

Regular meeting of the Village of Brockport Planning Board was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Tuesday, October 3, 2017 at 5:00pm.

PRESENT: Chair Charles Switzer, Vice Chair Kevin McCarthy, Member Patricia Baker, Member Lyle Stirk, Member Kris Bonczyk., CEO David Miller, Clerk Katie Brown

EXCUSED:

ABSENT:

ALSO PRESENT: Village Attorney Daniel Mastrella, Village Engineer JP Schepp, Joan Hamlin, Chris Hamlin, Trustee Anne Crane, Trustee Kathy Kristiansen, Scott Harter, Adam Tellier, Bob Musebeck

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

NEW BUSINESS:

1. Name: Adam Tellier, Scott Harter, John Kane, Bob Musebeck
Address: McCormick Lane, Rear aka Havenwood Phase 3
Tax Map #: 069.10-5-8.211
Zoning: Residential
Parcel Size: 700 x 600
Prop. Class: 311- residential vacant land
Purpose: Extension of previous approval for site plan

Presentation/discussion:

Adam Tellier advised the Board of items that have been addressed since his last appearance. The new wetland delineation has been completed and the new findings were very similar to the original delineation. An updated map was provided to the Board [a copy has been retained for the record – see Attachment A]. Mr. Tellier noted that Phase 3 of the development does not impact the flood plain or the wetland area. There is a small area near the final lot of Phase 4 that will cross into the floodplain. Chromium Development's determination of the flood plain area conflicts with FEMA's floodplain in regard to the area of Phase 4. When the project is ready to begin Phase 4, Chromium Development will contact FEMA to discuss the differences. Mr. Tellier noted that if it becomes necessary to adjust the layout of the lots, Chromium is prepared to do so.

Mr. Tellier informed the Board that the village attorney and Chromium's attorney are in the process of developing a maintenance agreement for the proposed retention pond in Phase 3. The Board has been provided with a preliminary draft agreement [a copy has been retained for the record – see Attachment B]. Chromium Development intends to maintain the pond until a homeowner's association (HOA) is formed, at which time the HOA will assume the maintenance responsibility. The Village of Brockport will be granted an easement to the pond.

Chair Switzer asked about the maintenance of the existing pond. Mr. Tellier explained that the existing pond is currently maintained by the established HOA that services McCormick Place Phase 2. Mr. Tellier noted that he met with the HOA Board as well as CEO Miller and Clerk Brown to discuss the continued upkeep of the existing pond. At the meeting, the HOA agreed to continue the responsibility and is aware that includes any necessary silting. When development of McCormick Place is complete, Chromium Development plans to assess if their work has caused any build up in the pond and will handle the first pond cleaning if needed.

Mr. Tellier went on to address a concern mentioned at a previous meeting regarding a set of stairs at the rear of the development that allowed residents access to the canal bank. Mr. Tellier reiterated that Chromium Development does not own the area of the canal bank where the stairs are located – it is owned by the New York State Canal Corporation. Mr. Tellier believes the stairs were installed by the former developer without permission from the state. Mr. Tellier has notified the Canal Corporation in writing that Chromium Development has no claim of ownership on the stairs and has no intent to maintain them [a copy has been retained for the record – see Attachment C]. The Canal Corporation plans to post a sign advising residents not to use the stairs, with intent to remove them completely in the near future. Mr. Tellier added that planned development of Phase 4 includes a "switchback" style access to the canal for residents. Chair Switzer noted that it is important to the village residents to have some means of canal access in the development. Mr. Tellier acknowledged the importance and will ensure a suitable pathway is constructed in Phase 4.

Mr. Scott Harter discussed the updated engineers estimate of construction [a copy has been retained for the record – see Attachment D] which reflects minor changes. Mr. Harter advised the Board he has addressed all of JP Schepp's engineering concerns. Mr. Schepp agreed.

Daniel Mastrella, Esq. informed the Board that he and the attorney for Chromium Development are still working out some details to finalize a pond maintenance agreement, but both parties agree in principal

MINUTES OF PLANNING BOARD MEETING OF October 3, 2017

as to the maintenance plan. Mr. Mastrella confirmed the accuracy of Mr. Tellier’s explanation- Chromium Development will maintain the proposed pond until an HOA is formed for Phase 3. Any trail/pathway or green space concerns can be rectified within an easement agreement. The Village Board will need to approve any maintenance or easement agreements, but the Planning Board can grant preliminary approval with the condition that such agreements will be reached and finalized. Mr. Mastrella commented on the existing pond and reiterated that Chromium Development does not own that pond, so an agreement will need to be worked out between the village and the HOA that has been maintaining it.

CEO Miller has no objection to the Board granting preliminary plat approval with the condition of finalizing necessary maintenance & easement agreements.

- ➔ Member Stirk moved, Member Baker seconded, unanimously carried to issue preliminary plat approval for development of McCormick Place Phase 3 as submitted subject to the finalization and filing of a pond maintenance agreement and necessary easement agreements between Chromium Development and the Village of Brockport.

CEO Miller advised the applicants they now must seek Monroe County approval. He added that there had been some technical concerns mentioned in previous meetings regarding the plat map. It is his understanding that Mr. Harter and Mr. Schepp have discussed the concerns and agree they will be addressed during the county approval process, with the plans being updated accordingly.

Mr. Harter discussed a recent decision to raise the house pads and storm sewer up approximately 2ft to ensure that construction is done above the medina stone that is present in the ground in an effort to mitigate unnecessary labor and costs. In addition, he will be submitting necessary forms to Monroe County Health Department for the sanitary sewer.

Mr. Schepp had no concerns with this change.

Member Baker asked when they plan to start building. Mr. Tellier is hoping to start in about a month, but realizes that is ambitious.

Mr. Schepp advised that there will need to be a pre-construction meeting to finalize plans and a letter of credit needs to be posted before digging can start.

There was brief conversation about setting a paving schedule for the streets in the development with final determinations left for discussion at the preconstruction meeting.

OTHER BUSINESS:

- Chair Switzer welcomed new Planning Board Member Kris Bonczyk.

UPCOMING MEETINGS/DEADLINES:

- November 13, 2017 7pm. Deadline: October 30
- December 11, 2017 7pm. Deadline: November 27

ADJOURNMENT:

- ➔ Member Bonczyk moved, Member Stirk seconded, unanimously carried that the meeting be adjourned at 5:29pm.

Katie Brown, Clerk