

**Planning Board  
Minutes  
September 7, 2010**

**Present**

Chairman David Wohlers  
Denny Marra  
Craig Byham  
Karen Fien

**Absent**

Joseph Slominski  
William Rutter

**Others Present**

Village Engineer Scott Dehollander  
Village Attorney Richard Olson  
Tom West, DPW Superintendent  
Carol Nellis Ewell, Village Board Liaison  
Donna Stassen, Planning Board Secretary

Mr. and Mrs. McAvoy  
Pat Laber, Schultz Associates  
Dick Davie  
Fritz Gunther  
Mike Lopresti  
Joan Quigley

At this time Chairman Wohlers led the Pledge of Allegiance.

**Public Hearing  
7:00 p.m.**

The application of Ogden Center Development, Suite 5A, Spencerport, NY to develop a 3.1 acre parcel to construct 10 townhouse units on property located at 3028 Brockport Road. Such property is zoned PRD.

The Spencerport Village Board has approved the unit density not to exceed 10 Units.

Chairman Wohlers opened the meeting up to the developer's engineer, Pat Laber of Schultz Associates.

Pat Laber reviewed his letter dated August 30, 2010 highlighting the following:

- Pond to be constructed to the east of development on Village of Spencerport property.
- The private drive has been realigned to intersect Brockport Road directly across from Brae Road.

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- The proposed units are outside of the flood plain.
- Plans will be forwarded to MCWA for their review.
- Units will be connected to sewer main with individual taps.

Scott read through his comments from letter dated August 30, 2010 highlighting the following:

- His issues are technical but his principal concern at this time is construction of a storm water detention facility on property owned by the Village of Spencerport which remains unconfirmed by the Village Trustees at this time
- Notation on plans showing who is providing the weir.
- Prior to sewer connections confirmation needed showing no additional surcharge to system.
- Plans need to be sent to the water authority for their review.
- An evaluation of vehicle turning movements, demonstrating that there is adequate space available for emergency vehicles to maneuver around onsite without obstructing the traffic flow.

Attorney Richard Olson confirmed that no action had taken place by the Village Trustees at this time, furthermore Attorney Olson stated that the Village can only sell the property it is against the law to give land away.

Attorney Olson: Who will maintain the structure when it is complete?

Pat Lober: That is another piece of the puzzle.

Mike Lopresti: The village will maintain the structure; we are providing a regional facility and an easement across the top to the Village of Spencerport which could be of great value to the Village.

Attorney Olson requested that the developer prepare a document with exactly what he is proposing including easements and submit such to the Village Board for their review.

Discussion ensued regarding previous conversations with Village Trustees and other staff members on the issue of the pond.

Attorney Olson stated that any discussion during such meetings were exactly that discussion only, Any decision regarding such detention pond on Village property must be discussed and voted on at a Village Board meeting.

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Tom West requested that the developers engineer spec out the road around the pond, he also would like to see a cul de sac installed.

Tom West: In the past hammer heads haven't worked, emergency vehicles, garbage and recycling trucks need to be able to turn around safely.

Pat Laber stated that he did the drawings to accommodate vehicles up to 30 ft. in length.

Tom West stated that the ladder truck and the recycling truck are both longer than that.

Mike Lopresti stated that he would have residents bring their totes and recycling down to Brockport Road.

Chairman Wohlers stated that he wouldn't want to see 10 totes and blue boxes lined up on Brockport Road.

Chairman Wohlers asked why the main trunk line wasn't run down the center of the street.

Pat Laber: This is a private line; there is no need for an extra sewer line we want to utilize the existing sewer.

Tom West stated that he would rather have a main line than the proposed individual sewer taps that the developer is showing on the plans.

Chairman Wohlers asked Village Engineer Scott Dehollander to research proposed individual sewer taps vs. a main trunk line servicing all units.

At this time Chairman Wohlers asked the Planning Board for their comments.

Karen Fien: The board can't say yes until we have all the correct information in order to make the right decision.

Craig Byham: It appears that we are putting the cart in front of the horse; if the pond does not work everything changes.

Pat Laber: I have been directed to bring plans that would satisfy this board, you need to review the plans in front of you now.

Attorney Olson advised the board to concentrate on the drainage plans.

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Craig Byham: The Village Board approved the density of this project up to 10 units; can the Planning Board lower that amount?

Attorney Olson: Yes, but you must consider that this is in a PRD District.

Craig Byham: I have concerns with the density, setbacks and the width of sixty feet does not serve this development well. We would like to see sidewalks we want to make the village a walk able community.

Pat Laber: We have provided a turnaround; the developer is not willing to install sidewalks.

Mike Lopresti: This is a private community with a private drive; it would be like installing sidewalks up to your house.

Denny Marra: My biggest concern is not providing adequate emergency access.

Chairman Wohlers stated his concern with the turnaround is that it would be used for parking.

Tom West stated that is just the case at the hammerhead on Canalside Drive, it is used for parking.

Chairman Wohlers stated that the board is waiting for Monroe County DRC comments on this proposal.

Mr. and Mrs. McAvoy reside at 3024 Brockport Road they came in front of the board to express the importance of having a buffer along the property line to provide some privacy for their family.

Richard Davie: Is there a flood plain in this area?

Patrick Laber: Yes, along the creek corridor.

Carol Nellis Ewell: The only decision that the Village Board has made so far was on density. I would suggest that a proposal be provided for the Village Board to review including:

- DRC comments
- Proposed easements
- Bank appraisals

- A written document showing the benefit the Village will obtain by allowing the applicant to construct a pond on village owned property.

Pat Laber: 50 ft setbacks are impossible for this development.

After board discussion the board agreed upon allowing 25ft of open space behind each unit to be shown on plans.

Discussion ensued regarding sidewalks the board agreed upon increasing private drive width by 5 ft. and striping a walking lane.

Tom West stated for the record his concerns with having a hammerhead.

Pat Laber asked Tom West to provide a set of vehicle specs for him and that he will also speak to the Fire Marshall on this issue.

At this time Chairman Wohlers stated that the public hearing will remain open.

**Resolution No 9/2010  
September 7, 2010**

**Introduced by Chairman Wohlers  
Seconded by Craig Byham**

Resolved, that the application of Ogden Center Development Corp, 2800 Spencerport Road, Spencerport NY to develop a 3.1 acre parcel to construct 10 townhouse units on property located at 3028 Brockport Road, Spencerport is tabled until the following comments are addressed and shown on the plans.

1. Monroe County DRC comments are received and addressed.
2. Easements are shown on plans.
3. Turn around for emergency vehicles.
4. Sidewalk request/ private drive width increased by 5 ft, with a striped walking lane.
5. 25 ft. open space behind each unit shown on plans.
6. Buffering shown on plans for privacy to neighbors to the east.
7. Address items from Village Engineer Scott Dehollander's letter dated August 30, 2010.

Furthermore the Planning Board has asked Village Engineer Scott DeHollander to review proposed individual sewer taps vs. main trunk line servicing all units before rendering any decisions.

Furthermore the issue of the pond on Village of Spencerport property needs to be resolved before the board renders any decision. Village Attorney Richard Olson has advised the applicant to prepare a proposal for the Village Board to include easements, construction costs for proposed pond and weir, future maintenance agreement, and also.

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what benefit the Village will obtain by allowing the applicant to construct a pond on Village Property.

Ayes: Wohlers, Marra, Byham, Fien  
Nays: None

**Approval of Minutes**

Motion made by Chairman Wohlers seconded by Denny Marra and carried unanimously to approve the minutes of July 6, 2010 as written.

**Adjournment**

Motion made by Chairman Wohlers seconded by Craig Byham and carried unanimously to adjourn the meeting at 8:30 p.m.