

## **Town of Kendall Planning Board Meeting**

October 9, 2012 7:00 p.m.

Chairman Gray opened the meeting at 7:03 p.m.

Planning Board members present: Chairman Paul Gray, Joyce Henry, Bruce Newell, Jeff Conte, Planning Board member absent : Phil D'Agostino

Also present, Town Supervisor Gaesser, Councilman Schuth, Town Clerk Richardson, Mark Tayrien of LaBella Engineering, Matt Tomlinson of Marathon Engineering, Code Enforcement Officer Hennekey, David Wegman, Dan Wegman, Councilwoman Szozda, Dan Pixley, Tyrone Whitehair

Chairman Gray outlined the response from Marathon Engineering regarding some of the issues brought up at the October 8, 2012 meeting. Some of the proposed conditions were forwarded to the Wegman Group, and have been addressed by them. Matt Tomlinson said if the clarifications and solutions were agreeable, those conditions could be removed.

Roads within the project will meet all fire codes.

Parking will be angled parking, except on two-way roads, where it will be parallel parking. NYS parking standards will be met.

Handicapped Parking – the previous recommendation to include names was rejected; all ADA requirements will be met.

Joyce Henry suggested a sign for visitor parking be installed just inside the entrance.

Mr. Wegman agreed. Although visitors will not be allowed entrance without homeowner permission, it would give a clear direction where to meet. That will be added to the site plan.

Plans for mail delivery have been discussed with the post office. Other carrier package delivery will be co-ordinated with the homeowner and property manager.

Utilities:

Water:

Bruce Newell asked why Marathon Engineering has not provided LaBella Engineering its model and information.

Matt Tomlinson responded that LaBella has all the information from Marathon.

Monroe County Water Authority agreed to provide a statement that pressure and flow are sufficient, and has provided that.

Mark Tayrien - said he believed the request is for all hydrant information.

Matt Tomlinson said he has provided “worst case scenarios” numbers and further calculations will not add value.

Chairman Gray stated the Town Board will have to determine whether they are satisfied with MCWA’s response being sufficient.

Bruce Newell said he would be most comfortable with LaBella’s determination of adequacy of fire flow.

Supervisor Gaesser said his understanding was that on the final water plan submitted by Marathon, the Town will require LaBella to sign off on it. MCWA will also have to sign off on it. The process is on-going.

Joyce Henry expressed that she thought at last night’s meeting, the Board was comfortable with what has been discussed and provided.

Bruce Newell said it was his impression that LaBella had more questions. The LaBella representative said there must have been some miscommunication between representatives of LaBella.

Jeff Conte agreed with Mrs. Henry in thinking an understanding had been reached.

Matt Tomlinson said results of septic effluent testing will be provided to the town. Although “odor” is not measureable, it is in the best interest of the Wegman Group to eliminate odor, because the project residents would be the most affected. Any noise would only be detectible during emergency generator use. Thorny, non-fruitbearing bushes will be added to the landscaping plans on the west boundary.

Mark Tayrien listed concerns:

Dead-ends will have provided turn-arounds which meet NYS fire codes;

Assurance and periodic inspection to certify that all roads can accommodate emergency equipment >75,000 pounds, under all weather conditions;

Access roads must be of proper width around hydrants;

Water mains must be flushed annually;

Potential to add an additional hydrant should be addressed;

Final Plans for the water system should be approved by the Orleans County Health Department and MCWA;

Sanitary treatment must meet DEC regulations;

Erosion control and drainage calculations should be updated;  
Landscaping plans should include number and size of plantings used for visual buffers;

Matt Tomlinson addressed these concerns:

There is one dead-end planned, which will have a to-standard turn around cul de sac;

A lengthy report has been submitted outlining the developers' plan to maintain the integrity of the private roads, and culverts, according to fire code. Local Code Enforcement would have this enforcement jurisdiction;

Access roads' widths have been discussed with the fire department and with code enforcement. Further discussion with Code Enforcement Officer Hennekey is planned;

NYS Health Department requires annual flushing, and plans meet that requirement;

If another hydrant will be necessary for fire protection, according to MCWA, the plans will include that;

Final water plans will be approved by both MCWA and the Orleans County Health Department, as required;

Sanitary treatment system will be approved by the DEC, as required; newest technology renders these systems virtually odorless;

Erosion control and drainage calculations have been updated;

A minimum of 1500 trees and size at planting is included in the plans, but more will be used;

Bruce Newell suggested a recommendation include that visual buffers be planted before occupancy.

Mark Tyrien of LaBella expressed concern that approval will be for the entire project, without having "stages" requiring separate permitting. The engineer would like to see certain stopping points which could be stand-alone neighborhoods as the project progresses over time. Certainly one approval is advantageous, but with described points at which code enforcement is involved. This could be a site plan issue.

Matt Tomlinson of Marathon Engineering said phasing is specified in the plans, to provide for utilities and emergency planning, per construction season. The WPDD already addresses this as that if significant changes occur, such as a new developer taking over, new approvals would be necessary.

Mr. Wegman made the point that there are so many checks and balances built in, within the roles of Code Enforcement, DEC, and health departments, that this is not a concern. Phasing is not necessary. The project is open-ended until completion, by design.

Matt Tomlinson added that the site plans will be followed, and as they are written, this should not be a concern.

Supervisor Gaesser was asked for his input. He said that in the site plan everything is looped. There is not a great concern, but the concern will be taken into account.

Bruce Newell suggested that a middle ground could be reached by better language.

Matt Tomlinson said that from his experience, stringent “phasing” can cause issues, rather than prevent them. The looped design has logical stopping points.

Chairman Gray said one of the purposes of using the WPDD approach is to avoid an on-going approval system.

Mr. Wegman said the first area of concentration for infrastructure will be the main street running east to west, north to the lake, and the south (main) entrance.

Matt Tomlinson read under phasing notes on the plans “roadways at the end of every construction season shall be constructed to the next closest intersection to provide a loop turnaround for vehicular and emergency vehicle traffic. Utilities at the end of every construction season and sanitary sewers will be constructed to the next upstream manhole.” This is also to the developer’s and its residents’ benefit. The DEC permit - NIC - stays in effect throughout entire construction project.

Supervisor Gaesser reminded the board that Code Enforcement is involved at all stages and each step is under his scrutiny, and he reports to the Town Board monthly. Each cottage will require a separate Certificate of Occupancy.

Mr. Wegman stated that code enforcement will be involved on a constant basis.

Lighting was discussed at last night’s meeting. The intention is to keep lighting to a minimum, and limited only to required areas, such as steps, the pool area and the entrance.

Chairman Gray suggests details be included as to maximum allowed lighting so as not to allow light spillage to surrounding areas. He would like to see an official lighting plan drawn up or detailed notes on the plans regarding illumination.

Bruce Newell asked what the attorney will require to create the resolution for acceptance.

Supervisor Gaesser said bullet point format, with a narrative of recommendations and conditions will be sufficient.

Chairman Gray outlined other issues discussed: (five covered last night)

Height of buildings – no issue of concern

Signage – all suggestions agreed upon

Proposed Use – any detrimental effects, and safeguards for adjacent properties:

Chairman Gray allowed public input at this point:

Dan Pixley – said he moved to Norway Heights for a private road, and serenity. He fears a change in the character of the neighborhood.

Ty Whitehair – has a concern about the firepits and smoke they may generate as a health concern, and about noise similar to a playground area coming from this development. Also, he has a concern about property values dropping because people may want to move away to avoid the possibility of their lifestyles changing. He is personally considering knocking his home down if things change drastically and maintaining the vacant land. He also has concerns that the proposed cottages being built may not have good resale value, particularly the smallest proposed ones. He also has concerns that the fire department may not be able to handle increased emergency calls, regardless of its consolidation plans.

Impact on Waterfront

- Recreation – consensus that this project meets goals of the Master Plan. Mr. Wegman outlined some of the amenities, including senior and children activities, the pool, card clubs area, etc.
- Noise would be general human living noises, not commercial or industrial noises. The property has been a disadvantaged children's camp for years. Adequate setbacks and buffering; no concerns
- erosion - the board sees this project having a beneficial effect in this area
- preservation of resources – consensus that this project should have a positive impact in this area
- Air quality – no real issues
- Visual impact – no issues with current plans; designed to be very natural and fitting with surroundings
- Electric lines will be underground and unobtrusive – controlled by the electric company - no issues of concern
- Size of cottages: current trends are toward smaller dwellings, and many existing lake cottages are small, and placed very close together; therefore the proposed density per acre and small potential cottage size is not incompatible with current lakefront use.

**Planning member Henry made a motion to recommend the minimum size for any cottage at the Troutburg Development be 300 square feet. Motion seconded by Planning Member Conte. Chairman Gray asked for a roll call vote, with the following results:**

<b>Jeff Conte</b>	<b>aye</b>
<b>Phil D'Agostino</b>	<b>absent</b>
<b>Joyce Henry</b>	<b>aye</b>
<b>Bruce Newell</b>	<b>aye</b>
<b>Chairman Gray</b>	<b>aye</b>

**Motion carried.**

Economic Benefits vs. Costs –

Benefits:

20 – 30 tradesmen at any given time during construction. Local tradesmen will be used.

Local contractors will be used for supplying materials where possible.

Approximately 26 full and part-time jobs will be created – general manager, food service, facilities checking, pool service company, snow-plowing, maintenance and security, grounds keeping, and store personnel will be employed.

Residents will need and use services and goods provided in surrounding areas.

Project residents will be Water District Five users and these units will share debt burden of that water district

Taxes – this property has been tax exempt, and would return to the tax rolls upon change of ownership. Additional taxes to the Morton Fire Company may enable upgrades to equipment

Costs:

Increased burden for departments of Town Clerk and Code Enforcement and possibly Recreation (some offset by fees).

Increase in protection services of Morton Fire Company (they are comfortable the statistical increase can be managed). Bruce Newell said he is uncomfortable with the unknown of whether the service calls could be handled, and whether the increased revenue will cover the increased costs.

Chairman Gray commented that the fire departments are able to handle up to 10,000 extra people on a regular basis due to Hamlin Beach visitors. Matt Tomlinson added that if the tax rate is correctly calculated, the costs and revenue will balance. Supervisor Gaesser said at current tax rates, the increase in revenue, assuming eventual filling of the development would be approximately \$45,000 annually. Morton has submitted that they could handle the increase, and will determine its budget accordingly. No one can foresee the number of emergency calls; it will be an on-going process. Bruce Newell expressed that he would like to have more analysis to project potential costs.

Mr. Wegman suggested this would be more a Town Board function than a Planning Board function. Chairman Gray agreed.

An exhaustive discussion of campfire sites was held. Joyce Henry suggested a readily available means of extinguishing the fire be close by these fire areas. Mr. Wegman agreed this would be prudent.

The upcoming consistency review was discussed.

Each member agreed to e-mail Chairman Gray a summary of his notes and proposed recommendations to the Town Board.

Joyce Henry made motion for adjournment, seconded by Jeff Conte; all ayes.

The meeting ended at 10:52 p.m.

Respectfully Submitted,

Amy Richardson, Kendall Town Clerk