

Village of Webster
Planning Board Meeting Minutes
Meeting Minutes of October 6, 2016

Community Meeting Hall
29 South Avenue
Webster, NY 14580

Present: Peter Adams, Kathy Bills, Peter Bowers, Judy Gurnett, Chris Krawiec, Building Insp./Code Enforcement Officer Will Barham, Atty: David Mayer, Deputy Clerk Jo O'Neill

Meeting came to order at 7:30pm.

Reviewed minutes from the September 1, 2016 meeting.

Motion: Judy Gurnett made a motion to accept the minutes from September 1, 2016 as written. Seconded by Peter Bowers. All were in favor. Motion passed.

Peter Adams mentioned a letter that was received from the NYS Parks, Recreation and Historic Preservation regarding the Webster Grange, at 58 E. Main St., Webster, being listed on the National Register of Historic Places as of August 22, 2016. The letter will be entered into the Planning Board's records.

Jude Lancy provided the board with a Color Palette packet to consider for the Village Business District. The Village Board will be discussing the Color Palette in the near future.

1) Application:

John MacLean, owner 137 Sanford St. Tax ID #080.13-1-35. Application to install an accessory structure 6' (feet) from property line. Applicant seeks relief from current zoning regarding required distance of accessory structures from property lines. Applicable zoning regulation 175-59 A. Property zoned R1-13.6.

Presentation:

John MacLean would like to install an 8ft x 10ft shed to store yard items, lawn mower, etc., on the northeast corner of his property (on the corner of Sanford St. and Sherwood Ave.). The shed would be 6ft from the property line. To be 10ft from the property line it would be too far into their yard. He has provided a petition with signatures from his neighbors.

P. Adams asked if this would be a pre-made shed.

J. MacLean replied it will be pre-made, and that they just bring it, drop it in and it's all set.

Open to Public Comments:

None made.

Closed to the Public:

Motion: Kathy Bills made a motion for a positive recommendation to the Zoning Board of Appeals for a 4ft side yard setback variance.
Seconded by Chris Krawiec. All were in favor. Motion passed.

2) Application:

Kathryn M. Juda, owner of 151-153 Orchard Street, Tax ID# 080.05-1-84. Applicant seeks to place a second shed on a parcel for a two-family home. Applicant seeks relief from current zoning regarding the number of allowable accessory structures per lot. Applicable zoning: 175-59(A). Property zoned R2-9.6.

Presentation:

Kathryn Juda owns a 2 family, side-by-side home, and would like to install a second shed, 6ft x 8ft, on the property. They are currently sharing a shed with their tenants, and they have no room for their lawn mower, snow blower, bikes and things. The tenant has had to put their things in the basement. Kathryn provided a photo of the new shed ("barn") and noted that the shed had already been delivered, due to the delivery schedule of the company.

P. Adams asked if the tenant has use of the basement and attic.

K. Juda replied that he does use the basement, and the attic was refinished to use as a bedroom.

Chris Krawiec inquired as to whether the bedroom in the attic had been issued a permit.

K. Juda said she believed so, but it was done before she moved in at the end of July this year.

P. Adams stated that we don't usually approve 2 sheds on a property, but we are not the ones who make the final decision. We merely make a recommendation to the ZBA. The original shed is a little bigger, but old and not in good shape. Could the new one be attached somehow to the original one?

K. Juda expressed that they could put the new shed right behind the original one, and still each have their own entrances. The diagram shows the new shed back farther behind the house, and 12ft from the property line.

C. Krawiec indicated that the code allows for a 600sqft garage and one accessory building. There is no garage on this property, so the second shed would in essence be in lieu of a garage.

Open to the Public:

Rick Walter asked if this is then considered a garage.

P. Adams replied no, it is a shed.

Closed to the Public:

Motion: Chris Krawiec made a motion for a positive recommendation to the Zoning Board of Appeals for two accessory structures on the property. Seconded by Kathy Bills. All were in favor. Motion passed.

C. Krawiec questioned if they would also need a variance for the overall size of the accessory structures.

Will Barham replied that they would not, since they are separate structures.

3) Administration Item:

Scenic Village Townhomes. The Planning Board will consider whether the Townhome portion of the Scenic Village site plan will be deemed abandoned due to failure to install necessary improvements as required by Village Code Section 137-8.

Discussion:

P. Adams first indicated that this is not an open public discussion.

Jeff Clark, representing Louis Fico, developer of Scenic Village Townhomes, addressed the board indicating that Louis Fico is prepared to complete the asphalt road by November 15, 2016. He is not however, going to complete the sidewalks and additional parking.

P. Adams questioned as to why the other items would not be completed.

J. Clark indicated that Mr. Fico wants to cooperate with the board and is willing to take the risk and finish the roads, despite the fact that future construction vehicles could damage it. As for the sidewalks and parking, if he were to finish them now for the uncompleted units he would have to tear them up to build the remaining structures.

P. Adams noted that the asphalt plants close in November in Rochester.

J. Clark responded that Mr. Fico does intend on finish the roads while the plants are still open.

P. Adams inquired as to whether Mr. Fico and Mr. Fallone have a date when the rest of the infrastructure, sidewalks, etc. will be done.

J. Clark replied that there is no definite date, but Mr. Fico does realize that no C of O's will be issued until the infrastructure is done. He will communicate a date regarding the building construction and infrastructure to Atty. David Mayer by tomorrow once he has spoken with Mr. Fico.

P. Adams stated that the Planning Board will hold off on making a decision regarding the site plan until the November 3, 2016 meeting to give them time to review all the information. In addition, he requested that Will Barham be on site when the paving is done.

J. Clark indicated that he will communicate the date of the paving to Will Barham, and will forward a letter regarding the date to the board as well.

P. Adams ended the discussion with Mr. Clark and thanked him for answering the board's questions.

Audience member, Mike Yanis, addressed the board, and asked whether Mr. Fico will be asked to mill the road before putting on the top coat, as there are so many patches on the road now that the top coat will not cover the binder properly.

W. Barham replied that as long as it has been maintained and sealed it should be okay, however, the Planning Board can have the binder inspected before the top coat is done.

David Mayer indicated that he will communicate with Mr. Fico's attorney that we are requesting an inspection of the binder to determine if it should be milled before putting on the top coat.

P. Adams asked for a motion to adjourn.

Motion to Adjourn: Judy Gurnett made a motion to adjourn the meeting.
Seconded by Chris Krawiec. All were in favor. Meeting adjourned at 7:58pm.

The next Planning Board Meeting is scheduled for 7:30pm on November 3, 2016.

Respectfully submitted,
Jo O'Neill, Deputy Clerk