

**Special 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, June 24, 2002 at 7:30pm.**

**PRESENT:** Chair R. Scott Winner, Vice Chair John Brugger, Member Arthur Appleby, Member Annette Locke, Member Charles Switzer, Building/Zoning Officer Scott C. Zarnstorff, Village Clerk Leslie Ann Morelli.

**EXCUSED:**

**ALSO PRESENT:** Bradley B. Upson, DPW Superintendent, Frank A. Aloï, Deputy Village Attorney, Tom Carpenter of Chatfield Engineers (Village Engineer), Sam Liberatore, Kris Schultz, Mark Calcogno, Jonathan Mendez, Jim Hamlin, Joan Hamlin, Steve Locke.

**CALL TO ORDER:** The meeting was called to order by Chair Winner. Chair Winner welcomed new DPW Superintendent Bradley B. Upson.

**REVIEW OF MEETING MINUTES:** None to review. Available by next meeting.

**CORRESPONDENCE:** None

**PUBLIC HEARINGS:** None

**OLD BUSINESS:**

1. Application of:      Name:            Schultz Associates for Mark Calcogno  
                                 Address:        West Avenue (remaining Farash property)  
                                 Purpose:        230 lot residential / 6 lot commercial subdivision and site plan temporarily named Brockport Village Landing

**Applicant Presentation:**

Sam Liberatore re-introduced himself and Kris Schultz of Schultz Associates Engineering and developer Mark Calcogno. S. Liberatore shared that they have been working with the Village Engineer and Village Attorney since the last meeting which has generated some correspondence with questions and answers. He reviewed Attorney Aloï's letter of May 30<sup>th</sup> and tried to address each issue.

Wetlands: Firstly, regarding the letter of intent from Farash regarding the wetlands. A legal description and map are being worked on and will be supplied for presentation to the Village. F. Aloï said he needs expression of intent. M. Calcogno said the exact contract is not yet determined. They will know more details once they obtain preliminary approvals. F. Aloï said this may be a condition of approval.

Landlocked area: Secondly, the Village would not want the circular (landlocked) area. He said this was not meant to be conveyed to the Village but would be a conservation easement as part of those property owners deeds.

Sewer and water districts: S. Liberatore said there is a sewer district and a water district within project boundaries. DEC records show them as the whole Village is said district. DEC also found the possibility of an endangered plant species called shining bed straw. They contacted the Natural Heritage Program – Land and Forestry's Jim Peake who quickly eliminated that plant species being on this site since it only grows in dry, wooded areas. Chair Winner asked if this was determined by telephone or site visit. S. Liberatore said telephone and he would verify this. He also contacted Andy Smith who did the wetland delineation. He agreed with the DEC that a site survey for this possible plant would be costly and be unlikely to find such a species. S. Liberatore said DEC surveys are often outdated. T. Carpenter asked for a letter regarding this.

Pumping Station maintenance and fees: S. Zarnstorff said infrastructure maintenance fees for the pumping station are a big question. Member Appleby agreed and commented that the Village of Brockport should not be responsible for any infrastructure costs related to this or any subdivision. S. Liberatore said infrastructure is a cost of the developer except the maintenance of the pumping station. K. Schultz said in the first five years, the total maintenance cost might be \$600. They can provide maintenance cost estimates. S. Zarnstorff asked if the pump station building would be dedicated to the Village. K. Schultz said yes. S. Zarnstorff said the Village will need to know anticipated maintenance and replacement costs of the building itself as well. K. Schultz said it looks like a one car garage and has very low maintenance. They are more attractive and roomier than the half cylinder offered by the manufacturer. S. Liberatore said how much to charge the district would be at the discretion of the Village. Chair Winner asked if these units are in any of their other developments. K. Schultz offered to arrange a tour at Gorman Rupp. B. Upson said he is familiar with them. There are one or two in Clarkson that have been no problem. S. Liberatore agreed to provide maintenance estimates and contact numbers.

Sewer connections for existing West Avenue homes: S. Liberatore referred to the sewer connections for the existing West Avenue houses – wanting the connections available sooner rather than later. S.

Liberatore said the developer will provide a line for them to tie into, not individual hook ups. B. Upson asked if this includes a main on West Avenue. S. Liberatore said no. They would be rear yard connections. B. Upson asked if they were proposing laterals across others properties. S. Liberatore said yes, with easements. S. Zarnstorff questioned the connection of the 2 proposed houses on West Avenue. K. Schultz said the problem with hooking up West Avenue is that they need all to agree to it. That can not be made a part of this project. A developer does not normally go out of his property bounds. S. Liberatore said a new septic system would cost double running a line and hooking up. As far as connecting the two or three proposed homes on West Avenue, they will provide details on this. There will be no sewer line until they have a buyer for the middle lot on West Avenue.

Existing Water Main: S. Zarnstorff asked the history and strength of the existing water main down the rear of the West Avenue homes. S. Liberatore said it is a dead end main both sides of West Avenue. They went to Monroe County Water Authority several years ago. S. Zarnstorff asked if there is a main that runs parallel. S. Liberatore said the north side and south side loop together somehow. S. Zarnstorff commented that it might be more prudent to tap the 2 or 3 new West Avenue homes into West Avenue rather than into the ancient line in back. Member Appleby agreed that the 1963 line is old. S. Liberatore said it is still a good line. K. Schultz said they would then be out of district customers hooked into the Clarkson – MCWA side. B. Upson said they have a 300' hydrant branch. S. Liberatore said yes. They are still looking to find easements regarding water to put on the plans. Chair Winner said the existing water line location is not an easy one. S. Liberatore said it comes from Willowbrooke Drive. Member Appleby asked if there were issues of bedrock. S. Liberatore said not really. They tap from the closest and best source of water. They do not intend to make improvements to water outside of their development. He explained how they will abandon the section of line of the first 6 homes and connect to new line. This is approximately 800 to 850 linear feet. Member Appleby said Evergreen Road, Cherry Drive, Meadowview Drive, Beverly Drive and such currently enjoy good water pressure. He doesn't want to see that lost. S. Liberatore said it would not be affected. The Willowbrooke line has 1,500 to 2,000 gallons per minute. K. Schultz mentioned pressure reducer valves.

Wetlands, trails, swales, footpaths: Wetlands, trails, and swales should be defined and identified. S. Liberatore said copies of the wetland delineation were recently submitted and are highlighted on the plans. The trail and wooded areas and storm water area to be conveyed to the Village by Farash will be delineated. S. Zarnstorff commented that it is typical for a subdivision to pay recreation or parkland fees. This will need to be addressed. S. Liberatore said they will be supplying paths to the Canal, but not around the pond. Member Appleby suggested this be left for future Eagle Scout projects. M. Calcogno said you really are not supposed to disturb wetland areas. Chair Winner asked Attorney Aloï if there is a facility to create parkland fees if the Village administers and assesses the property owners or if they form a neighborhood association. F. Aloï suggested tying in with future issues of lighting. Attorney Aloï's letter further asked if the footpaths to the towpath would be cleared and graded and access provided to the Canal. M. Calcogno said there is a considerable grade change to this portion of the Canal. Walking and biking would not be easy. S. Liberatore said there is a 15 foot grade difference from the road to the Canal path in less than 300 feet. Chair Winner said the original canal bed is there to complicate it as well. T. Carpenter asked how they would cross the ravine they refer to. M. Calcogno said they will grade their land, but the Canal property is a whole other issue. S. Liberatore said it would be an earth path to the Canal. M. Calcogno said it could be 10 years before they get back there.

Sidewalks: S. Liberatore said they propose sidewalks on one side of the street similar to what the Planning Board approved for the Hibsich subdivision. They would also have traffic control devices (signage) at intersections and midway on long streets. They do not propose speed bumps. Member Brugger said this subdivision will be creating a family environment. Sidewalks on only one side of the street does not lend itself that way. Chair Winner corrected S. Liberatore's statement regarding the Hibsich subdivision. There are sidewalks on both sides of the street with the exception of the island and that is because there is a walking path in the middle of the island. M. Calcogno said they use 4,000 psi concrete without wire mesh, directly on soil for their sidewalks. He asked if they can avoid wire mesh which adds an additional \$1.25 per linear foot. He also asked if they can go with 4' wide rather than 5' wide sidewalks. He shared that they would put the sidewalks in one lot at a time. B. Upson said sidewalks should go in all at once. He further said he does not have a problem eliminating the wire mesh, but that the sidewalks should be 5' wide and have a gravel base. The sidewalk snow plows are 5' wide. M. Calcogno said they can grade and stone the base, but machinery crushes and cracks the sidewalks, therefore, they have to continually dig out damaged sections of sidewalk and replace it. That's why they put the sidewalks in as each house is built. The developer's realtor spoke up and agreed that other developers on the east side do sidewalks this way since there is no certificate of occupancy granted until the sidewalk is perfect. B. Upson said his biggest objection to pouring one sidewalk at a time is lack of access to residents. Member Locke commented that Brockport is a very pedestrian Village.

Curbing vs. Gutters: Chair Winner brought up the issue of curbing versus gutters. B. Upson said granite curbs done right are the easiest to maintain and have the longest life span. However, they have a high upfront cost. An advantage of curbing is that it provides safety. An advantage of gutters is that it provides a little extra roadway. S. Liberatore said curbing would add substantial costs to the project and they propose concrete gutters. Chair Winner said this Planning Board has to be consistent with what

was approved in the Hibsich subdivision. It would be remiss to not promote consistency. Maybe we give up curbs for sidewalks on both sides of the street. S. Liberatore said originally they were not proposing any sidewalks. Then they came back with a proposal for sidewalks on one side of the street. Now, the Planning Board wants sidewalks on both sides of the street. Member Brugger suggested looping the sidewalks. Member Switzer said he doesn't think a loop works here. The Hibsich development is for seniors with occasional grandchildren. This is a family development. Chair Winner said so far three Planning Board members say sidewalks on both sides of the street and possible gutters instead of curbs. M. Calcogno asked if sidewalks are necessary on the commercial lots. Planning Board's inclination is to not require them at this time, but re-look at it when the site plans and uses are known.

Street lighting: S. Liberatore referred to street lighting. M. Calcogno proposed a lamp post in each yard of the 230 homes with the light being controlled by the homeowners. This would replace the need for large street lighting. Chair Winner suggested large street lighting at intersections. S. Liberatore said if you were to poll property owners, half would want streetlights and half would not. M. Calcogno said there would be a lamp post every 85 feet on both sides of the street. Planning Board said if turning them on and off is at the discretion of the homeowner, it could be a dark street. Member Switzer said this is a Village, not the country. Lighting is necessary. S. Zarnstorff said he was on the east side in a new Village subdivision recently delivering newspapers for his wife at 3am and it is common for newer subdivisions to not have much lighting.

Sidewalks, Gutters and Street lighting end result: sidewalks on both sides of the street in residential, 5 feet wide, gravel base, no wire mesh needed. Gutters fine as opposed to curbing. Street lighting at intersections and 90 degree bends and individual home lamp posts at street on photo-electric cell.

DOT: S. Liberatore said he encourages the Board to contact NYSDOT regarding additional access onto West Avenue. Their efforts have failed and they have accepted the DOT's response. Chair Winner said as the project has unfolded, he feels less compelled to fight for an additional access onto West Avenue. T. Carpenter said the Redman Road entrance was moved further north.

Subdivision Name: Chair Winner shared that "Brockport Village Landing" might be confusing for directional or emergency purposes since "The Landing", a senior assisted living facility, is further east on the north side (Clarkson side) of West Avenue. B. Upson said Monroe County 911 can veto subdivision and street names if they are too close for comfort. The developer said they would re-think the name and would be happy to consider suggestions.

Road construction: M. Calcogno said the Code requires a binder thickness of 2 inches, but the Village Engineer's review refers to 3 inches. Both B. Upson and T. Carpenter prefer 3 inches and agree the Code needs to be updated. This section is from 1985. B. Upson said it is partly a function of the amount of traffic. M. Calcogno said 2 inches is prevalent throughout the County. B. Upson strongly disagreed. M. Calcogno said he wants to follow the Brockport Code and not be subject to excess. Chair Winner asked T. Carpenter to look into what was required of the Hibsich subdivision.

Chair Winner commented that this was a productive session. He asked that the applicant continue to work with the Village Engineer, DPW Superintendent and Building/Zoning Officer. Board agreed to accept updated plans by July 2<sup>nd</sup> and place this on the July 8<sup>th</sup> Planning Board agenda for further review. At that meeting, the Board may be ready to begin the SEQR process and call for a true public hearing. Clerk Morelli reported that it has been referred to Monroe County Planning and Development's Development Review Committee (DRC) for feedback.

2. Application of:      Name:            Jonathan Mendez  
                                 Address:        94 Monroe Avenue  
                                 Purpose:        revision to original approval re: driveway expansion

**Applicant Presentation:**

John Mendez owns 94 Monroe Avenue, a rental property, and received Planning Board approval in November 1999 to expand the driveway and parking area. His contractor expanded the space and he realized it was larger than allowed. He contacted S. Zarnstorff for clarification on the original approval. S. Zarnstorff said the records indicate an original parking area of 16' x 16' (256 sf) and that an additional 260 square feet was approved. It appears that 450 square feet was installed on top of this. J. Mendez said he spoke with former Building/Zoning Officer Weber a year ago about putting up a fence to hide the garbage. Therefore, some of the stone would be walking and garbage area, not parking.

**Continued Board discussion on application:**

Member Brugger said he and Chair Winner are the only remaining Planning Board members from that time. He remembers working off of a map and conditioning approval on the parking being 5 feet away from the house. He said that also appears to have been disregarded. Member Brugger further said they had asked that he return some of the hard surface near the house to lawn. J. Mendez said he is willing to put four by four's or bollards every few feet if necessary. Member Brugger said four by four's get moved and bollards can make it difficult to open car doors. J. Mendez said he wants to stay away 6 feet – 3 feet for the fence and 3 feet for the garbage.

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Chair Winner said he is disappointed. J. Mendez often has need to come before the Planning Board and is treated fairly and given an approval with conditions good for two years. In this case, he tripled the space approved and did so after the two year deadline. Chair Winner said J. Mendez is familiar with the process. This is not new. It is hard to do business this way if approvals and parameters are not met. In all honesty, it is a waste of everyone's time. J. Mendez apologized and said there was a definite miscommunication between he, his brother, and the contractor. S. Zarnstorff said J. Mendez did come to him before having received a letter.

Member Switzer asked how many people live in the house. J. Mendez said there used to be 5 students, but now there are three students. Chair Winner asked if he has demonstrated a need for this amount of parking for 3 tenants. He asked the Board if they wished to do a site visit. Board agreed and questioned the 25% lot coverage rule. Chair Winner said that will certainly need to be taken into consideration.

Site visit scheduled for Wednesday, June 26<sup>th</sup> at 4pm. All available except Member Switzer. J. Mendez will be on vacation for July 8<sup>th</sup> meeting, but will adhere to whatever decision is made.

**NEW BUSINESS:** none

**NEXT REGULAR MEETING:** Monday, July 8, 2002 7:30pm

**ADJOURNMENT:**

➔ Member Locke moved, Member Brugger seconded, unanimously carried that the meeting be adjourned at 10:00pm.

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Leslie Ann Morelli, Village Clerk