

Village of Webster
Planning Board Meeting Minutes

Meeting Minutes of December 5, 2013

Community Meeting Hall
29 South Avenue
Webster, NY 14580

Present:

Chairman Peter Adams, Matt Chatfield, Peter Bowers, Chris Krawiec, Attorney David Mayer, Building Inspector/Code Enforcement Officer Will Barham, Secretary Carol Moranz

Absent: Kathleen Bills

The meeting came to order at 7:30 pm.

Motion was made by Chris Krawiec, seconded by Peter Bowers to accept the minutes from the November 7, 2013 meeting. All in favor, none opposed, motion passes.

1. 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. Application for a final subdivision approval. Developer proposes to build five (5) townhouse-style buildings, four (4) with eight (8) units in each building and one (1) building with six (6) units, for a total of thirty eight (38) units on a private drive. Applicable zoning section Article VI 175-14, 15. Property zoned: R2 – 9.6.

Peter Adams notified applicant that one Planning Board member was missing and they could table their application if they wanted to wait for a full Board. Applicant stated they wanted to proceed tonight. An updated final site plan was submitted to the Board.

Will Barham noted that there were no changes to the utilities, street renderings, and elevations for storm drainage and confirmed this with Superintendent of Public Works Jake Swingly. Board discussed tree heights and spacing around project.

Board and applicant discussed pond levels, fountains and water movement for storm water management. W. Barham noted the purpose of the ponds is as a filter for water quality. He also stated that the storm water maintenance agreement is set up between the Village and the property owner. Will then goes and inspects the ponds periodically to ensure that they are being maintained properly.

Discussion was held on concerns with vegetation in the southeast corner of the project. Applicant noted that they were not changing the grades in that area. M. Chatfield had concerns that there could be vegetation die-off in that area and wanted it noted in the minutes. Board also noted that we also don't know where RG&E will plant their utilities.

Board and applicant discussed putting shrubs up near the porches on the four corners by the parking area.

Applicant would prefer not having the northern sidewalk on the north side and owner feels that the one on the south is ample. He also noted that there would be more opportunity to put additional landscaping on the south side as there is more space on the south side. P. Adams thinks having the sidewalks on both sides gives a more "village" feel to the area.

Opened to the Public:

Eric Reynolds – 64 Kircher Park – discussed the number of units and feels that it is too big. He noted that the Board has disregarded the Comprehensive Plan which clearly states that that area should be single family homes. Stated that there are effectively no evergreens on this parcel at all – they will look completely out of place and don't provide the screening needed that a deciduous tree would provide. Plans are not complete, there are no artist renderings. P. Adams said that it was mentioned in the Comprehensive Plan but was never followed through, therefore it is not law. The Planning Board cannot change the zoning. Regarding the comment about density and mass, C. Krawiec noted that this project is actually smaller than it can be. It is Code compliant.

Peter Elder – 59 Dunning Ave. –1. I would ask the Board not to disregard the rendering that M. Chatfield is asking for. I think it is important to see what the whole thing looks like in context. I think if the Board asked for that, the applicant should provide it. 2. I also ask that you consider a landscaping bond which is a very powerful tool (Code section 137-5(l)). 3. I also ask that you clearly define conditions in the motion. 4. Please establish the minimum caliper of the trees.

Gene VerSchneider – 93 Kircher Park – There has been very little discussion of building 300 on the west side. Discussed the number of trees left between the building and Kircher Park. I would like to suggest a berm as well as fast growing trees in the area. P. Adams said that he did not think a berm would be a good choice in the area as they do not provide good drainage and could cause flooding in your backyard and the trees tend to die faster. There are quite a few larger 6", 8" or 10" caliper trees close to the Kircher Park line that should not be coming down. We have asked for larger trees which should help with privacy issues. M. Chatfield noted that smaller deciduous plantings and shrubs behind building 300 would enhance what is shown on the plan. Applicant noted that this is a residential area, not a factory that needs to be screened.

Christine Reynolds – 64 Kircher Park – discussed a plant that provides wonderful screening. I don't know the name of it however it is a shrub that does not lose its leaves in the winter. It is the one that is on the corner of the DPW building. Some of her major complaints with the project are: Baker Street neighbors complaining about the hours of operation of heavy equipment in the area. I would like to have some idea as to what is a reasonable hour to be working backhoes. 9:30 -10:00 pm at night is not reasonable. P. Adams stated that that is a reasonable request.

Jude Lancy – 51 Salori Court – Wanted to know when the project will start and how long will it take. Applicant stated that once approval is given it should be approximately 18 months.

Peter Adams asked what the average rental will be for these units. Applicant said it will be about \$1,400 a month.

Closed to the Public

C. Krawiec asked about solid fencing behind building 300 in lieu of landscaping. It was noted that even a 10 foot fence wouldn't give you the privacy that natural screening would. M. Chatfield said that he personally would not be in support of fencing in lieu of landscaping and he would not support anything taller than 6 feet. P. Adams – my personal feeling is I don't care for them; they start to look bad after about 5 years. C. Krawiec noted that every homeowner has the option to put up a fence if they want.

W. Barham discussed the traffic heading east from the other private drive and the fact that headlights may be an issue. Headlights would be going between the existing buildings 100 and 200. I can't remember what screening exists there now along the lot line between those buildings. Applicant stated that they will continue to work with the Village to address these issues as they come up. Will said that he wanted it to be on the record in case issues come up in the future.

Applicant respectfully asked that the Board give final site plan approval tonight with the various minor adjustments that have been indicated. P. Adams noted that we do want to add benches to the final design, larger, 7-8 foot trees behind building 300, enhanced plantings in the corners – SE corner of building 400, SW corner of building 500, NE corner of building 200, and the NW corner of building 100 – between the corners of the buildings and the parking area.

P. Adams stated that the way it goes, once the final subdivision is approved by this Board it goes to Will and then it goes to other agencies for approval. I don't have the final signoff on it, but I do have to sign off on it and if it does go that far, and there are no issues; I would like to meet with Will and another Board member to review those again. Applicant requested that we go over it all before it goes to other agencies. Chairman Adams said he understood.

P. Bowers asked for clarification on the fact that the fountain is off the table. As far as they know they don't see any good purpose for the fountain. W. Barham did note that there is a good purpose for it due to the geese that bring in nitrogen that fills up the pond. Fountains prevent that. M. Chatfield stated that the issue could easily be prevented if they do not go all the way up to the edge, if they would leave a solid 3 feet of thicker stuff along the edge. Second item from P. Bowers - is the north sidewalk still on the table? P. Adams said that yes it is. Third item, the CAD drawing has gone away? P. Adams would request a CAD drawing before final signoff, if that is acceptable to everyone on the Board.

W. Barham wanted to keep in mind the maintenance agreement, according to section 175-27 and also whether the Board would like to consider a letter of credit. The letter of credit is for those things that the Board wants in the plan (sidewalks, landscaping etc. according to our Code). It is not the whole project.

P. Adams noted that they will define what the rendering requirements will be.

Motion was made by Matt Chatfield, seconded by Peter Bowers in the affirmative for final site plan approval and subdivision approval for phase 2 dated through 11/15/2013 with the following conditions:

- Minimum 6" or larger caliper trees (exception for scrub, dead or diseased trees with W.Barham's approval) to remain in selected clearing/thinned areas wherever possible/practical. Trees shall be marked for salvage and/or removal before construction starts.
- Enhanced planting in the North West corner adjacent to visitor parking area— 6' – 7' trees, additional deciduous trees, native shrubs.
- Landscaping enhancements in front of residential porches and guest parking areas and benches in pocket park as per Print #130.
- Performance bond – Village Code 137-5.5i. W. Barham to determine final cost with engineer and approved Village bonding agent –infrastructure, landscaping, lighting, streets, sidewalks, storm water management, pocket park.
- Landscaping bond or letter of credit to take care of any residual landscaping issues that may come up.
- Correction of typical building frontage landscaping detail to match actual building typical layout – Print #130.
- Artist/architect elevation/ perspective rendering to be determined with Planning Board commissioner and selected Planning Board members before final sign off on the plans.
- Larger trees to be planted in the rear of building 300 – minimum 6 -7 feet with hardwoods or selected ornamentals, deciduous landscaping, small native trees and shrubs.
- Approved minutes from 12/5/13.

- Applicants provide a letter of feasibility for maintenance to the Planning Board that must be approved by the Village Board, per Village Code section 175-29 C (10) –maintenance agreements.
- Defined hours of operations for construction for no heavy equipment use after 9:00 pm. During construction a detailed plan should be made of the flow of construction vehicles in and around the construction site and that plan be adhered to as closely as possible.

All in favor none opposed, motion passes.

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

Respectfully submitted,

Carol A. Moranz
Planning Board Secretary