

Village of Webster
Planning Board Meeting Minutes
Meeting Minutes of June 1, 2017

Community Meeting Hall
29 South Avenue
Webster, NY 14580

Present: Chris Krawiec, Kathy Bills, Peter Bowers, Judy Gurnett, Sherri Licata, Atty. David Mayer, Deputy Clerk Jo O'Neill

Absent: Building Insp./Code Enforcement Officer Will Barham

Meeting came to order at 7:30pm.

Chris Krawiec asked the board to review the minutes from May 4, 2017.

Motion: Judy Gurnett made a motion to accept the May 4, 2017 meeting minutes as written. Seconded by Sherri Licata. All were in favor. Motion passed.

- 1) **Application:** Xerox Corporation, 800 Phillips Rd., represented by Joseph Calabria, Tax ID# 065.19-1-1. Application to demolish building #305, located on east side of Phillips Rd., between Mitcheldean Dr. and Ebina Dr. Property zoned G-I, General Industrial. Pursuant to Village Code 175-68.

Presentation: Amanda Santell and Ron Gilmore on behalf of Joe Calabria, are requesting to take down the barn on Phillips Road, owned by Xerox. It was built before Xerox was there, and sustained a lot of damage from the wind storm on 3/8/2017.

Chris Krawiec noted that for a building to be demolished according to Village Code 175-68, it must first go before the Historic Preservation Commission (HPC) to determine if there is any significant historical value to the building. We do not have anything in writing from the HPC as to their decision on the building, and therefore will have to table the Planning Board's decision until next month.

Jo O'Neill will discuss this application with Will Barham and follow up with the HPC.

- 2) **Application:** Gloria Duarte, owner of Maria's Authentic Mexican Restaurant, 75 West Main Street. Applicant is requesting a change of use for relocation at 34 May Street. Tax ID#080.06-1-43. Current use/occupancy is a business office. Requested use is a restaurant/bar. Building is 10,000sf of which 4,300sf is proposed for the restaurant/bar. Property zoned General Industrial. Application pursuant to Village Code 175-24;25.

Presentation: Gloria Duarte presented along with Valerie and Iris Duarte. She has owned Maria's Restaurant for 37 years, and would like to stay in Webster and move to 34 May Street. They would like a better place for their customers and believe May Street is the right place for them. Currently, the building is office space, so they would need a "change of use" permit for the area they would use for the restaurant/bar. They would be renting the space from the owner, but eventually would like to buy it.

The current owner/partner, Jim Forward, has offices on the second floor, but is happy to rent the space to Maria's.

Judy Gurnett asked if they have sent letters out to the neighbors, to which they replied they had.

Open to the Public:

Thomas Tubiolo, Jr., 154 Kircher Park, lives on the corner of May St. directly across from 54 May St. He has rented the house from the owner of Smith Automotive for the past nine years. He is concerned about the traffic and the noise from a restaurant/bar, which serves alcohol. There is a day care center down the street that has a lot of traffic during the day, but by 6pm all of the children are picked up and the rest of the evening is quiet. It is also quiet over the weekend, as the day care is closed.

Martin Parzynski, owns 25 May St., across from Smith Automotive. May St. is a quiet street where the kids can go outside and play in the evening and on weekends. A restaurant/bar there would be a huge disruption to our lives seven days a week until 11pm at night. The building should stay an office building.

Paula, 175 North Ave., added that would significantly affect the traffic on the street. The traffic for the daycare already backs up during the drop off and pick up times. After 6pm however, all of the children are picked up and the street is quiet. There also isn't very much parking there. Would they be parking on the street? She likes Maria's, but is concerned about the increased traffic.

Duke Stofer replied that the daycare, owned by Heritage Christian Center, is open to leasing parking spaces to the restaurant. They only use 40 spaces out of their large parking lot.

David Beh, currently rents from Martin Parzynski at 25 May St., has put a lot of work into the house and would like to buy it. If a restaurant moves in the property value will likely go down. On the weekends it is quiet and relaxing there. The next street over has a lot of activity. It would be a better fit over there. He likes Maria's, but would like to keep their quiet neighborhood.

Jim Forward, owner of 34 May St., has owned the building since 2000, and has been going to Maria's for about 30 years. The large parking lot owned by Heritage Christian Center is mostly empty all day long, and there are two streets that are accessed from that parking lot. Maria's a nice restaurant, and is a great family place to eat. He would like to see them move to May St. That neighborhood is being transformed. Other businesses have started up around there, and there are loft apartments going in. The area has been changing. The Village will be putting in sidewalks and beginning their "North Avenue Project". It is becoming a vital, vibrant area.

J. Gurnett asked about the entrances to the Parking lot.

The owner, Mr. Forward, replied that the traffic can go out May St., or the road on the other side of the Day Care known as Railroad St. They are negotiating with Heritage Christian Center to be able to use the other road for an ingress/egress.

Chris Krawiec commented that currently, only the “locals” would be aware of Railroad St. as an alternate ingress/egress. In essence it is a private road. He then asked about the personal load for the building if the building was completely rented.

The owner, Mr. Forward, said that there have been other businesses in the building, and have had 29 spaces for employees to park. Maria’s would not have any traffic in the morning.

Chris Krawiec inquired about the times that Maria’s would be open.

Gloria indicated their busy times are for lunch from 11am – 2pm, and for dinner 5pm – 9pm. They are open until 10pm, but that’s primarily when the employees are cleaning up.

K. Bills asked if they had any layouts with them.

D. Stofer displayed the layouts showing the parking area and the façade of the building. There are 29 spaces at 34 May St., and they anticipate leasing 30 more from Heritage Christian Center. They estimate having approximately 20 cars for lunch and 50 for dinner.

Mayor Cahill commented that Maria’s is a family owned business, and family oriented for their customers. They have been in business for 37 years because of their amazing product and service. They have been looking for a new venue for years. The North Avenue area is changing, and Maria’s would be a good addition to the area.

Paula, 175 North Ave., asked if they have considered Commercial St. There is the Swiss Chalet and warehouse for sale there, with a large parking area.

Kara Coneer (sp?), lives with her parent and has two children, 2 and 5 years old. The traffic backs up on May St. around 6pm when children are being picked up from the Day Care. This is the same time the restaurant would be busy for dinner. There should be a light there as it is now. It will only get worse if the restaurant is there.

M. Parzynski, 25 May St., stated you need to consider the residents there and what they enjoy there. An office space would be more reasonable.

Judy Gurnett inquired as to how many residents live there.

M. Parzynski indicated there are six homes, and noted that Smith Automotive closes at 5pm, and the Day Care closes at 6pm. They will no longer have peace and quiet in the evening with a restaurant there open until 11pm.

Closed to the Public:

Peter Bowers inquired if the restaurant is open seven days a week.

Valerie Duarte indicated that the restaurant is currently open Tuesday – Friday for lunch and dinner, and Saturday for dinner. They close for one week in the summer, and one week at holiday time. “Cinco de Mayo” is the only “crazy” day they celebrate. Their current place needs a lot of work, and it is not handicap accessible. Four generations of their family have been involved with the restaurant, and they donate some of their profits to charity. They have field trips from Spry Middle School and Spanish classes come in. They love the community and really want to stay in Webster.

D. Stofer clarified that they are “proposing” possibly being open until 11pm, and having a “Cantina” open seven days a week for people who want to just stop in for a drink and quick bite to eat. These are just proposals, and not carved in stone.

Iris Duarte added that they have a three margarita limit. Their customers do not get carried away. They understand this is a community. They are looking forward to continuing some of their traditions and starting some new ones.

J. Gurnett asked if they are considering renting the building and then buying it.

Gloria said they hope to be able to buy it in 1-2 years.

C. Krawiec commented that he has been to Maria’s many times. Based on their proposed layout, they would have 148 seats in the restaurant. Assuming four patrons came in each vehicle, there would be a possible 37 vehicles plus the employee cars. That would be a significant vehicle load for the street. In addition there would be truck deliveries, trash removal and other issues associated with a restaurant. The neighborhood is small and localized, but it would have a huge impact on them. It would affect the Day Care there as well.

Sherri Licata agreed and asked if a location on Main Street would be possible.

D. Stofer replied that the available space on Main Street is very expensive. They have looked into the former Burger King property, but the owner is difficult to work with, and will only lease it to them. He will not consider allowing them to buy it over time.

Atty. David Mayer noted that for 4300 sqft of gross floor space, our code would require 71-72 parking spaces. They would need a waiver or variance for the parking. He suggested they have their attorney look at Village Code 175-53B,

K. Bills suggested that they consider the parking issue and the Railroad Street ingress/egress and come back before the board.

C. Krawiec asked whether anyone would like to make a motion on the application.

Peter Bowers recommended that they consider Kathy Bills' suggestion and come back before the board with a confirmed agreement on the parking and the ingress/egress.

D. Mayer suggested they have their attorney look at the Village Code 175-53B regarding parking waivers.

C. Krawiec then encouraged them to withdraw their application for tonight and come back again when more details are worked out. He then thanked the applicants for coming.

3) **Application:** Mark Van Epps, developer of Brittany Woods Townhomes, Tax ID# 080.11-1-12 and 080.15-1-49.1, located at the southeast corner of Ridge Rd. and Phillips Rd. Application for a preliminary site plan review to develop 13.4 acres for a 14 building townhome development. Property Zoned: R-M, Residential. Pursuant to Village Code 175-17 and 175-41.

Presentation: Jack Buholtz, engineer from TY Lin, presented for Brittany Woods. They are looking for a preliminary site plan approval for developing two parcels into 14 Townhouse buildings on 13.4 acres. There would be a total of 68 rental units. The Village Board approved the SEQR when they approved the rezoning from PUD to RM residential. The ZBA approved the SEQR again, but has not yet ruled on the variance for 14 buildings on 13.4 acres. He displayed the proposed layout and indicated that they will be preserving the woods on the north and south sides of the development. Other approvals they have to get include the MS4 Storm Water Pollution Plan, Monroe County Water Authority approval of the water service and meter connection, Monroe County Health Department approval, Village DPW approval of their sewer connection, Monroe County Department of Transportation approval for the proposed curb cut on Phillips Rd., and the US Army Corp of Engineers approval regarding the wetlands. There will be 24 two story units (1500sqft) and 44 ranch units (1100sqft); all with a basement, two car garage and two extra parking spaces. It will not be subsidized housing. In addition, there will be street lighting, landscaping, dedicated sanitary sewers, garbage collection and sidewalks that will tie into the Phillips Rd. sidewalks. They estimate it will take two years to build. As described before, the storm water infiltration system will be designed to withstand a 100 year storm event, and is adequate for fire prevention. He did check with NYS DOT regarding the culvert that runs under Ridge Road, and they indicated that they would not "upsized" it, as there are no structural issues with the current one.

C. Krawiec inquired about the two year timeline, and whether the development will be phased in.

J. Buholtz replied that there will be three phases, as noted in the packet, but the development will be a continuous project until it is done. The utilities will be phased in also.

C. Krawiec expressed that there have been issues with phase in developments, and we don't want incomplete infrastructure.

J. Gurnett asked if they will be putting in a hedge row on the north side to lesson the visibility for the people on Ridge Rd.

J. Buholtz indicated that the woods along there, and on the south side, will stay, and they are also proposing evergreens along there.

C. Krawiec stated that a motion for a preliminary site plan approval could be contingent on a positive decision from the ZBA for a variance of the number of buildings per acre.

D. Mayer added that they will still need to come back to the Planning Board for the final site plan approval.

Open to the Public:

David Corretore, 1477 Ridge Road, owns the land along the east side of the proposed development. Part of the property is designated as “Open Space” for approximately ten more years. He inquired as to what kind of “buffer” there will be along there. Does the Village Code require any kind of buffer between zones, and what can be in the buffer? He would like it to be kept wild along there, but also have trees or some kind of fence to block the view of the garages that will be on the back side of the buildings. There is a storm sewer along his property line and the development’s east side. He questioned whether that belongs to the Village or the Town, and how many manholes are along there. He also noted that there is a creek that runs through his property, in addition to the one that runs behind the residents on Ridge Rd. He likes how the plan for Heartland Estates included trees on the north side creating a buffer along East Main Street.

J. Buholtz indicated that there are three manholes along the property line there.

Paul Bruns, 1455 Ridge Rd., concurs with David Corretore, and said there needs to be buffers along the north and east boundaries, either trees or possibly an 8ft fence. There were people trespassing just this past week from Phillips Village, and this development will be even closer. The wetlands on Mr. Corretore’s property have gotten larger over the past 20 years or so. The water is coming from somewhere. He is however, more confident about the Infiltration ponds after hearing more about them.

Closed to the Public:

J. Buholtz addressed the idea of a buffer on the east side where the storm sewer is. There is a 48” sewer main approximately 4ft down, with a 20ft easement. (He expressed that he will locate the exact location of the sewer pipe.) They can leave trees that are already there, but they cannot plant more along there. If it was a residential area on the other side, they might consider a fence, but not when it’s a wooded area.

C. Krawiec commented that the storm sewer is on Village property, and runs to Ridge Rd. He then noted that the Planning Board would require a landscaping plan indicating where plantings will be added and what natural trees will be left.

J. Gurnett asked if a hedge row without deep roots would be a possibility.

P. Bruns suggested a berm for a buffer instead.

C. Krawiec responded that he will discuss the possibilities for a buffer with Jake Singly and get back to the board. He then asked for a motion on the preliminary site plan.

Motion: Kathy Bills made a motion to approve the preliminary site plan contingent on obtaining a variance from the Zoning Board of Appeals for an area variance to construct 14 buildings on 13.4 acres.

Seconded by Judy Gurnett. All were in favor. Motion passed.

C. Krawiec thanked everyone, and asked for a motion to adjourn the meeting.

Motion to Adjourn: Sherri Licata made a motion to adjourn the meeting.

Seconded by Judy Gurnett. All were in favor. Meeting adjourned at 9:20pm.

The next Planning Board Meeting is scheduled for 7:30pm on July 6, 2017.

Respectfully submitted,
Jo O'Neill, Deputy Clerk