

Village of Webster
Planning Board Meeting Minutes

Meeting Minutes of June 6, 2013

Community Meeting Hall
29 South Avenue
Webster, NY 14580

Present:

Chairman Peter Adams, Matt Chatfield, Kathy Bills, Peter Bowers, Chris Krawiec,
Attorney David Mayer, Secretary Carol Moranz.

Absent: Building Inspector/Code Enforcement Officer Will Barham

The meeting came to order at 7:30 pm.

Motion was made by Kathy Bills, seconded by Peter Bowers to accept the minutes from the May 2, 2013 meeting with corrections. All in favor, none opposed, motion passes.

1. David Galeazzo, informational discussion on proposed holiday lighting at Hanks Ice Cream and Grill, 235 North Avenue. Mr. Galeazzo stated that the event will be held on 12/14/2013. They would like to update the entertainment for this year. Organizers would like to install flashing lights on the Hank's building to coordinate with music. This would be done from 12/14/13 – 1/4/2014 from 5:00 pm to 10:00 pm each evening. Matt Chatfield asked if this could possibly distract drivers. D. Galeazzo said they could bring back a demonstration for the next meeting. The organizers do not want to invest in the technology if the Village won't allow it. Mr. Galeazzo will look into the demonstration and will contact the Village to be placed on the next meeting agenda.
2. Kristina Dinno-Jeffords, tenant 30 North Avenue,. Tax ID # 080.47-1-12. Application for a site plan change. Proposed change consists of adding a patio area with chairs and tables in front portion of building facing North Avenue. Property zoned: Central Business. **TABLED UNTIL APPLICATION SUBMITTED.**
3. Jonathan Smalter, owner Yesterday's Muse Books, 32 West Main Street. Tax ID # 080.47-1-43. Applicant seeks to conduct a sidewalk sale on Fridays and Saturdays each week from June 7, 2013 through August 10, 2013. Applicable zoning section: 175-34(F) (2). Property zoned: Central Business.

Applicant said the sidewalk sale tent will be staffed the whole time with one person inside the building as well. Sale will be on Fridays and Saturdays from 6/07/13 – 8/10/13. Friday nights will go until 7:00 pm and Saturdays will be until

6:00 pm, however the outside portion of the sale will be wrapped up before that time. Mr. Smalter also stated that no food items will be sold.

Opened to the Public – no comments – Closed to the Public.

Board members think it is a good idea. Peter Adams will need to get additional paperwork with a signature from Will Barham; however that won't hold anything up.

Motion was made by Matt Chatfield, seconded by Kathy Bills for a Type II SEQRA and a temporary waiver for outdoor sales from 6/07/2013 – 08/10/2013. All in favor none opposed, motion passes.

4. Chris O'Donnell, tenant 205 North Avenue, (rear south building). Tax ID #080.06-1-48. Application for a change of use. Applicant seeks to use space for a gym. Applicable zoning section: 175-22 - 175-23. Property zoned: General Industrial.

Mr. O'Donnell said that this will be for a CrossFit affiliate studio. Applicant stated that entry for the building is from either North Avenue or Donovan Street. Eight to twelve people will be at the location at a time. Mr. O'Donnell is the only employee. Board discussed parking spaces; applicant said there are 15 now. Mr. O'Donnell said he will get the sign on the building changed and may possibly get a sandwich board sign. P. Adams told him to see Will Barham for that permit.

Opened to the Public – Ron Dimico thinks it's a great idea. Closed to the Public.

The applicant stated that the building is in the process of being remodeled.

Motion was made by Chris Krawiec, seconded by Kathy Bills for a Type II SEQRA. All in favor none opposed, motion passes.

Motion was made by Kathy Bills, seconded by Chris Krawiec for a positive recommendation for a change of use. All in favor none opposed, motion passes.

5. Marge Pickering, owner 7 West Main Street. Tax ID # 080.47-1-6. Application for a special permit use to have an apartment above a business in the Central Business Zone. Applicable zoning section: 175-30(B). Property zoned: Central Business.

Ms. Pickering stated that the business is for Professional Nutrition Services, she would like to live above it. It will be the top floor of the building. Remodeling has already begun and Will Barham has already been working with her on it. She does not need a fire escape as she can go out the back of the building.

Open to the Public – Jude Lancy – Village Board Liaison - very happy with what owner is doing with the building. Closed to the Public.

Matt Chatfield stated that this is not unreasonable for the neighborhood. It meets the Comprehensive Plan and meets Village Code 175-32A 1-6.

Motion was made by Peter Bowers, seconded by Matt Chatfield for a Type II SEQRA and for a positive recommendation for a Special Use Permit for one residential unit. All in favor none opposed, motion passes.

6. North Ponds Phase IV - Walt Baker, representing North Ponds Apartments LLC, requests review and recommendation from the Planning Board of the Village of Webster for Phase 4 of North Pond's Apartments for project development under Incentive Zoning. Tax parcels: 080.05-1-65.1; 080.05-1-68; 080.05-1-66; 080.05-1-67; 080.05-1-69; 080.05-1-64; 080.05-1-63 (approximately 3.4 acres). Proposed project consists of a three story L-shaped apartment building with 50 one and two bedroom units, 2 brownstone units along North Avenue with 4 units each and 2 brownstone units along Kittelberger Park with 6 units each for a total of 70 units. Applicant seeks recommendation from Planning Board to Village Board under Incentive Zoning. Property Zoned: Neighborhood Business.

Attorney Reuben Ortenberg discussed the transfer of Railroad Street with the Board and stated that he is still trying to get on the Village Board agenda. Architect Walt Baker presented an additional plan without Railroad Street included. He described the previous plan (Plan A) and the additional plan (Plan B) which has the same building design but does not include Railroad Street in it. He also discussed the proposed various incentives/amenities. Per attorney David Mayer, the Village attorney will have to address the resolution regarding Railroad Street, he cannot. R. Ortenberg said they were on the Village Board meeting agenda but they were taken off for some reason and were not told why that happened. He still has not received a response to his letter and still does not know why the applicant was removed from the agenda. P. Adams said that his opinion is that the Village Board needs to respond to the applicant's letter. We will need to kick this up to the Village Board and we are going to need to see where they stand on this. Railroad Street is an issue, we need to resolve that, but you do have alternate plans which would mean more site plan review and more meetings. Mr. Ortenberg stated that they don't want to have 2 tracks running on this project as this would double all their expenses.

P. Adams said that we need the Planning Board's recommendations to the Village Board on the original site plan review, the incentives versus the amenities. In my opinion the new site plan could be something we could work with, I am not saying it is perfect; there would be some changes if it comes back to us from the Village Board. We also need to look at the amenities versus the incentives and send that up to the Village Board. In my opinion some of these amenities being offered would be items the Planning Board would have already been asking for anyway in a site plan such as sidewalks, connections to the trail system, traffic flow, etc. so I don't consider them true amenities. The baggage depot I still do consider an amenity. I know it is not a direct benefit to the public,

to the Village, but it is part of Webster's past and it is being rebuilt into something we can look at. There were some recommendations last month from the CAP study for amenities that we might be able to use, but we should have a workshop to discuss them. We need to move this forward to the Village Board.

Motion was made by Matt Chatfield, seconded by Kathy Bills to table the application until we have a workshop to discuss recommendations on amenities, a modified site plan and a report back to the Village Board. All in favor none opposed, motion passes.

The workshop has been scheduled for 6/20/2013 at 7:00 pm in the Community Meeting Room. The next Planning Board meeting will be on Wednesday July 3, 2013, due to the holiday conflict on July 4.

7. Slal Real Estate Holdings LLC owners and developers of the Village Path Townhouse project off Lyon Drive propose to extend existing Village Path project into adjacent 5 acre parcel. Tax ID # 080.10-1-45.1. Developer proposes to build five (5) townhouse-style buildings having eight (8) units in each building for a total of forty (40) units on a private drive. Applicable zoning section Article VI 175-14, 15. Property zoned: R2 – 9.6.

Lee Sinnebox described the project and relief sewer changes that were discussed with Village Superintendent of Public Works Jake Swingly. Applicant's attorney Alan Knauf stated that the plan will meet all the zoning requirements in that it fits the site comfortably; there is no need for any special considerations.

Peter Adams needs the fire marshal's report that is in the Village offices. He will get that from Will Barham. P. Adams said this will be a composite acreage, not individual one acre lots, once the additional parcel purchase is completed for the subdivision.

Applicant and Board briefly discussed the easement for the proposed pocket park on the property. More discussion would be had on that at a later time.

K. Bills asked if these units would still be rentals. Applicant stated that yes they would be rentals at this time however they could be converted to sale units in the future.

Attorney David Mayer said that we need to have a public hearing for the subdivision as it was never advertised.

Open to the Public:

Eric Reynolds – 64 Kircher Park – Has the Army Corp of Engineers done a study? Applicant stated that yes an environmental study has been done by Environmental Resources, LLC Consulting and a copy of the results will be on

file with the Village/Will Barham. The Army Corp of Engineers is only called in if the environmental study finds something.

Peter Elder – 59 Dunning Ave. – Discussed the parking issues with regard to cars parking on the street. This project is significantly larger than the existing one. We need to look at the loss of trees, vegetation in the area. This loss will expose the quasi-factory on the south side if these trees are removed.

Jude Lancy – 51 Salori Ct. – Discussed traffic problems, openness of the industrial area, ice down the street due to drainage issues, gutters are not cleaned, mold issues. There are many different little things that I am worried about.

Board discussed parking issue. Applicant stated that they could add more parking but that will cause a loss of green space. Kathy Bills has concerns about the density of the project. Matt Chatfield agrees, however they do meet the mathematical calculation requirements.

Peter Elder – without a subdivision approval the project does not meet the density requirements yet.

Closed to the Public

Peter Adams – we would request that you would have an informal meeting with of couple of Planning Board members, a couple of Zoning Board members and maybe a Village Board member if they would like to come, to discuss a number of the different issues that have come up including the parking issue. We would also need a fire code report from the fire marshal. We will need to discuss density, screening, and green space. Matt Chatfield stated that he liked the addition of the pocket park for a bit more green space in the area. Board and applicant discussed the height of the buildings, the setbacks and the vinyl fencing for screening purposes.

John Cahill – Mayor of Village – discussed privacy issues from Baker Street including the loss of trees and the use of white vinyl fencing instead of earth tone colored fences. He said that he has never seen anyone actually parking on Salori Court.

Peter Adams – in regards to the planting and the maintenance, we do have a provision in the zoning on maintenance bonds that we did not add to the motion for Salori Court, specifically 137-7 F and 137-9 J. I would make sure that that would go in also. Basically owner of property would have to have a maintenance bond and replace any plantings that have died, make sure ponds are in good shape. Applicant stated that they did not feel the board dropped the ball at all on this issue. It is unfortunate that trees have to be taken down in order to develop a site, but that happens all the time. We can discuss that matter at the workshop

session concerning plantings and fences in order to make it better. We have tried very hard to address the maintenance issue, but the developer does have the right to take down trees to develop the site. P. Adams understands that, but stated we want to please everybody and have a good neighborhood.

Applicant stated that as far as complaints, they have been working with Will Barham to address them. They have done some drainage improvements. When plants have died we have replaced them, I have personally fixed a streetlight that was shot out because someone thought it was too bright. Trees die. Unfortunately it was very hot last year when we planted some of those trees and we are replacing them. We mow weekly, it is plowed regularly. I encourage you to drive down there to see the area, it looks very nice.

Chris Krawiec –There is a huge difference in privacy issues in a high density rental complex such as this – not as much with single family homes. How is trash handled on Salori Court? Is it private or is it common? Applicant said there is private trash pickup; no provision for dumpster service would be needed. He also stated that private services are being installed so that units could be sold as private residences at a later time. C. Krawiec has no issues with snow. He would like a comprehensive site plan to address the privacy concerns in regard to both Baker Street and Kircher Park. The consensus seems to be that anything that could be done that is natural to address the privacy issues would be preferred.

Kathy Bills – asked about the grates in the center of the roads being too high. Applicant said that the road will not be topped until all construction is completed.

Matt Chatfield – asked that section 175-29C be reviewed by the Board members before the workshop.

Peter Adams – would like to know members availability for an informal meeting in between the public meetings. He would rather go without a quorum but it will be an informal public meeting. I will notify applicant of possible dates.

Chris Krawiec – we will also need a lighting plan for the location.

Motion was made by Matt Chatfield, seconded by Peter Bowers to adjourn the meeting at 9:31 pm. All in favor none opposed, motion passes.

Respectfully submitted,

Carol A. Moranz
Planning Board Secretary