

VILLAGE BOARD MEETING

January 7, 2015

Minutes

Mayor Granger called the meeting to order at 7:00 p.m. followed by the pledge of allegiance.

BOARD MEMBERS PRESENT

Glenn Granger, Mayor
Carol J. Nellis-Ewell, Trustee
Gary Penders, Trustee
Charles Hopson, Trustee
Ray Kuntz, Trustee

BOARD MEMBERS ABSENT

OTHERS PRESENT

Tom & Ellen Baker, Hawthorne Drive
Craig Byham, Luther Jacobs Way
Jill Cordts, Amity Street
Jim & Peter Grassi, Coventry Drive
John Hale, Nichols Street
Dale Kellerson, Thorncliff Drive
Jeremy McTyre, St Rita Drive
Frank & Sue Nichols, Coventry Drive
Joan Quigley, Maplewood Avenue
John & Mary Ellen Peck, Hawthorne Drive
Tyler Roberts, Lyell Avenue
Antonio Rivera, Elmgrove Road
Andrew Spencer, BME Associates
Brandon Spose, Larkwood Drive
Eric Stowe, Village Attorney
Craig & Sherry Stratton, Coventry Drive
Jacqueline Sullivan, Village Clerk
Terry West, Coventry Drive
David Wohlers, Clark Street

Approval of Minutes

A motion was made by Trustee Hopson, seconded by Trustee Nellis-Ewell and carried that the meeting minutes from the December 3, 2014 Village Board Meeting be approved as read.

A motion was made by Trustee Hopson, seconded by Trustee Nellis-Ewell and carried that the meeting minutes from the December 17, 2014 Village Workshop Meeting be approved as read.

Public Hearing

Mayor Granger opened the public hearing regarding the proposed re-zoning of Village Pines Section 3 from R-1 Residential to PRD Planned Residential Development at 7:01 p.m.

Mr. Andrew Spencer BME Associates representing Village Pines LLC., described the proposal to re-zone the 34.5 acre Village Pines Section 3 property from R-1 to PRD to accommodate a proposed development of 42 single family homes and 38 Townhome units. Mr. Spencer continued by describing the proposed development including density, lot size and access. Mr. Spencer commented that when fully developed the 80 parcels would yield approximately 24,200 gpd water demand and sanitary sewer flow and 63 additional vehicular trips during the AM peak hours and 76 additional vehicular trips during the PM peak hours to the area. Mr. Spencer added that sidewalks and street lighting would be included in the proposed project.

Trustee Nellis-Ewell commented by thanking Mr. Spencer for his presentation and commented that the 4 page document is extensive however it is dated yesterday and was handed to the Board tonight. Trustee Nellis-Ewell continued that generally the Board does not favor the process of receiving information the night of the presentation and that information should have been received sooner. Trustee Nellis-Ewell added that the last meeting was December 17th and this information should have been received sooner than tonight.

Mr. Frank Nichols, Coventry Drive commented that he bought his house in 2003 and that there were minimum square footage requirements for the house that was built so we bought a bigger house than we needed but we are happy to be in the Village. We were told by Dave and Paul Craul, the Realtor about the senior housing development proposed for this property. We never opposed anything that came before the Town of Ogden because we knew about the proposed senior housing and were okay with that and would not detract from the property values of our house. This is a different case, this will detract from our property values because none of the houses will be near the size of our house and they will be close to each other. Mr. Nichols urged the Village Board and any buffer between the developments be constructed, landscaped and maintained prior to any construction beginning. I do not want next to my house construction equipment, debris and piles of construction materials for the next 10 to 15 years. If this re-zoning is approved I may go to the Town assessor and request a reduction in my assessment. This development may be a comparable to what is down at the other end of the tract but it is not comparable to anything on Coventry it is all smaller properties. That is a concern to us and all of our neighbors. There is a big difference between senior housing and this project in regards to traffic if you look at Thorncliff (small houses) there are about 4 cars per driveway and this development could have about 320 cars and with 320 more cars the corner of Kirkgate and Rt. 31 will need a traffic light. Sidewalks are included in the proposed development however with the increase in cars walking in the rest of the neighborhood will be difficult and encourage the Village Board to require the developer to install sidewalks throughout the neighborhood to Rt. 31. Water pressure needs to be addressed with the addition of houses.

Mr. Nichols questioned what will happen to approvals if the land is sold.

Attorney Stowe responded that the approvals go with the land not the owner.

Mr. Nichols questioned if Attorney Stowe know of any plans to sell the property.

Attorney Stowe responded no.

Mayor Granger suggested that Mr. Nichols ask the property owner if he intends to sell the land.

Mr. Wohlers responded that he has no intention to sell at this time.

Mr. Nichols responded but you thought about it.

Mr. Wohlers responded that we have always thought about it since the approval was done in 2007 and the economy went south and we didn't go ahead with it. We have been approached by people over the last 10 years.

Mr. Nichols indicated that he does not think the one access street is adequate for 83 properties.

Mr. Jim Grassi, Coventry Drive commented that 10 years ago senior housing was proposed now PRD is being proposed. Mr. Grassi continued that currently there are no empty lot or vacant houses and that R-1 works in the area and he is not sure how PRD is going to work in this area. Mr. Grassi questioned why the developer wanted to come into the Village instead of staying in the Town.

Mr. Spencer responded that the Town's heavy equipment that would be necessary for the proposed development would damage Village streets that it needed to travel over to get to the proposed development.

Discussion ensued regarding minimum lot size in the Town and Village

Mr. Grassi indicated that he views this is high density housing and that this should remain R1 residential.

Trustee Penders commented that Domus is Planned Residential and some of the lots are nonconforming.

Mr. Terry West, Coventry Drive commented that the area is going to have Village services and will they be paying Village taxes even though they will not have access to Village electric.

Trustee Penders responded that is correct because it is outside of the Village franchise and that tax dollars do not go towards the electric fund.

Mr. West questioned why townhomes are being proposed.

Mr. Wohlers responded that it is market driven and that the buyer does not want the maintenance associated with home ownership.

Discussion ensued regarding traffic, dust during construction, sewers and water.

Discussion ensued regarding the engineering review of the rezoning.

Mayor Granger questioned Mr. Nichols as to what he is after.

Mr. Nichols responded that he is worried about what will happen to his services and value of his property and that he was told that there would be senior housing and it was acceptable at the time and this project will decrease the value of his property.

Discussion ensued regarding property values.

Mr. and Mrs. Craig Stratton, Coventry Drive commented that his concern is long range and does not like the direction the Village has been going over the last 40 years and would strongly encourage to try to slow down the growth in terms of high density things and focus on what is good for the Village in total.

Mrs. Stratton commented that the Village is losing its charm with the construction of multiple family homes and that there are enough small lots and patio homes. More trees are needed and prettier and retain the charm and character.

Mrs. Quigley questioned why there is only one entrance to the proposed project.

Mr. Spencer responded that all of the other entrance opportunities are developed with houses, followed by general discussion regarding various entrance options to the parcel.

Mayor Granger closed the public hearing at 8:20 p.m.

Trustee Nellis-Ewell commented that she and former Mayor Lobene worked on the Comprehensive Plan Committee and there are goals and recommendations included in the Comprehensive Plan associated with Village development. Trustee Nellis-Ewell suggested to the public that they take a look at the goals and recommendations that were made in the Comprehensive Plan.

Mr. Nichols questioned if the Village Board could require homes to be larger closer to the existing homes on Coventry Drive.

Trustee Nellis-Ewell responded that the Comprehensive Plan does not specifically speak to housing sizes.

Privilege of the Floor

Administrative Committee – Mayor Granger

Resolution 70 1/2015

Introduced by: Mayor Granger

Seconded by: Trustee Penders

Be it resolved that the Village of Spencerport Board of Trustees will not be conducting a Village Voter Registration Day.

Vote of the Board:	Carol J. Nellis-Ewell, Trustee	Aye
	Gary Penders, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Ray Kuntz, Trustee	Aye
	Glenn C Granger, Mayor	Aye

Resolution 71 1/2015

Introduced by: Mayor Granger

Seconded by: Trustee Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees hereby approves Spencerport Fire Department Station #1, 175 Lyell Avenue, Spencerport, NY to be the polling place for the March 18, 2015 Village Elections from 12:00 Noon until 9:00 p.m.

Vote of the Board:	Carol J. Nellis-Ewell, Trustee	Aye
	Gary Penders, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Ray Kuntz, Trustee	Aye
	Glenn C Granger, Mayor	Aye

Sewers Committee – Trustee Hopson, Chair

Planning/Zoning/Building Control – Trustee Nellis-Ewell, Chair

VOS Board Meeting: January 7, 2015

Submitted by: Trustee Carol J. Nellis-Ewell

Planning/Zoning/Building Control

Liaison Notes

Architectural Review Board (ARB) / Planning Board (PB) met January 6, 2015

Chair David Wohlers noted the letter of resignation from ARB/PB Member Denny Marra, now effective. As current Liaison and a former Planning Board member, I thank Mr. Marra for his many years of service to our community.

Architectural Review Board

Texas Bar-B-Q Joint, 122 South Union Street, Spencerport, NY 14559

Applicant: Richard Mogab

Chair David Wohlers stated a building permit had been issued by Building Inspector Patrick Smith to replace the exterior stairs on the south side of the building with new stairs in an enclosure. Chair Wohlers added that a ‘stop-work order’ was issued on December 19, 2014.

Mr. Richard Mogab asked the Board exactly what they were looking for.

Chair Wohlers answered that the ARB is looking for a plan.

Mr. Mogab showed samples of materials to the ARB: hardi-board siding in various colors and black asphalt roofing to match the existing roof. Mr. Mogab stated that before beginning the project, he called Building Inspector Smith who contacted ARB/PB Secretary Donna Stassen. Since any change in roof color would mean an application to the ARB, the roof color would be black, no change (not red). The important factor was determined to be: replacement of the deteriorating, unsafe stairs.

Chair Wohlers stated the building façade is stone, and asked if the enclosure material could be similar, at least a stone look.

Architect Larry Fennity stated the new stairs would be enclosed with double-hung windows matching the ones upstairs.

ARB/PB member Elizabeth Venezky confirmed the siding color would match that on the back of the building.

Building Inspector Jack Crooks referred to New York State Building Code, adding the old stairs were determined unstable. Village of Spencerport Code CHAPTER 340 ZONING § 340-75 C. & C. 2) was cited. Paraphrasing, if total removal, the ARB has no stake in the project. He added that opposition was raised.

Mayor Glenn Granger asked who shut down the project and why. He commented about the power of the ARB.

Chair Wohlers answered he met with Building Inspector Smith and they read the code. Chair Wohlers shut down the project.

Building Inspector Crooks stated the ARB has the responsibility to uphold the code, and this project is in a B-1 District. He said the goal was to attain common sense, reasonable direction.

From the samples provided by Mr. Mogab, the ARB agreed the hardi-board siding color is to be cobblestone, with horizontal siding placement.

Disposition: Certificate of Appropriateness (unanimous approval)

Unfinished Planning Board business

- Application of Pelusio Spencerport LLC, 26 Slayton Avenue, Spencerport, NY 14559, Mavis Tire Center site plan

Kris Schultz, project engineer for the developer, addressed the ARB, with comments related to the SEQR process. He stated that a letter from the Planning Board Chair to the various potential lead agencies should be prepared. He offered that Schultz Associates handle the mailings to, and certified receipts from, those agencies listed. Mr. Schultz continued that typically there are no responses within the required 30 days, and in his experience, no agency ever volunteered to be lead agency.

Mr. David Willard/MRB, engineer for the Village on this project, concurred with those listed agencies including the Town of Ogdén, Army Corps of Engineers, Department of Environmental Conservation, Zoning Board of Appeals and BOCES.

ARB/PB Member Elizabeth Venezky asked if the National Park Service should be included since the New York State Barge/Erie Canal is on the National Register of Historic Places.

Mr. Schultz responded he already handled the SHPO (State Historic Preservation Office) contact with the (Heritage) Trail, a park-like project, and there are no impacts.

Chair Wohlers asked for a consensus of the Planning Board for Schultz Associates to do the mailing.

Village Attorney Stowe advised the Planning Board to make a Resolution for the Chair to sign the letter to be sent to the agencies.

Action: Resolution made (passed unanimously).

Discussion ensued about the 30 days related to the letter and its timing with the next ARB/PB meeting. Since the 30 days would result in a delay until the March meeting, Chair Wohlers suggested adjusting the date of the February meeting. The parties involved agreed to an adjusted meeting date of February 10.

Unfinished Architectural Review Board business

Mr. Schultz addressed the ARB, requesting review of the previously submitted materials for roofing, siding, etc. Mr. Schultz asked the ARB to allow Larry Fennity, Architect, to present his design.

Chair David Wohlers suggested the ARB application be tabled, pending process steps.

Action: Application tabled (Board in agreement).

Petition with residents' signatures to be included in ARB/PB project folder.

Zoning Board of Appeals (ZBA) met December 18, 2014

ZBA meeting/Public Hearing held at Spencerport Fire District, Station # 1, 175 Lyell Avenue, 7 PM.

Proposed Mavis Tire Center was removed from the agenda by Kris Schultz, project engineer for the applicant, David Pelusio, Pelusio Spencerport LLC, 360 Jefferson Road, Rochester, NY 14623.

ZBA Legal Notice published in *Suburban News*: Application of James Dickinson, 59 Big Ridge Road, Spencerport, NY 14559 for a Home Occupation Permit to operate an in-home business consisting of gunsmithing at property located at same. Whereas, this is an in-home occupation that may be allowed with a permit granted by the Zoning Board of Appeals pursuant to Chapter 340-46-B in an R-2 Residential District.

Disposition: Special Use Permit granted with several conditions.

ZBA minutes with complete details posted on the VOS website (after approval).

No business for the Zoning Board of Appeals meeting January 15.

Building Control

Building Inspector Patrick Smith and Code Enforcement Officer Rich McQuilkin report at VOS workshops.

Code Review

1) Project update: task of reviewing and updating code for complete code review continues
General Code Project Committee meets January 8 – to coordinate return of DRAFT Organizational Analysis to General Code by January 12

2) Code Review Committee met again December 17: Latest revision to Proposed Local Law 1-2015, Parking and Storage of Recreational & Commercial Vehicles reflects December 3 Public Hearing comments and input

- Changed vehicle length from 18 ft. to 23 ft.
- One vehicle allowed (ZBA application/process for additional)

Based on a history of recorded complaints from residents to the previous and current Code Enforcement Officers, the Code Review Committee has analyzed the existing code carefully. Related definitions have been added and/or updated and reasonable, specific guidelines (for consistent enforcement) documented.

The latest revision and that of the proposed Solid Waste law regarding toters will be on the Village Board Workshop agenda.

Resolution 72 1/2015

Introduced by: Trustee Nellis-Ewell

Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby approves attendance by any Planning/Zoning Board Member, Trustee and/or Village Staff member to the Spring 2015 Monroe County Land Use Decision Making Training Program Wednesday, February 25, Thursday, March 5, Thursday, March 12, and Thursday, March 19, 2015.

Vote of the Board:	Carol J. Nellis-Ewell, Trustee	Aye
	Gary Penders, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Ray Kuntz, Trustee	Aye
	Glenn C Granger, Mayor	Aye

Finance Committee – Trustee Penders, Chair

Resolution 73 1/2015

Introduced by: Trustee Penders

Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves using 1.68% to calculate COLA for employee 2015-2016 wages.

Vote of the Board:	Carol J. Nellis-Ewell, Trustee	Aye
	Gary Penders, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Ray Kuntz, Trustee	Aye
	Glenn C Granger, Mayor	Aye

Facilities Committee – Trustee Hopson, Chair

A. Electric

Resolution 74 1/2015

Introduced by: Trustee Hopson

Seconded by: Trustee Penders

Be it resolved that the Village of Spencerport Board of Trustees hereby approves the attendance of Chris Drzewiecki and Keith Bezon to the 2015 MEUA 4th year line worker apprentice program

Vote of the Board:	Carol J. Nellis-Ewell, Trustee	Aye
	Gary Penders, Trustee	Aye
	Charles R. Hopson, Trustee	Aye
	Ray Kuntz, Trustee	Aye
	Glenn C Granger, Mayor	Aye

B. Other (Drainage, Franchise)

Public Works Committee – Trustee Kuntz, Chair

A. Highways/Garage

B. Public Services (Refuse, Recycling, Parks)

Public Safety Committee – Trustee Penders, Chair

A. Fire Department – Trustee Penders commented that the ladder truck is back in service. It was taken out of service due to the removal of a generator causing holes in the deck plates.

B. Police

C. Ambulance

Human Resources Committee – Mayor Granger, Chair

Resolution 75 1/2015

Introduced by: Mayor Granger
Seconded by: Trustee Penders

Be it resolved that the Village of Spencerport Board of Trustees hereby approves James Redick's 2014 vacation carryover of two (2) hours.

Resolution 76 1/2015

Introduced by: Mayor Granger
Seconded by: Trustee Kuntz

Be it resolved that the Village of Spencerport Board of Trustees hereby approves Dean Toates' 2014 vacation carryover of eighteen (18) hours.

Economic Development Committee – Trustee Nellis-Ewell, Chair

Comments submitted by: Trustee Nellis-Ewell

Economic Development/Village Activities

Update/Highlights

- Thursday, December 18 – Association of Monroe County Villages Executive Meeting
 - 1) Recycling Committee – Scottsville Mayor Gee advised Monroe County plans a campaign, probably in January, to communicate single-stream recycling
 - 2) Call to Action – Mayors agreed that a joint, strong message should be created related to stress the value of villages (e-mailed to all Monroe County Village mayors)
- Pittsford Mayor Corby plans to coordinate a Press Conference date in early January
Brockport Mayor Blackman & Honeoye Falls Mayor Milne were on WXXI "Connections" radio show with Evan Dawson on December 10. Subject: Do We Still Need Villages? Show can be heard via link <http://wxxinews.org/post/connections-do-we-still-need-villages> or www.Brockportny.org

Upcoming event

- **Friday, January 30** – Spencerport Area Chamber of Commerce Annual Awards Dinner
2014 award winners: Clyde W. Carter Citizen of the Year – David Moore
Joyce A. Lobene Business Person of the Year – Joanna Alberti, philoSophie's
Civic Beautification – Matt Brooks, McColley's Irish Pub/MGB Building

Green Initiatives

Solar panels have been installed and are working on the Village Office. While payback is over a considerable length of time, lower consumption impacts the cost of utilities for office operations. SME Superintendent McIntee intends to have live monitoring available soon.

Green Initiatives – Trustee Nellis-Ewell, Chair

Comments submitted by Trustee Nellis-Ewell

Solar panels have been installed and are working on the Village Office. While payback is over a considerable length of time, lower consumption impacts the cost of utilities for office operations. SME Superintendent McIntee intends to have live monitoring available soon.

Village Clerk – Jacqueline Sullivan

Superintendent of Public Works – Thomas M. West

Superintendent West commented that sewer meters are in and gathering data in the Village Pines area and Coleman Avenue area. Crews are rotating due to extreme cold weather.

Superintendent of Electric – Owen McIntee

Superintendent McIntee commented that peak electric consumption was only reached a few days in December and January thus upcoming electric bills should not be as high as last year.

Attorney – Eric Stowe

Attorney Stowe commented that changes have been made to the local law for clarification regarding the parking and storage of commercial vehicles and will be discussed at an upcoming workshop.

Mr. Byham questioned if the 23ft length pertained to recreational vehicles as well as commercial vehicles.

Attorney Stowe responded that the 23ft length pertains only to commercial vehicles and there is not a limit to recreational vehicles.

Unfinished Business

New Business

Bills

Motion was made by Mayor Granger, seconded by Trustee Penders and carried unanimously that the monthly bills be paid as audited in the following amounts:

General Fund	\$ 93,451.46
Electric Fund	\$ 43,606.91
Sewer Fund	\$ 13,071.11
Trust Fund	\$ 2,644.13
Capital Fund	\$ <u>0</u>
TOTAL:	\$ 152,773.61

Motion was made by Mayor Granger, seconded by Trustee Penders and carried unanimously that the cash disbursements for the General, Electric, Sewer, Trust and Capital Funds, January 2015 be approved as audited.

Adjournment

A motion was made by Trustee Penders, seconded by Trustee Nellis-Ewell that the meeting be adjourned to executive session to discuss personnel matters at 8:52 p.m.

A motion was made by Mayor Granger, seconded by Trustee Penders that the executive session be adjourned to regular meeting at 9:12 p.m.

A motion was made by Mayor Granger, seconded by Trustee Penders that the meeting be adjourned at 9:13 p.m.