

Regular meeting of the Planning Board of the Village of Brockport was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Monday, September 10, 2007 at 7:00pm.

PRESENT: Vice Chair John Brugger, Member R. Scott Winner, Member Annette Locke, Member Arthur Appleby, Village Clerk Leslie Ann Morelli.

EXCUSED: Chair Charles Switzer, Building/Zoning Officer Scott C. Zarnstorff, Village Engineer Jason Foote

ALSO PRESENT: Stefan Jurasinski, Don Hibschi, Jim & Joan Hamlin

CALL TO ORDER: Vice Chair Brugger called the meeting to order and led the Pledge of Allegiance.

Member Winner asked why Building/Zoning Officer Zarnstorff was not in attendance. Clerk Morelli said he had the day off.

Member Winner asked if any of the Planning Board had followed up with the Village Attorney regarding the front yard fence issues raised at the last meeting. No one had.

REVIEW OF MEETING MINUTES: Vice Chair Brugger called for a motion to approve the minutes of the previous meeting.

➔ Member Locke moved, Member Appleby seconded, unanimously carried to approve the minutes of the meeting held August 13, 2007 as written.

CORRESPONDENCE:

Member Winner referred to a memo from Mayor Wexler indicating that the Village Attorney would no longer attend Village Board, Planning Board and Zoning Board of Appeals meetings unless specifically requested by the Board Chair in advance. He questioned the impetus behind this change and if Board Chairs had been consulted.

PUBLIC HEARINGS: None

OLD BUSINESS: None

NEW BUSINESS:

1. Application of: Name: Stefan Jurasinski
 Address: 32 High Street
 Zoning: Residential
 Purpose: front yard fence

Applicant Presentation:

S. Jurasinski reviewed his application for a length of fence along his property line to the right of way. A length of 28 feet will be 6 feet high. A length of 14 feet will be 4 feet high and then drop to 3 feet high as it approaches the street. It will be setback 3 feet as required by code. He submitted a measured drawing and a photograph of the property location.

Continued Board discussion on application:

Member Appleby inquired as to the fence style. S. Jurasinski said the portion 6 feet in height would be dog eared (stockade) and the rest would be picket. Member Winner asked for orientation. Member Brugger asked if it would be from the corner of the house to the street. S. Jurasinski said yes. It would not run parallel to the street. Member Winner asked the color. S. Jurasinski said they haven't made a decision yet, but are leaning towards a transparent water seal.

Member Brugger asked how long he had owned the property. S. Jurasinski said about a year.
Member

Winner asked what was driving his need for this stretch of fence. S. Jurasinski said several reasons including the fact that the house next door is a rental and the tenants and visitors sometimes park and walk in his driveway. The rental house has a stoop that exits right to his driveway. It is also a safety hazard as children play in the driveway and pose an obstacle. Member Winner asked him who owns the adjacent rental property. S. Jurasinski said he does not know, but does not believe it is owner occupied.

Member Winner said it looks like he recently paved the driveway. S. Jurasinski said yes – just today. Chair Winner asked if the old driveway was entirely removed and re-done. S. Jurasinski said yes as it was very degraded. The contractor removed the old driveway last week and paved it new today. Member Winner said the property improvements are appreciated. Member Locke agreed.

⇒ Member Winner moved, Member Locke seconded, unanimously carried to approve this application.

INFORMAL UPDATE RE: McCormick Place Subdivision (Havenwood Meadows Section III)

Don Hibsich said he wished to provide the Planning Board with an informal update. Only lot #49 is left in Phase I. All other lots in Phase I have either been built up or are in the process. They are wrapping up a punch list of items provided by the Village Engineer. He said the Village Engineer has been very pleased with Phase I gutters, curbing and paving. It won't be long before the road will be ready for Village Board dedication. Member Winner asked who the paving contractor is. D. Hibsich said Alco Paving. The walking path in this section is in. It worked out well locating it on the easement. D. Hibsich said the ponds have been retrofitted based on the Phase II Storm water Regulations of the NYS DEC. He said no one likes the appearance, but they had no choice.

D. Hibsich said Phase II site work is almost complete and sales are underway. He said they have been fortunate to have weather on their side. He said there are 2 issues that he has discussed with the Village Engineer. Although they may not necessarily be under the Planning Board's jurisdiction, they thought it best to discuss with the Planning Board. The first is the issue of 2 huge piles of topsoil located in Phase II that were generated from Phase I work. D. Hibsich said the Village Engineer suggested getting rid of half of it now. Member Winner asked if there is any future use for it within the subdivision. D. Hibsich said no. As a matter of fact there will be a surplus of materials from digging basements.

The other issue is that of Lot #1 which sets off of Candlewick Drive. He said Kendrick Corporation, the Management Company that handles the Homeowner's Association, recommends removing it from the HOA because it will be tough to mow and plow. Member Winner asked the reasoning behind the recommendation. D. Hibsich said it is somewhat landlocked, as it can't be accessed from the subdivision – only from Candlewick Drive. Member Appleby asked if there is any interest from anyone to buy the lot. D. Hibsich said he has not been approached, but he imagines it wouldn't be in the Village's interest to leave it as an unbuilt lot as they would lose tax revenues.

D. Hibsich said they have cleaned up and graded behind Cloverwood Drive. Member Brugger inquired as to a landscape buffer. D. Hibsich said they will not be providing any landscaping on the Cloverwood properties, but there are a few spots they will need to do so for the new subdivision's sake as the rear of some of the Cloverwood properties are less than attractive. Member Winner said he imagines that the storm sewers required along the back property line will limit what he can do by way of planting.

D. Hibsich commented that most of the adjoining property owners have generally been easy to work with. He said Mr. Hage's pool is 6 feet on the subdivision property and by Village Code would have to be at least 10 feet from the property line. Therefore, the attorneys are working on an agreement to straighten out the property line that jogs oddly. Member Appleby said he remembered this being recommended early on in the planning process, but the property owners (Mr. Hage and Mr. Crowley) being unwilling to remedy the situation. D. Hibsich said that is correct. He said one property owner had a 56-foot encroachment onto the subdivision property. He said he gave notice before having to relocate accessory structures. He said one person's garden got demolished. He said they cleaned up a lot of dog feces, car batteries, tires and a car chassis. He said he knows one property owner is displeased and wrote a letter to the Village requesting a break on taxes and relocation expenses during construction, apparently due to health issues. He realizes that request will not be satisfied.

D. Hibsich said they have done a lot of watering this summer. Member Winner asked if he had a drafting permit for the Canal. D. Hibsich said no. He learned that the Village used to have a drafting permit from the Creek, but that is no longer in place.

D. Hibsich said the new model is priced at \$199,900. The average price has been \$165,000 to \$170,000. He said Danielle Windus-Cook Properties is doing a great job. He said it is also helpful that potential homebuyers can also get a better idea of the development since much of Phase I is in.

Member Locke asked if the lot D. Hibsich wants to take out of the Homeowner's Association will look like the others that are in the Homeowner's Association. D. Hibsich said not necessarily. He said all the homes are custom built, but most people are choosing one of 11 or so designs. This lot could be a two-story home. It would still be a single-family home. Member Locke asked if the lot is the smaller size that received cluster approval. D. Hibsich said the lot in question is quite large – even larger than regular Village Code requires.

Member Brugger stressed the importance of construction vehicles now using the subdivision road rather than cutting through Havenwood Drive and Candlewick Drive. D. Hibsich said they are aware of the concerns and no longer have a need to utilize access through there. Member Appleby asked if they would be endangering the new subdivision road by running construction vehicles over it. D. Hibsich said no. D. Hibsich commended the Village Engineers and specifically Chris Slater who has been great on inspections and making helpful suggestions.

Member Brugger questioned if either of these issues require Planning Board authorization. D. Hibsich

said S. Zarnstorff and Chatfield Engineers said not necessarily, but that it wouldn't hurt to get it.

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→ Member Winner moved, Member Locke seconded, unanimously carried, to allow the removal of Lot #1 from the Homeowner's Association pending Code Enforcement and Village Attorney's review.

→ Member Winner moved, Member Appleby seconded, unanimously carried, to allow the removal of topsoil from the site as recommended by the Village Engineer and subject to compliance with Village Codes and NYS DEC codes.

NEXT REGULAR MEETING: Monday, October 29, 2007 7pm (since 10/8 & 11/12 are holidays)
(Application materials due by Noon Tuesday, October 23rd)

ADJOURNMENT:

→ Member Winner moved, Member Appleby seconded, unanimously carried that the meeting be adjourned at 7:50pm.

Leslie Ann Morelli, Village Clerk