

**Village Board Workshop Meeting**

**January 21, 2015**

**4:30 p.m.**

**Minutes**

**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**

Craig Byham, Luther Jacobs Way  
Owen McIntee, SME Superintendent  
Eric Stowe, Village Attorney  
Jacqueline Sullivan, Village Clerk  
Mike Vickery, Hillcrest Drive  
David Willard, MRB Group  
David Wohlers, Clark Street

Mayor Granger called the meeting to order at 4:30 p.m.

BI/CE/FM - (4:30-5:00 p.m.) – P. Smith/R. McQuilkin

Mr. Rich McQuilkin reviewed his monthly report and highlighted the following: 5 building inspections were conducted; 7 Re-inspections conducted with Rancho Viejo, Pontillo's and 500 S. Union Street (common areas) all other re-inspections were compliant; 14 Bulk/refuse issues; 1 unregistered vehicle notice; attended Monroe County Fire Marshal's meeting; sent letter to Galley Restaurant for (2) expired temporary sign permits – banners removed; 2<sup>nd</sup> notice regarding property code violations sent to 165 Amity Street.

Mr. McQuilkin reviewed new laws regarding sparklers and the need for commercial properties to have carbon monoxide detectors and that code violations have increased fines to \$1000 and jail time as well.

Trustee Nellis-Ewell indicated that the sign has changed on the Prudential Building at the corner of Union Street and East Avenue and asked Mr. McQuilkin to notify them that they need to apply to the ARB for the sign change.

Attorney – (5:00 p.m.) – E. Stowe

Attorney Stowe explained that the changes to the introductory Local Law 1-2015; driveway width was increased to 26ft; clarification that it is on any residential parcel; commercial vehicles cannot exceed 23'; relief from the code is allowed through the Zoning Board of Appeals.

Mr. Byham, Luther Jacobs Way questioned if a length limit was added for boats and trailers.

Attorney Stowe responded that was correct.

Mr. Byham questioned why that was not regulated and that there is a potential of a large vehicle in the yards.

General discussion ensued regarding the length of vehicles, covenants in the Village Pines neighborhood and enforcement.

**Resolution 77 1/2015**

Introduced by: Mayor Granger

Seconded by: Trustee Nellis-Ewell

Be it resolved that the Village of Spencerport Board of Trustees hereby approves conducting a public hearing for Introductory Local Law 1-2015 “A Local Law to legislate the parking and storage of commercial and recreational vehicles in residential districts” on Wednesday, February 4, 2015 at 7:00 p.m. at the Spencerport Fire Department, Station 1, 175 Lyell Avenue, Spencerport, NY 14559.

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 78 1/2015**

Introduced by: Mayor Granger

Seconded by: Trustee Hopson

Be it resolved that the Village of Spencerport Board of Trustees hereby approves conducting a public hearing for Introductory Local Law 2-2015 “A Local Law to legislate the storage and removal of solid waste” on Wednesday, February 4, 2015 at 7:00 p.m. at the Spencerport Fire Department, Station 1, 175 Lyell Avenue, Spencerport, NY 14559.

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

**Engineering** – (5:30 p.m.) – D. Willard

Mr. David Willard explained the below comments regarding the rezoning of Village Pines, Section 3 from R-1 to PRD. Mr. Willard highlighted that the sanitary sewers will, in his opinion, will exceed their capacity with rezoning and the proposed development however actual flows from installed flow meters will better determine current flows and capacity and actual flows anticipated from the developer. Mr. Willard added that there continues to be water pressure issues in the area and it will be addressed by Monroe County Water Authority however the developer should survey the residents regarding water pressure.

General discussion ensued regarding the project in general as it pertained to Mr. Willard’s report.

**TO:** Mayor Glenn Granger and Village Board of Trustees

**COPY:** Thomas West, Jackie Sullivan, Eric Stowe

**FROM:** David R. Willard, P.E.

**DATE:** January 12, 2015 **MRB GROUP PROJECT NO:** 1980.13001

**RE:** VILLAGE PINES SECTION III ENGINEERS REPORT FOR PRD ZONING

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### **Background**

Recently a 34.4 acre parcel was annexed into the Village of Spencerport to the south of the existing Village Pines Section I and II developments. An application for rezoning of this parcel has been submitted to the Village of Spencerport, and the applicant has proposed that this parcel (Village Pines Section III) be rezoned as a PRD district. After rezoning it is proposed that this parcel be developed to contain 42 single family homes and 38 Townhouses. Section 340-17 of the Spencerport code states that as part of the consideration for PRD districting, the Board shall refer the application to the Village engineer for review.

It is our understanding that prior to the annexation of this property by the Village, when this parcel was located in the Town of Ogden, this property was rezoned by the Town from R-1 to Senior Citizen District and a similar site design received site plan approval from the Town in 2006. It's presently not clear if other agency approvals were obtained for this previous site design. We surmise that the Ogden site plan approval must have expired some time prior to the annexation since the previously proposed development was never constructed. Because this is a new project within the corporate boundary of the Village of Spencerport, it is our understanding that the previous approval from the Town of Ogden is no longer valid. Therefore the project will require local government site plan review and approval from Spencerport in accordance with the current Village Code and agency regulations.

We have attached a copy of the BME concept plan, dated November 2014 for your review. We have completed a cursory review of the proposed development, and this memo serves as a report which outlines our comments and concerns.

### **Sanitary Sewer**

The proposed Village Pines Section III subdivision will be served by an existing 8-inch sanitary sewer trunk line which extends 7,500 feet from a manhole No. 220 (near the Village Office - located immediately north of the existing abandoned CXS railroad) to



the south end of Coventry Drive. This 8-inch sanitary trunk line is depicted on the attached Village of Spencerport sewer map. Approximately 5,800 feet of this sanitary sewer main alignment was constructed in the 1960s and pipe materials are Vitrified Clay Tile (VCT) or Asbestos Concrete Pipe (ACP) which are highly susceptible to groundwater infiltration. Infiltration of ground water into sanitary sewers, resulting in the reduction of available flow capacity, is a common place issue with older sewers. Because of this, the Spencerport DPW has implemented a costly program of sewer lining which has extended the life of these sewers. Through these efforts, approximately 2,200 feet of this 8-inch sewer trunk line has been lined over the past 12 years.

This sanitary sewer trunk line serves the entire south west quadrant of the Village. This quadrant extends southward from the CXS rail road and westward from South Union Street, and includes the Town of Ogden Timber Ridge subdivision. Within this quadrant, tributary systems extend from the 8-inch sanitary sewer trunk line to serve Village and Town residents and Village businesses.

The following table outlines an estimate of the number of sewer connections within this quadrant of the Village and the average daily sewer flow resulting from these connections. This estimate was generated by quantifying homes and businesses based on tax map data, with an estimation of employees and seats for commercial properties. Population figures (people per household) were obtained from 2010 census data.

Dwelling	Quantity	People per Building	Estimated Units	Gallons per Day per Unit (GDPDU)	Average Daily Flow (GPD)
Single Family Homes	527	2.41	1270 People	100	127007.0
Apartments and Town Homes	100	2.41	241 People	100	24100.0
Church	1	N/A	300 seats	5	1500.0
McDonalds	1	N/A	60 seats	35	2100.0
Cams Pizza	1	N/A	60 seats	35	2100.0
Bowling Alley	1	N/A	12 lanes	50	600.0
Bar and Grill	1	N/A	20 seats	35	700.0
Car Wash	1	N/A	6 bays	1200	7200.0
Office	3	N/A	10 employees	15	450.0
Gas Station	1	N/A	100 customers	3.5	350.0
<b>Total Estimated Average Daily Flow</b>					<b>166107 GPD</b>
				Peak Factor	3.75
				<b>Estimated Peak Flow Rate</b>	<b>622901 GPD</b>

Average daily flow and peak flows were calculated using the guidelines of the Ten State Standards for Wastewater Facilities. The Peak factor is intended to cover peak

usage during hours of maximum demand and normal infiltration into sewer systems built with modern construction techniques. The estimated existing peak flow at the analysis point outlined on the attached sewer map is 622,901 GPD or 433 gpm. The proposed Village Pines Section III Subdivision would add additional flow from another 80 units to this figure: 80 units X 2.41 people per unit X 100 GPDPD = 19,280 GPD or 13.4 gpm.

We calculated the approximate maximum capacity of the 8-inch sewer main at the analysis point using Manning's equation. Based on an estimated pipe slope of 0.4% and a roughness coefficient of 0.013, an 8" diameter sewer pipe can convey approximately 369 gpm which is considerable less than the estimated upstream peak flow of 433 gpm.

These estimates serve to validate concerns that available sewer main capacity may not be present during peak flow events in this sewer system. However, sewer metering and survey to ascertain existing flows and pipe slope would be necessary to confirm the presence or lack of available sewer capacity.

### **Water System**

During the approval process for Village Pines Section I and II, domestic water pressure and available fire flow was a concern. The project necessitated an improvement to the Village water system which was completed as part of the Village Pines project in 1999, and this involved the construction of a meter pit and connection to the Monroe County Water Authority (MCWA) system at Nichols Street on the western edge of the Village. After this 1999 project the Village received repeated low water pressure complaints from residents.

To help relieve low pressure issues, in 2002 additional water improvements were completed in the Village Pines area which entailed the installation of two pressure reducing valves at Coventry Drive between Luther Jacobs Way and Laurelcrest Drive, and at Hawthorne Drive west of Laurelcrest Drive. This was completed to create a higher pressure zone in the Village Pines Subdivision.

In 2005 Spencerport sold the Village water system to MCWA. Based on discussions with the Village, it is believed that low domestic water pressure issues remain in the existing Village Pines subdivision.

### **Traffic**

The shortest route from the proposed subdivision to Nichols Street is the approximate 2,500 foot route via Coventry Drive to Kirkgate Drive to the Nichols/Kirkgate/Brockport Road intersection. Additional traffic volumes will be added to this route under the proposed subdivision, given 80 homes and two +/- vehicles per home. In addition there will be some added traffic from service vehicles (school buses, plowing, garbage removal, etc.).



**Sidewalks**

The Village of Spencerport development regulations require sidewalks in new subdivisions on at least one side of all residential streets. Sidewalks may be constructed in the future along the existing Coventry Drive and Kirkgate subdivisions as part of long term sidewalk planning in the Village, and would possible connect to new sidewalks in Village Pines Section III.

**Conclusions and Recommendations**

Without additional data and study, it's difficult to provide general acceptance or disapproval of the proposed subdivision. Instead we have outlined the potential issues or problems with the proposed subdivision which will need to be fully investigated and resolved during the site plan review process.

1. While the proposed development will add a marginal amount of sanitary sewer flow relative to existing flows, the available (or lack of) capacity in the existing 8-inch trunk sewer should be fully investigated. Sanitary sewer metering should be completed to obtain up to date average daily and peak sewer flow rates during wet weather periods. Also survey should be completed at the analysis point to confirm pipe slope so that an accurate calculation of sewer pipe capacity can be completed.
2. In the event that available sanitary sewer capacity is confirmed to be an issue, it is recommended that some thought be given as to how this could be mitigated to allow development of this parcel.
3. The Village/Monroe County Inter-municipal Agreement (IMA) and current flows at the regional pump station should be reviewed as part of the site plan approval process. If peak flows are presently above the 3.9 MGD threshold at the regional pump station, the IMA contains provisions requiring Monroe County approval of the additional flows.
4. It is recommended that the developer discuss potential water pressure issues with MCWA and the Village. As part of this discussion, residents should be canvassed for input relative to potential pressure issues they have experienced.
5. It is recommended that density of the subdivision be reviewed further. The additional traffic volumes should also be quantified as part of this review.
6. Sidewalks on at least one side of the street are recommended for this subdivision.
7. It is recommended that the design and construction of this project be in accordance with current NYSDEC Storm Water regulations.

During your review of this memo please let me know if you have any questions or if you would like to meet to discuss this in detail.

Thanks

Dave

Trustee Nellis-Ewell highlighted comments from the below report from the Monroe County Department of Planning and Development.



## Department of Planning and Development

Monroe County, New York

**Maggie Brooks**  
*County Executive*

**Judy A. Seil**  
*Director*

**To:** Spencerport Village Board  
**From:** Renee Casler, Planner II  
**Date:** January 16, 2015  
**Subject:** Village Pirres Section 3 for subdivision, variance and rezoning review  
North of Route 531; West of Timber Ridge; South of Hawthorne Drive  
MCDP&D Response to Development Review Referral (SP14-3ZS)

### Review Authority and Response:

General Municipal Law:  Section 239-m (Zoning)  
 Approval  Modification  Disapproval  Comment  No Comment

Section 239-n (Subdivision)  
 Approval  Modification  Disapproval  Comment  No Comment

County Charter:  Section C5-4.A (Airport)  
 Approval  Approval with Conditions  Disapproval

Section C5-4.C (Advisory Review)  
 Approval  Modification  Disapproval  Comment  No Comment

**Referred to the Development Review Committee (DRC) (If yes, DRC Project Review Report attached):**

Yes  No

### MCDP&D Comments:

1. The rezoning of parcels needs to be consistent with the Village of Spencerport's Comprehensive Plan. In the case of a rezoning the Village Board should develop a clear written record describing how the rezoning will promote the goals and objectives of the comprehensive plan.

The following comments below are a list of the environmental features that are located on the site. These features should be taken into consideration when determining if the proposed rezoning of this land should be approved. The Board should consider how these features may be impacted by the proposed use and density.

2. According to the Flood Boundary and Floodway Map published by the Federal Emergency Management Agency this site may be located within the federal flood insurance program's 100-year floodplain boundary. The municipality's permit administrator should be satisfied that the proposed development will meet the requirements of the National Flood Insurance Program in order for the municipality to maintain eligibility in the program and for the applicant to obtain flood insurance.

8100 CityPlace • 50 West Main Street • Rochester, New York 14614  
(585) 753-2000 • fax: (585) 753-2028 • [www.monroecounty.gov](http://www.monroecounty.gov)

3. According to the National Wetland Inventory (NWI) maps prepared by the United States Department of Interior, this site appears to contain a portion of a federal wetland that is classified as PFO1A. Although a buffer area is not required, it is beneficial to the wetland if a natural buffer of 100 feet is left around it. In addition, please note that, while the NWI maps are based upon aerial photography and not field data, they are a strong indicator that wetlands regulated by the U.S. Army Corps of Engineers (Corps) may exist on your project site. Final verification of the location of federal wetlands can only be determined through an on-site delineation. The applicant may need to obtain a permit from the Corps. For further information regarding the need for a permit, the applicant should contact:

Steven V Metivier  
Army Corps of Engineers  
1776 Niagara Street  
Buffalo, NY 14207  
Telephone: (716) 879-4314  
Website: <http://www.lrb.usace.army.mil>

4. Article 25AA of the New York State Agriculture and Markets Law, titled Agricultural Districts, provides counties with the opportunity to create agricultural districts for the purpose of protecting and promoting the agriculture industry. This project occurs in Monroe County's Midwestern Agricultural District.

According to our review of recent aerial photographs and the agricultural district maps, this project occurs on or within 500 feet of land in agricultural production in Monroe County's Midwestern Agricultural District; therefore, an Agricultural Data Statement may need to be submitted for this project as required in Section 283-a of Town Law and Article 25AA of the New York State Agriculture and Markets Law. A Monroe County Agricultural Data Statement form can be found at [www2.monroecounty.gov/files/planning/farm-AgriculturalDataStatement.pdf](http://www2.monroecounty.gov/files/planning/farm-AgriculturalDataStatement.pdf). If an agricultural data Statement form is necessary, the clerk of the board should mail a written notice of the application to the owners listed on the Agricultural Data Statement.

Development of this property should be designed so that it does not alter existing drainage facilities used by adjacent parcels. If the land is being farmed, the applicant is encouraged to contact the adjacent farmer and the Monroe County Farmland and Agriculture Protection Board to discuss the proposed development. For further information regarding the Monroe County Farmland and Agriculture Protection Board and the Monroe County Agricultural and Farmland Protection Plan, the applicant should contact:

Dr. Robert King  
Senior Agriculture Specialist  
Agriculture and Life Sciences Institute  
Monroe Community College  
1000 E. Henrietta Road  
Rochester, NY 14623  
Telephone: (585) 292-2065  
Fax: (585) 292-3866

5. To avoid the possibility of sending emergency services to the wrong address the board should have the applicant check the names of the proposed streets with the county's 911 Program Analyst, Richard Kirby at (585) 528-2252. He compares the proposed street name with existing ones to identify whether the proposed name is a duplicate or a similar sounding one to existing street names in the 911-service area.



6. According to the New York State Department of Environmental Conservation (NYS DEC) it appears a portion of a stream is located on the subject property. Streambanks, sometimes called riparian zones or stream corridors, are the link between land and water, and the health of streams depends in large part on the condition of the streambank. Over the past two decades, research has shown that naturally vegetated corridors along streams perform numerous services essential for human health and welfare. Healthy stream corridors can reduce floods; trap sediment; remove dissolved contaminants; provide shade; contribute leaf matter (important for insect food and fish habitat); provide wildlife habitat; offer recreational opportunities; and increase aesthetic value and desirability of a property.

In order to protect the stream corridor consider the following:

Maintain a healthy, vegetated streambank buffer by preserving trees and shrubs along the stream edge and limiting logging to removing large branches that fall into the stream and divert streamflow and cause erosion.

Control water flow through the streambank buffer to filter contaminants and reduce erosion by managing stormwater runoff from dwellings to prevent channelized flow; minimizing impervious areas near the streambank by using stone or brick instead of pavement for driveways and walkways; and excluding vehicles, livestock, or excessive pedestrian traffic.

Prevent contaminants from entering the stream corridor by minimizing or eliminating buffer area exposure to fertilizer, herbicides, pesticide, animal waste, household and automotive chemicals, trash, debris, and piles of leaf litter and by maintaining septic systems.

If you have any questions regarding this review, please contact me at (585) 753-2026 or [rcasler@monroecounty.gov](mailto:rcasler@monroecounty.gov).

DRCAttachment

xc: Development Review Committee  
Steven V Metivier, Army Corps of Engineers  
Dr. Robert King, Agriculture & Life Sciences Institute, MCC  
Richard Kirby, Monroe County

PROJECT REVIEW REPORT  
Monroe County Development Review Committee

January 16, 2015

Subject: Attachment to File SP14-3ZS

The Monroe County Development Review Committee (DRC) has reviewed the subject application and has identified the following points that require appropriate action PRIOR TO SUBMISSION OF FINAL PLANS FOR APPROVAL.

(NOTE: The letter in parentheses following each comment identifies the DRC member listed at the bottom of the page making the comment. Questions should be addressed to the appropriate DRC agency.)

1. The proposed project is considered a realty subdivision and will require approval by the Monroe County Department of Public Health. (A)
2. Plans for any extension or relocation of a water main or sanitary sewer must be submitted to and approved by the Monroe County Department of Public Health. (A)
3. If the map for this project is going to be filed in the County Clerk's office, monumentation must be checked by the Monroe County Department of Transportation Survey Office. If a County or State monument will be affected by the project, the engineer must call the Monroe County Department of Environmental Services Survey Office at 753-7530. (B)
4. All work proposed within the Route 531 right of way will require a NYSDOT highway work permit. (D)
5. This project was sent to the following agencies; however, their response has not been received by our office in time for inclusion in this report. When our office receives these agencies' comments they will be sent out as an addendum. (C)

(A) - Monroe County Department of Health, John Frazer, 753-5476

(B) - Monroe County Department of Transportation, Thomas Cesario, 753-7711

(C) - New York State Department of Environmental Conservation, Division of Environmental Permits, 226-5400

(D) - New York State Department of Transportation, David Goehring, 272-3300

**Resolution 79 1/2015**

Introduced by: Mayor Granger

Seconded by: Trustee Nellis-Ewell

**VILLAGE OF SPENCERPORT, MONROE COUNTY**

**Village Pines, Section 3**

WHEREAS, the Village Board has received from Village Pines, LLC an application for rezoning of approximately 34.4 acres from R-1 to Planned Residential Development per the Village of Spencerport municipal code Chapter 340 Article II Section 340-17 Planned Residential Development, which is to be developed into 42 single-family residential lots and 38 townhome units; and

WHEREAS, in accordance said authorization, a preliminary plan has been prepared and submitted to the Village Board; and

WHEREAS, an Environmental Assessment Form (EAF) list has been prepared and presented to this board by BME Associates; and

WHEREAS, the Village Board determines that The Project is subject to the State Environmental Quality Review Act (SEQRA); and

WHEREAS, the EAF lists potentially involved and interested agencies; and

WHEREAS, the Village Board of the Village of Spencerport wishes to act as SEQRA Lead Agency for the project, therefore, be it

RESOLVED that:

1. The Village Board of the Village of Spencerport hereby declares its intent to act as SEQRA Lead Agency for The Project;
2. The Board hereby authorizes and directs the Mayor to execute the "Notice to Establish Lead Agency" in the form presented to this meeting.
3. The Notice to Establish Lead Agency and appropriate attachments shall be promptly forwarded by the Village Clerk to the involved agencies on the Agency List and appropriate correspondence shall be forwarded to all interested agencies.

THE FOREGOING RESOLUTION, was put to vote as follows:

Vote of the Board:

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

Attorney Stowe requested that the name on the cover sheet of the SEQRA be changed to Village of Spencerport and Trustee Nellis-Ewell added that the State Historic Preservation Office and Spencerport Central Schools be included as interested agencies.

Trustee Hopson questioned that on the EAF form it indicates that the project will not increase traffic however traffic will increase with the additions of the proposed homes.

Mr. Andrew Spencer responded that it is check no because the traffic that this development would have is typical to this type of development.

Discussion ensued regarding sidewalks and the developmental regulations, engineering review and sanitary sewers.

## General

General discussion ensued regarding the roles and responsibilities of the Architectural Review/Planning Board. It was determined through discussion that the code regarding the Planning Board and Architectural Review Board responsibilities and jurisdiction areas be reviewed by the code review committee for potential changes.

A motion was made by Trustee Nellis-Ewell, seconded by Trustee Penders and carried to adjourn the workshop session to executive session at 5:55 p.m. to discuss personnel annual reviews.

A motion was made by Trustee Penders, seconded by Trustee Hopson and carried to adjourn the executive session to workshop session at 7:30 p.m.

A motion was made by Trustee Penders, seconded by Trustee Nellis-Ewell and carried to adjourn the workshop session at 7:30 p.m.