

TOWN OF CLARKSON
PLANNING BOARD - MINUTES

May 5, 2009

PRESENT:

Board Members

Don Osborne - Chairman *
John Jackson
Scott Hanko
Dave Virgilio
Tom Schrage

Support Board Members

Richard Olson, Town Attorney
John Paul Schepp, Town Engineer
Chad Fabry, Bldg. Inspector/Code Enforcement
Ursula Liotta, Building Department Coordinator
*excused

CALL TO ORDER

S. Hanko, Acting Chairman, called the meeting to order at 7:00 p.m., led all present in the Pledge of Allegiance and reviewed the agenda.

PUBLIC HEARING

1. William Holding Builders, Applicant – PBA #2009-2

Major subdivision – Sections 4, 5 & 6 (11 acres) – seeking preliminary approval
Liberty Cove Subdivision - Mission Hill Drive, Tax Acct. #69.01-01-1.12 and 54.18-03-41
Presented by: Bernard Schmieder, PE, LS

B. Schmieder introduced himself as the engineer of the project for William Holding Builders. William Holding and his son, Dan Holding, were present at the meeting. B. Schmieder explained the following:

- that the proposed project is Phase 2 of the Liberty Cove Subdivision; Phase 1 including Sections 1, 2 & 3 totaling 22 lots, and Phase 2 including Sections 4, 5 & 6 totaling 28 lots.
- that the Applicant is looking for preliminary site plan approval for the extension of the Liberty Cove Subdivision to the E (N or Sara's Farm Market) and to the N (bordering Sherwood Drive residences).
- that the extension to the E would connect to the existing sewer connection, but that a sanitary sewer line needs to be installed for the section to the N.
- that in accordance with NYS DEC, two storm water quality ponds will be created, one to take the flow from the swale area from the extension to the E, and the other to the N.
- that the lots are large, spacious; that there are old trees along the high bank that will be preserved.

S. Hanko opened the floor to the public.

Don Bishop, 115 Sherwood Drive, stated that he has the "old" and "new" Brockport Creek beds behind his home, but he does not see the "old" creek bed on the site plan; that the wetlands were protected by NYS in the past, but that he received a letter from the DEC in 1985 stating that after a hearing, the wetland designation was removed; that his property line is at the bottom of the escarpment.

D. Bishop shared several 8x10 glossy photographs showing his neighbor's (Wanda Wilt) yard, where the Town's highway department removed a large tree from the creek on her property at her request; that it has affected the beauty of their backyards; that the highway department used the access road on W. Holding's property to access the Wilt property; that after the tree was removed from the creek, the old creek now flows into the new creek. The brush and debris was dumped in the old creek bed, and that it is not allowing water to flow, but it is pooling and has become stagnant. Further, D. Bishop stated that kids played and dug holes on the ridge last year and caused a great change in the water flow.

B. Schmieder and D. Bishop identified the exact spot of the problem on the site plan. B. Schmieder stated that they did not anticipate doing any work in that area, but that they would look at it again. JP Schepp stated that the Town is given the easement to allow for access to the creek to alleviate issues such as downed trees; that Brockport Creek is a Class "C" stream and is not protected; that the area is not a wetland but it is in the floodplain. R. Olson stated that no construction would be allowed in the floodplain. W. Holding stated that he hopes to leave the backyards natural; that he has not walked down in the area described by D. Bishop, so he does not have personal knowledge about it.

Discussion was had regarding the flow of the swale in the proposed section to the E, and the storm quality pond. A comment was made about the existing mud hole in the completed portion of Liberty Cove. B. Schmieder stated that the law has changed since the time it was dug, and it will be modified to meet the current criteria for storm water quality ponds.

Harold Greenstein, 135 Sherwood Drive, questioned what would happen in the floodplain area to those living on the other side of the creek, and how far into the floodplain will the construction come?

B. Schmieder responded that all of the work would be done on top of the high bank, and not within the floodplain area. H. Greenstein further asked if the development to the N extends to Ridge Road. B. Schmieder stated no, the land does not go that far.

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J. Jackson made a motion to close the Public Hearing; second by D. Virgilio; unanimously carried.

Board discussion:

JP Schepp commented that the engineering work is down to very fine details; just a few odds and ends that need to be worked out.

S. Hanko questioned the cul-de-sac to the E. JP stated that there will be a swale around the cul-de-sac; that the watershed that flows through the area is not that great. B. Schmieder added that it will be an open swale; that they could put piping in, but that would require maintenance from the Town; the swale is wet only at certain times of the year; he would expect the homeowners to maintain the swale. JP Schepp stated that the water flow is slowed in a swale; that there is an easement if it needs to be cleaned; that the slope to be created will drain the water away. C. Fabry stated that the cost savings of the swale vs. piping is great, and there are more environmental benefits.

R. Olson stated that storm water regulations state that the Town is required to adopt maintenance agreements, with scheduled inspections by Monroe County. K. Schultz stated that he would provide R. Olson with a draft of such maintenance agreement.

D. Bishop inquired regarding fencing around the ponds. R. Olson stated that there is no code for fencing ponds, but he did add that there is a "safety bench" mandated, i.e. the ponds' edges would be tiered; that there would not be just an edge drop off to the deepest point of the pond.

J. Jackson inquired regarding streetlights. B. Schmieder stated that they would be added; they just were not put on the preliminary site plan.

R. Olson stated that the following districts need to be created: a) water; b) sewer; c) sidewalk; d) drainage; e) lighting.

D. Virgilio made a motion to grant the Applicant's application for preliminary site plan approval, conditioned upon the following:

1. That the water, sewer, sidewalk, drainage, and lighting districts be created; and
2. That a storm water control management agreement and easement be entered into between the developer and the Town of Clarkson in accordance with Chapter 110 of the Code of the Town of Clarkson.
3. That all of the above is subject to the Town Engineer's review and comments.

T. Schrage second the motion; unanimously carried.

NEW BUSINESS

1. **Mavis Kenyon – PBA #2009-4** (continued)
Resubdivision Plan of Hidden Plains, Section 1
2586 Lake Road, Tax Acct. #029.03-1-45.2 (2.0 a.) & 029.03-1-45.121 (108.5 a.)
Presented by: Kris Schultz, PE, LS, Schultz & Associates

Kris Schultz introduced himself and stated he was present on Darryl Moser's behalf; that his understanding is that the Applicant needs to apply to the Zoning Board of Appeals for an area variance; that the Applicant needs to request relief from the minimum frontage requirement per code, and the two acres minimum requirement per code. Therefore, there was no recommendation from the Planning Board; the matter is referred to the ZBA.

2. **Brockport Federal Credit Union, Applicant – PBA #2009-5**
 - A. Subdivision Approval – Lot R-11A (resubdivide into 3 parcels)
 - B. Site Plan Approval – construction of commercial building to house the BFCU @ corner of West Avenue & Sunset Center Lane, Tax Acct. #068.020-1-43.1Presented by: Kris Schultz, LS, Schultz Associates

K. Schultz presented the project, stating that subsequent to the Applicant purchasing the land, it was decided that all of the land was not needed for their new building; they only need the area designated as Lot 3 on the site plan.

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A. Subdivision: K. Schultz stated that the lots as shown on the site plan are appropriate for the Applicant's needs and for future projects; that West Avenue is a state road; Lot 3 would be accessed by Sunset Center Lane.

B. Site plan: K. Schultz shared the proposed plan for the new building, i.e.

- that the Applicant specifically desires a drive-up window and an ATM (not at their current location);
- that the front of the building will face West Avenue with the drive-thru entrance on Sunset Center Lane, across the front and around the back of the building, exiting through the entrance;
- that there are twenty-one (21) parking spaces; Town Code requires thirteen (13);
- explanations were given re: the catch basin, stop signs, sanitary access through an existing lateral line;
- that a landscape architect will develop a suitable plan;
- that the Applicant desires to have their sign in an elevated planting bed with level lighting;
- that there will not be a dumpster on site, only totes inside of the building;
- that the floor plan is straightforward;
- that the structure will be built on a slab, there will be no basement;
- that the building will have a residential-look to it;
- that the chosen contractor recently built a similar credit union building in Churchville with great success;
- that the Applicant's lease runs out in February 2010; that the construction should be completed by January 2010; that they hope to have the site stabilized and landscaped by September 2009.
- that the Applicant would be aggressively soliciting new business.

Discussion followed, including:

S. Hanco questioned an ATM in the vestibule; K. Schultz stated, no, it will be outside in the back, with a lot of lighting as required by law. D. Virgilio asked regarding the ATM and the needs of the customers. T. Schrage stated that a lot depends on what reciprocal agreements BFCU has with other credit unions.

It was noted that the wait can be frustrating for customers if they are not given a "lane choice" for ATM and/or drive-up window use. K. Schultz stated that the bank's "committee" had discussed many viable options; that he would bring the Planning Board's comments back to the "committee" to re-visit the plan.

JP Schepp inquired regarding the drainage report. K. Schultz stated that the project involves less than one acre of disturbance; that rather than trying to find the report previously prepared by Arnold Carmichael, he will do what is necessary to bring it up to code.

A public hearing will be scheduled for May 19, 2009. U. Liotta stated that the matter has already been referred to the Monroe County Department of Planning & Development, and that the Conservation Board will review the same on May 13, 2009.

OLD BUSINESS None

OPEN FORUM None

OTHER

T. Schrage inquired if our town would be the recipient of any stimulus money, specifically for sidewalks on Ridge Road. R. Olson stated that he understands projects need to be "shovel ready" in order to qualify; that the Town has a grant-writer, Gene O'Connell; that T. Schrage could perhaps ask the Town Supervisor directly.

REVIEW OF MEETING MINUTES from April 21, 2009

J. Jackson made a motion to approve the minutes; second by T. Schrage; unanimously carried.

NEXT MEETING: May 19, 2009 at 7:00 p.m.

ADJOURNMENT:

J. Jackson made a motion to adjourn at 8:30 p.m.; second by T. Schrage; unanimously carried.

Approved 5-19-09

Respectfully submitted,

Ursula M. Liotta
Bldg. Dept. Coordinator