past the traffic is a lot greater than what they had projected. You guys said that about 150 cars, that's about five times more than the current use is. So we are definitely adding. The chances of that ATM being used between 10 a.m. and 3 p.m. is lot less likely than at 6 a.m. and then later on at night. You're still adding five times the amount of traffic than this current use. That is my concern. If we put in something with minimal impact on the corner I'm hearing that Route 259 is not going to be open for a curb cut by NYS. So now what do we do with that? I say we need to correct it now even though it's against your individual application.

Robert Burgdorf: Correct it? In what ways, what would be another suggestion?

Denny Marra: I don't know. You're adding 100 to 150 more cars per day. If usage goes up and it becomes a popular ATM you could have 250 to 300 cars for ESL. It's really going to make a problem with traffic. You have peak traffic coming and going out of that plaza now with McDonald's, and other businesses. I think it's just going to be tough coming in. DOT may think cross intersection is good but I just don't think it's going to work there. That is my opinion.

John Stapleton: I think one of the things we need to look at is what flexibility would we have. In other words if we get together with the developers to the south the DOT has already told us where they want this. I'm going to assume they want it there because it's the safest place to put it. If you're not going to allow access onto Route 31 for the parcel to the south it's a mute point. If they say they want it moved where are we going to move it to where DOT will allow it?

Denny Marra: I'm not saying move it. I'm saying make provisions for it now. Is it possible to make it wider?

Denny Marra to Attorney: If there plan is approved what did we do to the property on the corner? Have we blocked it in?

Attorney O'Toole: You haven't blocked it in. What we have essentially done however is locked in the location of the DOT curb cut. They love alignments and access management. They are not going to move that or split it open.

Trustee Rauber: If I'm pulling out of McDonald's parking lot I have the option of a left turn lane, a straight ahead lane, and a right turn lane correct?

Denny Marra: If you pulled out of McDonald's you stand a chance to run across a car coming out to the Schum property and a car coming out of ESL. If you leave McDonald's and make a left where you could normally just drive straight across and go in and do your ATM business come out and go right on Route 259 and go to work. Now what you have got to do is leave McDonald's make a left then come into the opposite traffic lane. Then you have to make a right hand turn to get into ESL to use the ATM machine then go back out and make a right hand turn on Route 31.

Tom Fairbrother: How many lanes are there off of Nichols?

John Stapleton: When the parcel to the south gets developed there will be a double yellow line. One for ingress and one for egress, right now we would sign this as one way and when the development to the south gets developed it would become a two-way access.

Tom Fairbrother: Is the width wide enough to accommodate two lanes?

John Stapleton: It is 24 feet which is the standard commercial access for the DOT. Yes it is wide enough for commercial two-way access.

Chairman Garlick: It looks like at this point we are still missing some important documents; access agreement, grading agreement with the Schum property and the property to the south. We also have not received final approval from the DOT.

John Stapleton: Usually that doesn't come until well after Planning Board approval.

Chairman Garlick: The Architectural Review Board has been addressed and no additional zoning variances are required. Attorney O'Toole your comment about adding a note to the drawing stating "the cut not approved by the village for use for access to the property to the east"; that is just to show that it has to come before the board first?

Attorney O'Toole: Yes.

John Stapleton: We have no problem with that.

Chairman Garlick: Did you get a copy of Mr. O'Toole's letter?

John Stapleton: Yes, and we have our responses. We just didn't deliver them we were waiting to see if the board wanted anything additional.



Attorney O'Toole: On the note if you could reference the owner of the property "now formally Mark Camelery".

Chairman Garlick: There were comments from MRB/group?

John Stapleton: We have addressed those comments and have spoken with MRB/group. These plans are set to go back to them.

Chairman Garlick: I would like to have these documents in place to make sure we have everything the way we want it before we act on it. I also ask the board what their feelings are?

Attorney O'Toole: If I may Mr. Chairman, as for myself I don't need to see the access agreement before the board approves it. We can do it after the fact. Just make it subject to attorney approval.

Carol Nellis-Ewell: We need to note that the final DOT approval is pending.

Tom Fairbrother: Did Dave Willard of MRB/group accept you input?

John Stapleton: Yes, we went through it item by item and stated how we were addressing them.

At this point in the meeting the board went through the SEQR for this application.

#### SEQR Resolution

**RESOLUTION:** 11/02-2

**INTRODUCED BY:** Chairman Garlick

**SECONDED BY:** Denny Marra

Resolution was made by the Planning Board that the Site Plan Application of Eastman Savings and Loan for a single Drive Thru Kiosk at 41 Nichols Street is and Unlisted Action. Furthermore, the Board has completed and accepted the short Environmental Assessment form and find that the action will not result in any significant adverse environmental impact.

Ayes: Garlick, Marra, Fairbrother, Nellis-Ewell, Slominski

Nays: None

ESL Resolution

**RESOLUTION:** 11/2-3

**INTRODUCED BY:** Chairman Garlick  
**SECONDED BY:** Joe Slominski

“Resolved that the Planning Board grant contingent preliminary and contingent final site plan approval for the Eastman Savings and Loan Single Drive Thru at 41 Nichols Street as shown on the plans prepared by Parrone Engineering, 400 Whitney Road, Penfield NY dated 8/19/02 and revised 10/25/02. Said approval is contingent upon satisfactory submission of the following items:

- Submit **Written** shared agreement with adjacent property owners. This document to be reviewed and approved by the Planning Board Attorney.
- Submit **Written** grading agreement with adjacent property owners. (Also to be reviewed and approved by the Planning Board Attorney).
- Submit **Written** approval from NYS DOT.
- Address comments stated in Mr. O’Toole letter of November 1, 2002 to the Planning Board.
- Address comments stated in MRB/group letter dated October 31, 2002 by Dave Willard.

Ayes: Garlick, Slominski, Fairbrother, Nellis-Ewell

Nays: Marra

Denny Marra: I’m not opposed to the project but I want it noted that I’m opposed to the traffic pattern.

### **New Business**

1. Re-subdivision of Village Pines lots 15 and 30.

Chairman Garlick read a letter dated October 14, 2002 from John H. Sciarabba, Schultz requesting a change in the lot line between lot 15 and lot 30 of the Village Pines Subdivision.

Discussion ensued amongst the board about this application.

Resolution of Re-subdivision of Village Pines Lots 15 and 30

**RESOLUTION:** 11/02-4

**INTRODUCED BY:** Chairman Garlick  
**SECONDED BY:** Tom Fairbrother

“Resolved that the Planning Board has reviewed the proposed resubdivision of Lot 15 of Village Pines Subdivision, Section 1, and Lot 30 of the Village Pines Subdivision, Section 2 as depicted on the Plat prepared by Schultz Associates and submitted to the Planning Board determined that the proposed lot line modification falls within the requested laws, codes and regulations of the Village of Spencerport and the Planning Board has no objection to the proposed resubdivision.” On the condition the Planning Board requires that written approval from both property owners be filed at the village office.

Ayes: Garlick Fairbrother, Nellis-Ewell, Slominski, Marra  
Nays: None

2. Village Pines Annexation.

Kris Schultz: The last time we were in front of this board we presented nice color renderings of what we were going to do with the property. At that time we were also presenting this to the Village and Town Boards. When we spoke to the Village Board the chairman thought that we should have a work session meeting with this board. As you know we're trying to steer towards potential annexation first. That will tell us weather we go in front of this board or the Ogden Planning Board. So the annexation issue needs to be addressed first. What we have done here with this map is to show what we would be asking for with set backs, separation between buildings. We are looking at a front set back of about 40 feet, rear set back of 10 feet, and a minimum building separation of 20 feet for all the buildings shown except for the family residential ones that run along the top. Those would be the standard R-1 set backs. If you recall the single family residential now basically is our transition from the existing neighborhood. It is intended to be just like the neighbors to the north. Same size lots (85 X 150) and set backs. We felt that for the other buildings having a 20 feet set back would allow for vehicular access. So basically my understanding of a work session is that we jump into a topic that you have some concerns about.

Tom Fairbrother: What does the Village of Spencerport get out of this project?

Kris Schultz: Tax revenues, a type of housing that is currently not available in the village, and it gets a development that is a higher end type of development than what maybe built

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Kris Schultz continues: in the future on this piece. This piece of property sooner or later will be developed. We have tried to bring to the boards' attention that you have some good developers here. Ones who can build a good quality type house and also build something that has been asked for from people who came to their open house. So the village gets something that is filling a need by the residents of this village.

Chairman Garlick: So what you have shown here for the single family is a typical R-1 lot. You're maintaining the same features as what is on Hawthorne Drive. Where we break away from that is on Platinum Drive correct?

Kris Schultz: We purposely did it that way so we could transition to the other style of housing

Chairman Garlick: You indicated that there is another subdivision like this.

Kris Schultz: Yes it's opposite Eagle Val just north of the Village of Fairport.

Tom Fairbrother: What is different with this plan than the one you submitted before?

Kris Schultz: This is a response to the board's request, something scalable that you could look at. We need to start somewhere with it. If the board has specific concerns then we need to talk about them so we can get them resolved.

Chairman Garlick: Are the duplex type units in each building going to be on a separate piece of property?

Kris Schultz: It will be a true condominium. They will own it, the property lines will go inside the walls.

Chairman Garlick: So you're going 40 feet from the right-of-way?

Kris Schultz: Yes, so you really have a driveway that basically is 60 feet long.

Denny Marra: These distances here are they the same over at Eagle Val?

Kris Schultz: Yes.

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Carol Nellis-Ewell: I personally find it so different from Phase I and II. I'm just wondering do you have any idea what the position of the neighbors is. Have you talked to them?

Paul Crowell: I have had a couple of questions about traffic. Other than that several of them have said that they want one. They want the concept of not having to take care of a lawn.

Carol Nellis-Ewell: Is there any room to change the density? I still have a concern with the density and the number of units. I think it greatly stresses the services that we have. Education is totally an unknown; we don't know how many students are going to live there. But you know that you're going to have to provide fire services, volunteer ambulance services. Those are really taxed at this point.

Kris Schultz: That is a really good point and I would be happy to look into that question for you.

Carol Nellis-Ewell: It is well documented that residential services demand more and cost more than they really bring in.

Kris Shultz: Again, this development is targeted for the adult community.

Denny Marra: Having been to Eagle Val after I received these plans I just don't like the density.

Paul Crowell: The one thing that happens is that the further apart you put the buildings then there is more grass. This means more exterior maintenance.

Tom Fairbrother: There are three condos to each building?

Kris Schultz: Yes.

Tom Fairbrother: Are there the same number of units here as what is at Eagle Val?

Kris Schultz: They have a single road with units on each side. They don't have a loop configuration.

Denny Marra: Everybody asks the board where you are willing to bend. So I'm going to ask where you are willing to bend?

Kris Schultz: I guess the big thing that we were trying to do with this is basically put ourselves in the position where we could offer a significant contribution toward the big sewer bill. We are not trying to sell this as a site plan. All we are trying to do is right now is get an opinion from this board on if the development of this site can occur in this fashion. When we talked to the town board and showed them this layout we spent a lot of time on traffic. We had our traffic engineer do a full blown traffic report. It worked out so well that they pretty much had confidence that traffic was not going to be a major issue. We would repeat that at a Public Hearing and would take care of the traffic questions. Getting back to the Ogden Board they weren't in the position to say does Spencerport want it. They won't say great, they won't say we hate it. They are waiting for something to happen here. We would like to get this moving one way or another. Because this could not be annexed, there is no big pay off to the developer to have it brought into the village. The water will most likely be looped and end up with a water pit. We are not in the Spencerport Electric District.

Chairman Garlick: If you went with the town would you want to hook up to the sewers?

Kris Schultz: It would be the same as Hickory Hollow coming to you saying we want to use your sewers.

Chairman Garlick: But the cost of doing business would be the same?

Kris Schultz: Right. One advantage that I see being in front of this board is that this board is a Village Planning Board. It is different from the Town Planning Board. They have a different set of plans. I feel that this board would be more receptive to a village style development than the town.

Paul Crowell: If it stayed in the town then you're talking about garbage pick-up by private contractors. So it is going to add some additional truck traffic. I also think that there would be extra traffic with snow removal and road maintenance. The town trucks would be going down village streets.

Chairman Garlick: Would this require long form for SEQR?

Attorney O'Toole: Yes.

Chairman Garlick: Would the Village Board be lead agency do to the annexation process?

Attorney O'Toole: In coordination with the town board and Monroe County Planning.

Kris Schultz: Wouldn't you need to do two SEQRs, one for the annexation and one for Site Plan approval.

Attorney O'Toole: No, you could do them both under one.

Tom Fairbrother: Does this impact Route 531?

Kris Schultz: I don't think we are affecting Route 531.

Mayor Walker: Just a comment, but an approach that you might use is just identifying all the issues, concerns and note if what your concerns are. That would help in talking with the village and town board stating all the issues or concerns you had.

Kris Schultz: One of the things too that when we first looked at this we tried to match a zoning that would work. We could preserve all of the single family housing in that strip as R-1 and list the others as multi-family type subdivision. That is something that the board might feel is easier.

Tom Fairbrother: That makes a lot more sense to me, were talking about a PRD. If we knew that these all met R-1 that would take pressure of the board. Then free you to make a lot of decisions for those properties without having them approved by this board or anybody else. I don't see any plans for green space though.

Kris Schultz: Again, one of the problems that were trying to work threw is to generate enough information to the board so we can proceed with what we have on our minds for the approval process without bankrupting these guys.

Denny Marra: Kris, have you talked to the people in the other development in Fairport?

Kris Schultz: No.

Denny Marra: One of the concerns I see with developments like this is people's privacy in the backyard.

Kris Schultz: One of the ways they addressed that in Hilton was offering a lot of the units a sun porch off the back.

Trustee Rauber: There may be some questions on the drainage. So you might want to address the capabilities of retention up there so that a person downhill won't get flooded out.

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Kris Schultz: We have the wet lands on the Westside which is basically a giant sponge. On the east side we have access to the creek. The way we do storm runoff now is use computer modeling, so it's very easy to make sure its done right.

Denny Marra: Does any of this run off have to come into the village.

Kris Schultz: Yes, the east end will come into the village.

Trustee Rauber: Did we ever get the sewer flow rates with the impact of the increased housing.

Kris Schultz: No, but that is something we can do formally along with the other utilities.

Tom Fairbrother: Are you planning on installing natural gas in this whole development?

Kris Schultz: Yes, that is the plan.

Chairman Garlick: Where do we go from here as far as the annexation goes? Are you going to configure this with current zoning requirements and see what that does to your layout?

Kris Schultz: Yes.

Chairman Garlick: As far as the annexation process goes. What are the steps? I still don't have that clear in my head.

Attorney O'Toole: Technically this board doesn't have any say in the process. You can make a recommendation to the Village Board. You can also put conditions out on the table, but it is not required. Annexed or not the village board has to make a decision as to what the zoning would be and that could come from a recommendation of this board.

Chairman Garlick: So we are just acting as an advisory board to the Village Board?

Attorney O'Toole: That is correct.

Kris Schultz: Then I would assume that some time in the future, the mayor would call the town supervisor and say what do you think? Is this something that will go through or not? If it is a probable then that is when they would hold a joint meeting.



Chairman Garlick: I think we should look at this with in the current zoning of the village. Personally, I think we can do something.

Tom Fairbrother: Is there another standardized code that you could supply us with.

Kris Schultz: Absolutely. You also mentioned that you would like to see the traffic demo. Do you want that before or with the Public Hearing? I have some work in front of me. So when is your next meeting in December?

Chairman Garlick: Yes, the first Tuesday this would be December 3, 2002. You can bring the traffic flow demo to that meeting if you'd like.

Kris Schultz: Thank you.

### **Adjournment**

Motion was made by Chairman Garlick, seconded by Denny Marra and unanimously that the meeting be adjourned at 8:55 p.m.

