

**PLANNING BOARD MEETING  
MARCH 2, 2004**

**Present**

Chairman Robert Garlick  
Denny Marra  
Ronald Muraco  
Joseph Slominski  
Jackie Sullivan

**Absent**

Carol Nellis Ewell

**Others Present**

Mayor Theodore Walker  
Donna Stassen, Secretary Planning Board  
Thomas West, Superintendent of Public Works

William Puffer  
Ken Bracker  
Mark Cammilleri  
Mike Lauterborn  
Rob Fitzgerald

**Unfinished Business:**

Puffer sub-division and site plan approval.

Chairman Garlick: The board has had the opportunity to review the submitted plans dated 2/16/04. Based on the comments from Attorney Keith O'Toole it appears items 1-4 have been addressed

Chairman Garlick: Have you appeared in front of the Zoning Board?

Mr. Puffer: No.

Chairman Garlick: If we grant you approval tonight, it would be contingent upon approval of the required variances from the Zoning Board.

Chairman Garlick: Also, comments from MRB have all been addressed, I did notice that on your plans on the very north end of your property line you have a contour labeled 512 and that probably should be changed to 508.

Denny Marra: I am still concerned with making the contour 508 in the back. Can we bring that up to 509?

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Chairman Garlick: There is a swale between the two houses; that should take care of it.

Denny Marra: It appears to be going right on the lot line where probably it should go.

Chairman Garlick: Looking at where the contours are drawn, it should work out.

Tom West: The center of the swale will be entirely on Mr. Puffer's new lot.

Chairman Garlick: No, it will be in the center. There is a proposed new lot line, 10.1 feet off the existing house. That is the westerly swale there is also a swale proposed for the easterly side, which will be entirely on the new property.

Tom West: Jack Crooks and myself sat down yesterday and we talked about that swale. Where are the gutters going to be run to?

Mr. Puffer: I was going to take them out to the ditch the present house is done that way under ground.

Tom West: To the ditch in the back?

Mr. Puffer: Yes.

Tom West: What I am going to recommend is putting your gutters out to the swale, only because the slower the flow down to the weir the better off it will be. The best way to do that is to take the sump pump and gutters underground to the swale, run it from the swale down to the ditch. That will be my recommendation.

Denny Marra: You are trying to slow the water down.

Tom West: That is correct.

Chairman Garlick: Where he shows the sump discharge, is that acceptable?

Tom West: Yes as long as we can keep the discharge as far away from the ditch as possible, to let it free flow over the lawn to slow it down.

Chairman Garlick: The ditch you are talking about is the ditch owned by the Barge Canal.

Tom West: Yes, that is correct.

Chairman Garlick: Is the location of the discharge on these plans acceptable?

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Tom West: I am trying to figure out how many feet away from the property line it is.

Chairman Garlick: It is about 18 feet.

Tom West: That should be sufficient to slow the water down. The gutters will need to come out back even farther.

Chairman Garlick: The gutters to drain to the south into the existing ditch through the proposed swale, to the south of the sump pump, at least 20 feet away from the ditch.

Chairman Garlick: Any connection to the water line would be subject to Monroe County Water approval. The plans reference the Village of Spencerport as the water source. This will need to be changed on the plans.

Chairman Garlick: Obviously, you will be infringing upon the front setback, and will need Zoning Board approval. When do you plan on going in front of the ZBA?

Mr. Puffer: As soon as I can, Mr. Crooks started me out this way.

At this time, the following resolutions were offered:

**Resolution 3/2/04/a**

**Introduced by Ronald Muraco  
Seconded by Denny Marra**

Resolved that the application of William Puffer of 12 Canalside Drive, Spencerport NY for the subdivision of lots 9&10 of the John C. Ballard Subdivision and site plan approval to construct a single family home on the vacant lot complete with water, gas, electric and sewer facilities per plans prepared by Schultz Associates, dated 1/8/04, revised 2/16/04 is deemed an unlisted action.

Furthermore, the Planning Board will complete and accept the short assessment form. The Planning Board will find that these actions will not result in any significant adverse impact.

Ayes: Garlick, Marra, Slominski, Muraco, Sullivan

Nays: none

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**Resolution 3/3/04/b**

**Introduced by Joseph Slominski  
Seconded by Denny Marra**

Resolved that the application of William Puffer, 12 Canalside Drive, Spencerport, NY for the re-subdivision of lots 9&10 of the John C. Ballard Subdivision per plans prepared by Schultz Engineering dated 1/8/04 revised 2/16/04 is granted contingent preliminary and contingent final approval.

Such approval is contingent subject to approval from the Zoning Board of Appeals for the necessary variances.

Ayes: Garlick, Marra, Slominski, Muraco, Sullivan

Nays: none

**Resolution 3/3/04/c**

**Introduced by Chairman Garlick  
Seconded by Ronald Muraco**

Resolved that the application of William Puffer, 12 Canalside Drive, Spencerport, NY for site plan approval for lot 10 of the John C. Ballard Subdivision per plans prepared by Schultz Engineering dated 1/8/04 revised 2/16/04 is granted contingent preliminary and contingent final site plan approval subject to satisfactory resolution of the following conditions.

1. Revise plans showing Monroe County Water Authority as lead agency and source of water supply.
2. Install gutter drains into proposed swales with the minimum of 25 feet from the north property line.
3. Remove note # 5 from the general notes on plans.

Ayes: Garlick, Marra, Slominski, Murraco, Sullivan

Nays: none

**Unfinished Business:**

1. **Application of Michael Lauterborn for site plan approval for property located on Upton Ave.**

Mr. Fitzgerald engineer from Avery will be presenting the application this evening.

Mr. Fitzgerald: What Mr. Lauterborn is proposing is to build a single family home for himself. The site would be serviced by all public utilities.

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Chairman Garlick: I have some concerns about the drainage and the property line. This is an existing lot. Do you own the lot to the east as well?

Mr. Lauterborn: To the west.

Mr. Fitzgerald: What were proposing is a common drive otherwise; we would have asphalt across all three drives, which is why we did shift our proposed driveway to be a common driveway with his existing driveway to the west.

Chairman Garlick: Attorney Keith O'Toole is looking for some sort of declaration of easement regarding the common driveways.

Mr. Fitzgerald: We can certainly write that up. It would be an ingress/egress from Mr. Lauterborn to Mr. Lauterborn. The majority of the driveway is within the Village ROW, they could technically shift the existing driveway to the west.

**Addressing item #2:** We can certainly show the width of the driveway on the plans.

**Addressing #3:** The water main is on the north side of the road it is an existing 8-inch water main. The fire hydrant is shown to the west on the plans.

Tom West: A correction on your map, the water main is in the road, it is going to be just south of the catch basin across from the driveway. It is not in the ROW it is in the road itself.

Mr. Fitzgerald: Is it tied in from a long distance?

Tom West: About 2-3 feet off the north curb. My suggestion is to put in a 1 ½-inch line only because of the low water pressure on Upton Ave.

Mr. Fitzgerald: I was actually going with a 2 inch line.

Tom West: 2 inch is fine the bigger the better.

Chairman Garlick: I have concerns about the drainage, the road catch basin shows 6 inch PVC, the water will be getting down to this area quickly. I would like to have the Village Engineer look at the drainage calculations, to see if it can be handled. I would also like to have them to review the site-plan.

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Mr. Fitzgerald: I am aware of that through the meeting with Mr. Lauterborn and the Highway Superintendent. There were also concerns as well with over flowing to existing systems. We do have some options. Just because we have an 8-inch pipe, we are not going to use all that capacity. I will supply the calculations to the Village Engineer.

Chairman Garlick: I'm guessing the plans will have to be submitted to the Monroe County Water Authority for their review and approval. Appropriate note changes will need to be shown on the plans.

Tom West: Are you planning to put a catch basin at the corner where it swings into the house?

Mr. Fitzgerald: That was a thought, we could if need be.

Chairman Garlick stated that this a good looking project and will look nice in the area.

Chairman Garlick read aloud Building Inspector Jack Crooks letter.

At this time, the following resolution was offered:

**Resolution 3/2/04/d**

**Introduced by Ronald Muraco  
Seconded by Denny Marra**

Resolved that the application of Michael Lauterborn, 369 Attridge Road, Churchville, NY for site plan approval to construct a single family home on vacant land located on the south side of Upton Ave be tabled until the following issues are addressed.

1. Plans to be corrected, showing notes referencing Monroe County Water Authority as water supply agency.
2. Plans to be submitted to Village Engineer (MRB) for their review and comments.
3. Drainage calculations submitted to Village Engineer (MRB) for review.
4. Address Village Attorney Keith O'Tooles comments.(file)
5. Address Building Inspector Jack Crooks comments.(file)

Ayes: Garlick, Marra, Slominski, Muraco, Sullivan  
Nays: none

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**2. Cammilleri Enterprises Inc/Coffee Express located at 2173 N Union Street.**

Ken Bracker of Ken Bracker Associates will be representing this application.

Mr. Bracker stated the following:

Mr. Cammilleri is proposing to build an upscale coffee/bread store. It will be located within the Town of Ogden. A small area is located within the Village of Spencerport.

All utility connections will be within the Town of Ogden.

Parking will be along Nichols Street and Union Street.

The property will need to be rezoned from residential to restricted business.

The process started with an informal meeting in front of the Town of Ogden.

The Town of Ogden Zoning Board granted two variances for the project.

Went in front of the Town Board a month or so ago and are now waiting to hear back from the Town Board in regards to the re-zoning.

Mr. Bracker: During the process we were made aware that even though there is just a slight sliver of land in the village, this needed to go in front of the Village of Spencerport. All items such as traffic, drainage etc. will be addressed when we go back in front of the Town of Ogden Planning Board.

Chairman Garlick: My main concern was what type of business would be going in there. That is why a covenant was put on the ESL approval. The board wanted to see what went into this spot.

We did request a letter from NYS DOT regarding using that as a common entrance for ESL and an exit for whatever business was put in. A letter was received from the DOT stating that they do not anticipate any significant impact from traffic on the state highway with the driveway located as shown. (file)

Tom West : Electric Superintendent Jack Linder and I looked these plans over and we were concerned that where the building is placed may not be within the Spencerport Electric Franchise. We have a call into RG&E they will map it out and let us know. Jack is 99% sure it is in our franchise but we need to see it in writing.

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Tom West: Will there be any problems with the guide wires, and where they exist?

Mr. Bracker: I don't believe we have any problems with where they are.

Ronald Muraco: What is the width of that driveway?

Chairman Garlick: 24 feet

Mr. Bracker: This is typical for drive aisles.

Chairman Garlick: Do you propose to do any striping at the throat?

Mr. Bracker: The striping that exists we were just going to maintain.

Chairman Garlick: Are you going to put a double barrier line down the center of the driveway?

Mr. Bracker: Yes, I think that is an excellent idea.

Chairman Garlick: I am just looking to separate traffic, because right now, we have traffic used to using the whole driveway to come in.

Chairman Garlick stated that any proposed signage within the village limits would need to go in front of the Architectural Review Board for approval.

Chairman Garlick will be writing a letter on behalf of the Village of Spencerport Planning Board to the Town of Ogden Planning Board asking for compliance with the updated Comprehensive Plan when reviewing this application.

Discussion ensued regarding ESL's impact on traffic in the area.

A letter dated 3/1/04 from Building Inspector Jack Crooks was read into the record.(file)

At this time the following resolution was offered:

**Resolution 3/2/04/e**

**Introduced by Chairman Garlick  
Seconded by Denny Marra**

Resolved that the Village of Spencerport Planning Board is in concurrence with the proposed ingress and egress for Espresso Cafe', 2273 S Union Street as shown on plans submitted by Ken Bracker & Associates dated 6/3/03, as pre-determined by NYS DOT.



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Also, such resolution is for the business of Espresso Café only any other business would need to come back in front of the Planning Board for review.

Ayes: Garlick, Marra, Slominski, Muraco, Sullivan  
Nays: none

### **Approval of Minutes:**

Tom West: The comment made by Building Inspector Jack Crooks on page 4 paragraph 3 in regards to the homeowners on Canalside Drive giving an easement to the Village of Spencerport to allow the relocation of the swale is not an option.

It is the position of the Village not to move Canal property onto Village property. The main reason is that we don't want any back yard drainage easements. We do not have any right to clean out the ditch on the NYS Canal property.

Denny Marra: At least now, this board knows the Village's position on this matter.

Motion made by Chairman Garlick seconded by Joseph Slominski and carried unanimously that the minutes of February 3, 2004 be approved as amended.

### **Correspondence**

NYCOM Main Street Conference

The Cornell Land Use & Community Development Seminar Series

### **Adjournment**

Motion made by Chairman Garlick seconded by Denny Marra and carried unanimously that the meeting be adjourned at 8:21p.m.