

**Planning Board Meeting
July 11, 2006**

PRESENT

Chairman Garlick
Carol Nellis Ewell
Denny Marra
Joseph Slominski
Craig Byham

ABSENT

Ronald Muraco

OTHERS PRESENT

Jack Crooks
Jack Linder
Thomas West
David Willard
Donna Stassen

Building Inspector
Electric Superintendent VOS
Highway Superintendent VOS
Village Engineer
Planning Board Secretary

Richard Gollel
John Quigley
Mary & Frank Ferris
Randy LaDieu
Jong Kim
Frank Gollel
Frank Gollel
Barbara Watkins
Charles Watkins
Paul Jasen
Bob Mathisen PE
Lynn Zarpentine
Joan Quigley
Joyce Lobene
Patrick Laber

630 East Ave
162 Amity Street
31 Ballard Ave
40 Cedarfields Commons
40 Cedarfields Commons
630 East Ave
630 East Ave
160 West Ave
160 West Ave
161 West Ave
Ram Consulting
165 Amity Street
151 Maplewood Ave
23 Glen Haven
123 S Union Steet

Public Hearing

The application of Spencerport Developers, LLC, 630 East Ave, Suite 100, Rochester NY for site plan and sub-division approval for the purpose of creating 12 single family homes and 33 townhouse units to be known as the Canal Landing Subdivision. Proposed subdivision to be located on tax parcels 086.12-01-003,009 and 086.12-02-000.

Chairman Garlick: The board will not be making any decisions this evening. Our primary purpose is to present this application to the public and receive their comments.

Randy LaDieu will be representing Spencerport Developers this evening.

Mr. LaDieu: This is a two phase project drawings show the 12 freestanding houses in dark green, and 33 townhouses located along West Ave, the units for the townhouses are all on one lot they will be a condominium type of unit sold individually but an association will be maintaining all of the grounds, the outside of the building, everything on the outside is owned and maintained by the condominium association

Mr. LaDieu: There will be three units in each building each unit has their own garage. The units will have a 50 ft, setback allowing for plenty of parking in the driveway for cars.

There will be a new road built off Erie View connecting these two projects and looping the road around to Amity Street. We will be rebuilding Evergreen Street to a 20ft.wide pavement with 2 1/2 ft. concrete gutters for a total of 25-foot wide roadway. This road will be offset from the existing pavement so that the centerline of the pavement aligns with the existing pavement.

The 4-inch water main that is there now will be replaced with an 8-inch water main. There has been quite a bit of work with the Monroe County Water Authority to provide adequate pressures to the area.

All this will be on a sanitary sewer there will be a pump station installed for both projects.

There will be a retention pond designed to the new Phase 2 Regulations all the storm water from both developments will go towards this pond.

On Ballard Avenue, some existing lots that were on the tax maps were 60 ft wide have been widened to 80ft X 160ft. There will now be 4 homes instead of 6 homes. The road going into this area will be a private road maintained by the homeowners.

The condominiums are taken care of by an association governed by certain laws regulated by NYS.

Mr. LaDieu shared renderings of proposed condominiums with the public.

Jack Crooks: Does that make each site fee simple?

Mr. LaDieu: No, you own the inside of your building, the condominium, as a group owns the outside and maintains it and all of the grounds. The association elects a President and a Board of Directors. It is just like a homeowners association only a little more complicated.

Craig Byham: Why was the decision made to go that way, what would be the advantage?

Mr. LaDieu: There really wouldn't be any advantage one-way or the other just a different mode of getting to the same end.

Jack Crooks: There are three units on a lot. Does that mean each lot has its own association?

Mr. LaDieu: No, the whole Lot# 1, which is all the green area, has one association.

Jack Crooks: Would you be looking to the Village Board to rezone that property to allow the condominiums?

Mr. LaDieu: I would think that would be allowed under this zoning.

Jack Crooks: I would refer that to Keith O'Toole, the Village Attorney.

Mr. Gollel: We tossed this around and we thought it would be better for the one lot it was somewhat amazing because I had received a letter from the Village Attorney and all of his concerns were with the small lots.

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Jack Crooks: I just wasn't sure if it fell within the R-2 zoning.

Mr. Gollel: If I am reading his letter correctly this meets the current zoning. There were 15 things in his letter and 13 of those related to the small lots. They all went away when we changed this.

Chairman Garlick asked the Village Engineer to touch on some of the aesthetic issues brought up in his letter.

Mr. Willard: The plan should show existing trees, and plans for those trees.

Chairman Garlick: We would like to see, as many trees remain as possible.

Mr. Gollel agreed he likes the wooded effect and will save as many trees as possible.

Mr. Willard: We need to know how will the sidewalks on Amity Street be connected to the sub-division and which developer will be responsible for that prior to any approvals.

Chairman Garlick: Are you talking about the last 50 ft. of extension on the north side of Amity Street.

Chairman Garlick: One of the primary objectives when we were looking at these two projects was the fact that we wanted a hard walk able surface from the subdivision into the village.

Chairman Garlick: Did we touch on the street lighting?

Mr. Willard: I have a comment in regards to the street lighting. I have been talking to Jack Linder (Electric Superintendent) he recommends that the village vendor for the Village's streetlights take the plan and develop their own design to develop adequate street lighting. It is a free service available to the developers.

Chairman Garlick: We are looking to have the same type of lighting in both subdivisions as we have on Main Street in the village.

Tom West: The Mayor and I met with Mr. Gollel this week in regards to moving the whole road back from east to west. We didn't know that the right of way was so close to Mr. Zarpentine's house. We are trying to set the road up so that no trees will be lost.

Chairman Garlick: So you are moving the road over to save Mr. Jasen and Mr. Zarpentine's trees.

Tom West: Yes, they will still need to be trimmed away from the power lines.

Jack Crooks requested that the record show that there is always the risk of losing trees when you are operating the heavy equipment to install the water line.

Dave Willard: With the road going over, the right of way has now shifted to the west and will require front back variances for lot#1 – Lot #6.

Chairman Garlick: Since we are getting some right of way, I personally don't see an issue with that we will make a recommendation to the Zoning Board when we get to that point.

Jack Crooks: Lot 2 & Lot 3 it looks like there is a parcel not designated to either, which would leave it to the village and the last I knew the village didn't want it.

Mr. Gollel: Lot 1 will include that parcel.

Jack Crooks: Do you have a proposal as to how this project is phased?

Mr. Gollel: I am going to do the whole thing the phone has been ringing off the wall with prospective buyers.

Chairman Garlick opened the meeting to the public.

Frank Ferris stated that he is concerned about the proposed Orchard Road his house will be immediately adjacent to the road. He is concerned for two (2) reasons one there is a beautiful pine tree that was put in 40 years ago, and acts as a screen for his house and pool and would like to see the tree remain. Secondly, he is concerned that water will drain on to his property, there will need to be a swale to bring any runoff to the street into the drain at the junction of Orchard Drive.

Mr. Ferris requested that a streetlight be installed at the intersection a more modern light.

Mr. Ferris stated that for fifty 50 years he has benefited from the forever wild behind his house, would like developer to install some sort of screening along the back of his property, arborvitaes or fencing. Mr. Ferris also would like the garage for the first house on Orchard Road to be installed on the far side of the house for the sake of privacy.

Mr. Gollel stated that was what the plans showed.

Chairman Garlick stated that sometimes things change and to keep such request in mind.

Paul Jasen: One question I do have is if any land will be taken from the eastern side of the street.

Superintendent West: We are moving the right of way 10 feet to the west, so that you won't lose your bushes.

Paul Jasen: Will I lose any land what so ever?

Superintendent West: The road will be probably be the same as where it is now with a 30-inch gutter.

Jack Crooks: It is important to note that where the current right of way is and the original proposed road, your shrubs for instance is right where the waterline was supposed to go. That isn't your property that belongs to the village. With this negotiation with the developer, this allows the village to save that land.

Paul Jasen: When you say right of way does that mean you have the right to use that land or that you own that land.

Chairman Garlick: To my knowledge that means the village owns that land.

Paul Jasen: I appreciate that. Is it possible to move that waterline to the other side of the street so that my yard won't be dug up at all?

Superintendent West: Because of flows we cant do that, and the water authority requires certain separations from other utilities and that would be impossible if moved to the west side of the road.

Paul Jasen requested curbs instead of gutters.

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Chairman Garlick: That area is not conducive to curbs the land adjacent to the road is higher and you want to drain all that back to the road and that is why gutters is a better solution to this particular area.

Paul Jasen: I would like to explore not expanding Evergreen at all but instead divert the traffic down West Ave. There is room on West Ave to expand the street without taking anyones property.

Superintendent West: That is a county right of way. We have permission to use it.

Jack Crooks: I am having a hard time trying to understand why you would want the traffic to go by your home on West Ave.

Paul Jasen: It has become very congested in that area any additional traffic could be diverted to West Ave.

Dave Spencer: What would the width be off the stub driveways for the condominiums?

Jack Crooks: 20 ft, making the radius negotiable for a ladder truck, delivery trucks etc.

Barb Watkins: I am just wondering what the time- frame for this development is and if any test pits had been dug on the property?

Chairman Garlick: To my knowledge, no test pits have been dug.

Chairman Garlick: As far as Planning Board approval, we are probably a couple months away.

Barb Watkins: Who will maintain the retention pond, the village?

Jack Crooks: It will be the village's responsibility and that is required by storm water regulations.

Lynn Zarpentine: I have two huge concerns one is traffic, you are talking two cars per condominium and than the single-family homes that will be a huge amount of traffic. There are many kids in that area. I have heard nothing that addresses that. Secondly, the drainage doesn't work now; the catch basins don't absorb the drainage. Another concern is that the village doesn't have any open space. As far as I know, we are close to having none.

Chairman Garlick: Yes, we have some areas of open space we have a lot requirement of 25 % for occupancy on a lot, other than that the Village Comprehensive Plan identifies the Town of Ogden for parks , the village is not interested in purchasing any land to maintain for a park or something along those lines.

Chairman Garlick asked Village Engineer Dave Willard if there were any guidelines or thresholds as far as alleged increase in traffic.

Dave Willard, You have to keep in mind that 66 cars seems like a lot but they wont all be exiting their driveways at the same time and drive down the road.

Lynn Zarpentine: Sure they are; they all go to work at approximately the same time.

Dave Willard will look up the acceptable standards and advise the board.

Chairman Garlick: Tom West, are you aware of any plugged catch basins?

Tom West: All the drainage on Evergreen Street will be going to the pond this will relieve Amity Street.

Kevin O'Keefe asked Superintendent Linder what impact such development would have on the PPAC
Superintendent Linder: This development and Mr. Hogan's is clearly within the Spencerport franchise, we are compelled to give them power. Yes, it will affect the PPAC, we have 12.4 mega watts of power and the more that we take on there will be an impact. Our position is that we will serve what is in our franchise and not take on any other areas. New construction will all be gas-heated homes we will not service any electric heat in these homes.

Kevin O'Keefe asked if speed bumps could be installed on West Ave to slow down the traffic.

Kevin O'Keefe asked what the selling prices for the units would be.

Mr. Gollel: The size of the units are approximately 1500 sq feet for the ranches and the middle ones are approximately 1900 sq feet , the ranches will be around \$225,000 and more for the center ones.

At this time, the public hearing was closed.

Chairman Garlick: As I indicated before we have a rather extensive list from MRB and Village Attorney Keith O'Toole, and no decision will be made at this time.

At this time, the following resolution was offered.

Resolution No. 07/2006
July 11, 2006

Introduced by Chairman Garlick
Seconded by Joseph Slominski

Resolved that the application of Spencerport Developers, LLC, and 630 East Ave, Suite 100, Rochester, NY for site plan and subdivision approval for creating 12 single- family homes and 33 townhouse units to be known as the Canal Landing Subdivision is tabled until future submission of plans by the applicant.

Ayes: Garlick, Nellis-Ewell, Marra, Slominski, Byham
Nays: none

New Business:

Modifications to Erie View Landing

Pat Laber of Schultz Associates is present requesting modifications to the original approval for Erie View Landing to allow the developer to install all underground utilities for phase II at the same time as phase 1.

After board discussion, the following resolution was offered.

Resolution No 07/2006
July 11, 2006

Introduced by Chairman Garlick
Seconded by Joseph Slominski

Resolved that the motion to modify conditional site plan approval for Erie View Landing to include the installation of all Phase II underground utilities during Phase I utility construction be approved. Such modification subject to all of the conditions stated for the original project conditional approval process.

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Ayes: Garlick, Nellis-Ewell, Marra, Slominski, Byham
Nays: none

Unfinished Business:

Chairman Garlick continued discussion on development regulations for field changes based on the Unvericht sub-division application.
Chairman Garlick will draft recommendations to submit for review.

Approval of Minutes:

Motion was made by Chairman Garlick seconded by Denny Marra and carried unanimously to approve the minutes of June 6, 2006 as written.

Adjournment:

Motion was made by Chairman Garlick seconded by Craig Byham and carried unanimously to adjourn the meeting at 8:45 p.m.