

PLANNING BOARD MINUTES

Wednesday December 10, 2003

WORK SESSION 6 P.M.

**Roll call Miscellaneous
Minutes Agenda items
Sign review Communications
Update on pending items
Committee reports**

AGENDA 7 P.M.

ITEM I

**Cimato Enterprises
Agricultural**

**REQUESTS CONCEPT PLAN APPROVAL AND
RE-ZONING FROM AGRICULTURAL TO
RESIDENTIAL A FOR A 92 +/- LOT SUBDIVISION
LOCATED SOUTH OF GREINER ROAD WEST OF
MEADOWBROOK ROAD.**

ITEM II

**Frank Rivett & Hank Stockwell
Agricultural**

**REQUESTS CONCEPT PLAN APPROVAL FOR A
PROPOSED 23 +/- LOT ROAD EXTENSION
LOCATED AT 5700 STRICKLER ROAD.**

ITEM III

**Gene Jason
Agricultural**

**REQUESTS CONCEPT PLAN APPROVAL FOR A
21 +/- LOT SUBDIVISION LOCATED EAST OF
SCHURR ROAD AND NORTH OF STAGE ROAD.**

ITEM IV

**Roy Jordan
Agricultural**

**REQUESTS CONCEPT PLAN APPROVAL FOR A
FOUR LOT OPEN DEVELOPMENT AREA WITH
SEVERAL FRONTAGE LOTS LOCATED AT 8587
COUNTY ROAD.**

ITEM V

**Angelo Natale

Agricultural**

**REQUESTS CONCEPT PLAN APPROVAL FOR A
FOUR LOT OPEN DEVELOPMENT AREA
LOCATED
NORTH OF 5795 THOMPSON ROAD.**

ITEM VI
Kevin Curry
PURD

REQUESTS UPDATE ON THE PROPOSED DANA MARIE EXTENSION TO THE WATERFORD VILLAGE PURD AND AN UPDATE ON THE DEVELOPMENT PLAN APPROVAL FOR WATERFORD CAMPUS, WATERFORD GREENS, AND WATERFORD LANDINGS.

ITEM VII
Carl Eberhard
Industrial

REQUESTS AMENDED DEVELOPMENT PLAN APPROVAL FOR CONSTRUCTION OF A STORAGE BUILDING FOR A LANDSCAPE BUSINESS AT 9765 COUNTY ROAD.

MINUTES

Motion by Reas Graber, seconded by Christine Schneegold to approve the minutes of the meeting held on November 12, 2003 with the correction to page 284 to add the word storage after outside on line 13.

ALL VOTING AYE. MOTION CARRIED.

ATTENDING: Joseph Floss
Patricia Powers
Roy McCready
Henry Bourg
Christine Schneegold
Reas Graber

INTERESTED PERSONS:
Councilman Scott Bylewski
Paul Thoms
Michael Hackford
Richard Page
Colleen & Steve Tripi
Kathy Moriarty
Carl Binner
Jeff Hennard
Glenn Cooley
Jim Blum
Joe Bona
Doug Curella
Kevin Curry
J. Eldon Owens
Bernard Orzel

Chairman Floss said "Being as this is the last meeting of the year, I would like to publically thank the Planning Board members, it has been my pleasure to serve as the Chairman. In 2003 many of the items were gut wrenching decisions. All through it, you balanced your emotions, you were not swayed by how many people showed up during controversial matters, and that takes courage. Although you are all independent thinkers with strong opinions, you all demonstrate the capability to be objective and open minded. Although we do not always agree, you were respectful to me as Chairman and to each other. Most importantly you respected the applicants, and the concerned citizens, despite some passionate appeals. It is not an easy task, because someone in the audience will always be disappointed with the decision of the board. There is a good deal of frustration and criticism that comes with the job. However, it is important to remember that you were chosen as representatives of the community to carry out highly important responsibilities. At times when you feel like giving up, please remember that you are performing a most valuable public service to the Town of Clarence. I have been proud to work with each and every one of you over the last year, and again I thank you."

ITEM I
Cimato Enterprises
Agricultural

REQUESTS CONCEPT PLAN APPROVAL AND RE-ZONING FROM AGRICULTURAL TO RESIDENTIAL A FOR A 92 +/- LOT SUBDIVISION LOCATED SOUTH OF GREINER ROAD WEST OF MEADOWBROOK ROAD.

DISCUSSION:

Jim Callahan gave a brief history of the project which is located on the south side of Greiner Road, east of Harris Hill Road, and west of Meadowbrook Road. The property consists of 52.26 acres currently zoned Agricultural. The Master plan identifies this area in a low density residential classification. The project was re-introduced to the Town Board on May 28, 2003, having been inactive on a precious review since 1999. The Planning Board was re-introduced to the project on June 18, 2003 and again on July 30, 2003, it was referred to the Municipal Review committee, Fire Advisory, and Traffic Safety to continue the review. On October 20, 2003 the MRC forwarded a recommendation under SEQRA. The Town Board is awaiting responses on two issues. One issue is sewer capacity in Sewer district # 5. They are also awaiting environmental clearance on a tire fire before issuing a Negative Declaration. The applicant is here tonight seeking a recommendation from the Planning Board for re-zoning the property from Agricultural to Residential A, and concept plan approval on the submitted design. Sean Hopkins represented the project for the applicant. He will address concerns that have been raised such as a second access road, which they will

provide immediately during Phase I. The plan shows 92 lots, they have moved the detention pond closer to Greiner Road. With regard to the tire fire - no one seems to be able to locate any documentation - not the DEC or the Erie County Health Department, with respect to that. We will do a phase I environmental study of the site prior to issuance of a building permit. I don't think that holds up the SEQR review. We will prepare that report and we will provide to the Town and any other agency that would like to review it. In terms of the sewer issue, basically what Erie County has told us is that if we brought the project in now, there is capacity for it. What they can't do is to guarantee us capacity when we get final approval. The representation we have made is we will not build the project as proposed without sewer. So, the risk is on us. If we can't get sewer, we are not going to be able to do this project. If we were getting our approval today, we would have sewer. Several months from now, we will have to wait and see. There could be other projects that could get in the queue before us, and could tie up that sewer capacity.

We are willing to proceed at our own risk. That is our presentation in a nutshell. If there are any questions, we will be happy to answer them. Kathy Moriarty said she understood that the 4 and a half acre pocket park has not been accepted, but why isn't there a green space or meridian of green space to offer relief. It is important to the community, and needs to be re-considered. Paul Thoms of Meadowbrook Road read excerpts from a letter written by William Conwall to the Planning Board on June 18, 2003 voicing his concerns about environmental concerns drainage, and the need for soil studies to be done now. When this subdivision is done, it should be the best gosh darn thing available, not something that is screwed up like the Town next to us. He has seen berms on Greiner Road that are a tragedy. We are after the details, the small things that cumulatively will make this project a nice thing to look at. I hope there will be great attention given to the details, so it is a good experience for the neighbors. Elton Owens of Meadowbrook said he has concerns about the density, these proposed lots need to be larger. Everything is crammed together. These culdesacs are going to be a maintenance problem. The access to Greiner Road, the ingress and egress will be about 400 to 500 feet from Meadowbrook Road. There is a crest in the road to the east where the cemetery is, which is a site problem. The density

is a crime to allow this type of setup, I think you need larger lots. Clarence is supposed to have green space, and 15,000 square feet is way off base for a semi-rural area. Chairman Floss said he would like to break this up into two motions. The applicant is requesting re-zoning and concept plan approval.

ACTION:

Motion by Roy McCready, seconded by Henry Bourg to recommend re-zoning from Agricultural to Residential A to the Town Board.

- Christine Schneegold AYE
- Henry Bourg AYE
- Reas Graber AYE
- Roy McCready AYE
- Patricia Powers AYE
- Joseph Floss AYE

MOTION CARRIED.

Chairman Floss said that the second motion that the applicant is seeking is for concept plan approval. Again, that is more of a land use, which allows the applicant to go ahead and have his engineering done, and further studies such as drainage that need to be done. I personally feel there are concerns regarding the culdesacs, the Fire Advisory board is not happy with the layout, the Highway Superintendent is not happy with the layout. I have talked with several Planning Board members that are not happy, and I know the residents are not. There should be some things taken into consideration such as the lots along Meadowbrook should be compatible to those that exist. There are certain density issues, design issues, and much to be studied. I am concerned about that, but I would certainly entertain a motion either way for an up or down vote.

ACTION:

Motion by Patricia Powers, seconded by Christine Schneegold to DENY concept plan approval based on the density design issues, and the issues of the MRC for a 92 lot subdivision located south of Greiner Road and west of Meadowbrook Road.

- Christine Schneegold AYE
- Henry Bourg NAY
- Reas Graber NAY
- Roy McCready AYE

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Patricia Powers AYE

Joseph Floss AYE

MOTION CARRIED.

Chairman Floss told the applicant to come back with a different plan on a different date.

ITEM II
Frank Rivett & Hank Stockwell
Agricultural

REQUESTS CONCEPT PLAN APPROVAL FOR A
PROPOSED 23 +/- LOT ROAD EXTENSION
LOCATED AT 5700 STRICKLER ROAD.

DISCUSSION:

Jim Callahan gave a brief history of the project which is located on the west side of Strickler Road, north of Greiner Road and south of Clarence Center Road. The property consists of 78 +/- acres in the Agricultural zone. The Master plan recommends this area remain in an Agricultural/Rural Residential classification. The project was re-introduced to the Town Board on November 5, 2003 and referred to the Planning Board. The project had previously been reviewed in 2001 and 2002. The Planning Board reviewed the most recent referral on November 12, 2003 and referred the project to the MRC, Traffic Safety, and Fire Advisory. The Municipal Review Committee reviewed the revised submittal on November 17, 2003 and recommended a Negative Declaration to the Town Board. The Town Board issued a negative declaration under SEQRA on November 19, 2003. The applicant is here tonight seeking concept plan approval plan on a public road extension for 23 residential lots. Neil Kochis and Sean Hopkins were the spokesmen for the applicants who were also in attendance. The site is 80 acres, and will remain zoned Agricultural. The plan consists of (18) 2.2 acre or greater lots, and (5) 5.01 acre lots for a total of 23 lots. The subdivision will be constructed in phases under the four lots every three years rule, which would be acceptable to the Health Department. The plan shows a single access off of Strickler Road. We will have a relatively heavily vegetated buffer along Strickler Road for privacy and visual screening as well as a wind barrier. There will be about 2500 feet of public roadway each ending in culdesacs. There will be on site septic systems. Storm water detention will have to be provided. They have a proposed wetland mitigation for an existing Federally regulated wetland that goes through the

center of the site - about 1.7 acres. We are mitigating a 2.5 acre area to the north. That has been supported by our wetland specialist Don Wilson, as a viable location for that mitigation to be accomplished. Sean Hopkins pointed out that the density is low. There are some mature trees, and there will be no clear cutting of the trees in Phase III. The top soil will be stripped as they do the phases - phase by phase, not all at once. Patricia Powers read three letter (following) from residents expressing their concerns for drainage, privacy, green space and wetlands.

Councilwoman Barbara Guida of 5705 Strickler Road wanted to clarify what type of vegetation would be on Strickler Road. It will be trees. Councilwoman Guida wanted to know the size of the trees for the record. They will be six foot trees. Doug Curella suggested turning the road around behind Mr. Rivetts home on Kraus Road. The road is too close to Mr. Curella's rear property, and the buffer is very narrow. There are a lot of open lots on Kraus Road, why doesn't he just come in through Kraus Road and gain access to this? Mr. Curella said there are really only four phases not five phases. The five plus acres will not have to wait, they will not be under the four every three years law. Mr. Tripi of Strickler Road said there is a swale with 90% of it running through his property. When there is rain for a couple of days, it can get pretty high. Anything they do to change the drainage back there or block it in any way, I feel that swale would back up on to my property. It doesn't just flow in one direction. Sometimes it flows one way, sometimes it flows another way, so it is kind of a tricky drainage problem back there. Also the turnaround circle looks like it will be right in my backyard. The tree line starts at the back of my property. To put that road in will require clearing hundreds of trees back there. It is close to the tree line, and I don't want to look at a road. Sean Hopkins said there are some issues that have been raised regarding drainage. Tonight the only thing I can assure the neighbors of regarding the drainage, is we are not allowed to make the drainage situation worse.

Hopefully, we will improve the drainage situation. There are very stringent standards that will govern it. The reason we are not able to move the road up farther on the site is because there are wetlands there and a lot of vegetation. We would have to get additional permits from either the Army Corps of Engineers or the DEC. They would be very difficult to get. With respect to the neighbors Mr.

Curella will not have a road behind him. His lot is 1300 feet deep, and even though his house sits back, he will still have 600 feet behind him. If the neighbors want to meet with respect to this project, we will be happy to meet with them. Mr. Kochis said his clients asked him to move the road thirty feet away from the right of way. It was originally designed to be five feet away.

After more discussion, Joe Floss asked for a motion with the deed restriction that the five acre lots cannot be subdivided in the future, and to provide proof of the deed restriction. Also, that they will plant 6 foot trees on Strickler Road.

ACTION:

Motion by Henry Bourg, seconded by Roy McCready to recommend concept plan approval to the Town Board for Strickler Road Estates with the provisions that proof of deed restrictions to prohibit further division of five acre parcels be provided, and trees on Strickler Road will be 6 feet high.

ALL VOTING AYE. MOTION CARRIED.

ITEM III
Gene Jason
Agricultural

REQUESTS CONCEPT PLAN APPROVAL FOR A
21 +/- LOT SUBDIVISION LOCATED EAST OF
SCHURR ROAD AND NORTH OF STAGE ROAD.

DISCUSSION:

Jim Callahan gave a brief history of the project which is located on the east side of Schurr Road, and north of Stage Road. The property consists of 45 acres and is zoned Agricultural. The Master plan recommends this area remains in an Agricultural Rural Residential classification. The project was introduced to the Town Board on December 3, 2003 and referred to the Planning Board. This is being introduced to the Planning Board tonight. Gary Jason from Crawfords Unlimited and Glen Cooley explained their plan showed 21 lots they are taking off from the existing right of way off Stage Road and the project heading westerly back out onto Schurr Road. The lots along both roads are all approximately 1/2 acre lots one hundred feet wide and two hundred feet deep. The green area in the middle of the site are proposed lots that are 3/4 acre lots. There will be on site sewage disposal, and public water supply. The area you see in the middle of the site

that is white has been preliminarily delineated as wetlands, and we are showing a one hundred foot wide buffer on that.

We are in the process of completing the wetland delineation study, and we look forward to discussing our findings with the DEC. Our object would be to mitigate where our lands are crossing the western portion of the wetlands, by dedicating appropriate acreage which I think is one and a half to one, and other wetland areas will be created. Also, on this forty five acre site, a lot of it will be to the north of the site where the wetland is now, or on the east in the Town of Newstead on the same parcel. We would probably consider dedicating the wetland area to some conservancy group. It would be constructed in a single phase. Chairman Floss said that concept plan approval will not be given tonight, but we can refer you to the Municipal Review Committee, Fire Advisory, and Traffic Safety for additional data to be collected. Motion by Reas Graber, seconded by Christin Schneegold to refer this project to MRC, Fire Advisory, and Traffic Safety for additional data.

ACTION:

On the Question?

Henry Bourg asked if the lots were one half acre. No their lots are all three quarters of an acre.

On the Question?

Joe Floss asked if there is an elevation difference where you dead end in the Newstead border? Mr. Cooley said "I believe there is a berm there on the Newstead side." Joe Floss said someone mentioned that it drops off quite extensively, you may want to look into that, it may require you to redesign your plan before you come back for concept plan approval. We also ask that you investigate giving the land to the Western New York Land Conservancy, as to whether they are likely to take it, since it is being calculated into your density statements."

On the Question?

Patricia Powers said she is concerned that these are on septic tanks, because we are spending millions of dollars to re-mediate the pollution problems that Ransom Creek and the Hollow. I have concerns about putting septic tanks on the top of the hill for obvious reasons." Mr. Cooley said "We have done preliminary soil tests and the area in green that we are proposing to develop, is what we consider fairly good soil, sandy soil. The Health Department when we get to that stage requires two percolation tests on every lot before they will approve it for development. So we have a

considerable amount of percolation tests and also deep soil observation tests to be done.

ALL VOTING AYE. MOTION CARRIED.

ITEM IV
Roy Jordan
Agricultural

REQUESTS CONCEPT PLAN APPROVAL FOR A FOUR LOT OPEN DEVELOPMENT AREA WITH SEVERAL FRONTAGE LOTS LOCATED AT 8587 COUNTY ROAD.

DISCUSSION:

Jim Callahan gave a brief history of the project which is located on the south side of County Road west of Green Acres Road. The property consists of approximately 56 acres and is zoned Agricultural. The Master plan identifies this in an Agricultural Rural Residential classification. The project was introduced to the Town Board on July 23, 2003 and referred to Planning Board, where it was introduced on September 17, 2003. The Municipal Review Committee recommended a Negative Declaration under SEQRA, and the Town Board issued a Negative Declaration on December 3, 2003. The project is here for concept plan approval under the Open Development Area section of the Subdivision law. Mr. Jordan said it is proposed that the lots would range in size from three and one half acres to twelve acres and several acres in between. On the site there is a total of 24 acres stated Roy Jordan. The land is Federal and State wetlands, we will mitigate three quarters of an acre to make our roadway and our project and leave all the rest of it.

Savaltore Momeli of 8505 County Road concerned with the drainage in the area because of the wetlands. If you are talking about three quarters of an acre we would like to know the proximity to our property. We know the land is very wet there and construction and elevation will allow it to drain over an excessive amount of water in our backyard... for the sake of mosquitoes. Chairman Floss said we certainly will ask for good drainage plans that will come before development plan approval before it is built on. We live across the street from the cell tower, there are three homes right in that area so actually the project is bordering right against our property. Roy Jordan said that whole section from your piece of property all the way up is wetlands. The wetlands come right up against your

property lines. Mr. Momeli said the DEC was in there, tagging it. We want to make sure that the three quarters of an acre borderline is protected. Mr. Jordan said the wetlands actually run right across the whole front of County. The little area we have to mitigate is the area of the first three hundred feet to come through there ...we will be taking land out of wet-lands and creating wetlands. Mr. Momeli said when construction takes place and the elevation, is there going to be a spillover on both sides, toward our property and the other area? Mr. Jordan said One home will sit on a four acre lot, and a home will sit on a twelve acre lot, there is a high spot and the ground tapers down and turns into the wetlands. So as the water naturally flows in there now it is going to flow the same way, it won't be any more or less if we have a house on it. The water will flow into the twenty of the twenty four acres of wetland and the water slowly meanders through the wetlands and comes out the ditch out there on County. Mr. Momeli said the ditch is not functioning one hundred percent. Mr. Jordan said on the basic site most of the water gets into the wetlands and just slowly meanders through it until it gets to the ditch on County. When they flagged it, they did run along the property line, it's probably because over the years you have built your back yards and cut your trees down. Mr. Momeli said actually, we have on-site drainage right from the center of our backyards in order to drain this out, our concern was any excess water coming into this area is going to spill over into our yard and then that renders our septic system in-trouble. Mr Jordan said does your drainage now - pour off into the wetlands? Mr. Momeli said our drainage now pours into a 4" or 6" PVC pointing directly towards the road. We still do get an accumulation along the side, and we note that if there is an elevation in any of those areas that will spill more into the crease that runs that runs on our property line. So, we would have to leave everything in its natural state. Mr. Momeli requests the cleaning of ditch across street.

ACTION:

Motion Henry Bourg, seconded by Reas Graber to recommend Concept Plan Approval for a Four Lot Open Development Area and several frontage lots located at 8587 County Road.

On the Question?

Chairman Floss said he wants to add the stipulation that

lots - especially the frontage lots be deed restricted to prevent future land splits. We would like to see some commitment prior to Development plan approval.

On the Question?

Patricia Powers asked Mr. Jordan how long is the length of the road coming in? Mr. Jordan said it is about eighteen hundred lineal feet. Pat asked if he has had any advice or counsel from the fire advisory?

Mr. Jordan said I haven't discussed it but we are planning on bringing back a live hydrant system, that would be pressurized twenty four hours a day, seven days a week. Chairman Floss said that is a requirement of the open area developer law, bringing the hydrant back. Mr. Jordan said, I believe it is now, if any of the houses are over six hundred feet away from a live hydrant they either have a choice of bringing back a live hydrant or a sprinkler system. We are thinking a live hydrant is the way to go.

ALL VOTING AYE. MOTION CARRIED.

ITEM V
Angelo Natale
Agricultural

REQUESTS CONCEPT PLAN APPROVAL FOR A
FOUR LOT OPEN DEVELOPMENT AREA LOCATED
NORTH OF 5795 THOMPSON ROAD.

DISCUSSION:

Chairman Floss recused himself from this project, the applicant is a client of his. To avoid the appearance of partiality he will not vote, and will turn this item over to Patricia Powers. Jim Callahan gave a brief history of the project which is located on the east side of Thompson Road, north of Roll Road. The property consists of approximately 10.8 acres in the Agricultural zone. The Master plan identifies this area in a low density residential classification. The project was introduced to the Town Board on December 3, 2003 and referred to the Planning Board. This represents the introduction of this project to the Planning Board. Mr. Natale said he would like to build a similar project to what he built on Lexor Lane. He would build the four homes, and they are looking at values of a half million dollars and up. Each parcel will be about two acres, and cost between \$100,000 to \$200,000 per lot. The road will extend approximately three hundred feet back. Patricia Powers told the audience that this project will not receive concept plan approval this evening. It could only be referred to the

Municipal Review Committee, Fire Advisory, and Traffic Safety for additional data. Pat asked if anyone from the audience cared to comment or ask a question regarding this project. James Blum of Martha's Vineyard backs up to east end of this project. If you look down Thompson Road you will see all the houses on the block have one house on each lot. My feeling is that four homes on one lot will essentially alter the character of this neighborhood, and will not fit very well. One or two frontage lots would be more in keeping with the character of the neighborhood, and more logical. Carl Binner lives next door to this proposed project., and his lot is a little less than nine acres. When he purchased the property, from the original landowner it was to be divided into two parcels, and not as a subdivision. There was a zoning board of appeals meeting last year that denied an applicant a three hundred foot setback, and that was just for one home. I am concerned for the view in my backyard, the character of the road is another issue of concern. I think those things have to be thought out and discussed. Matthew Giansante of 5755 Thompson Road said the neighborhood has awful, awful water problems. If this proceeds please do a thorough analysis of what is going on. He has lived there for ten years, and has invested over ten thousand dollars into drain tile, and people still joke about his ice rink back there, it is a real mess. There is a swale running right down the middle of that lot, please take that into account. Pat said it is our hope that all these issues will be addressed in the environmental study. Pat called for a motion to send this for additional information.

ACTION:

Motion by Christine Schneegold, seconded by Roy McCready to forward the project to the Municipal Review Committee, Fire Advisory, and Traffic Safety for further review.

Christine Schneegold	AYE
Henry Bourg	AYE
Reas Graber	AYE
Roy McCready	AYE
Patricia Powers	AYE
Joseph Floss	ABSTAINED FROM VOTING

MOTION CARRIED.

ITEM VI
Kevin Curry
PURD

REQUESTS UPDATE ON THE PROPOSED DANA
MARIE EXTENSION TO THE WATERFORD VILLAGE
PURD AND AN UPDATE ON THE DEVELOPMENT PLAN
APPROVAL FOR WATERFORD CAMPUS, WATERFORD
GREENS AND WATERFORD LANDINGS.

DISCUSSION:

The applicant has requested to update the board on various stage of the overall PURD. Kevin Curry said he is attempting to consolidate a lot of the data that has been collected on Waterford over the past six or seven years. They hope to end up the year with a master document setting forth all the conditions of development for the entire project site. We think it will be beneficial from our perspective, as well as the Planning Departments perspective, the Engineering Departments perspective, and future boards. That is our goal. In order to come up with the standards that we proposed we had to look back at the May 14th 2003 approval by the Town Board. Also May 28th, June 10th, November 4th, you really have to go through them all. Joseph Floss said “We received your overall project requirements, and we concur they seem to be consistent with the approvals the Town Board has already granted. I think the Planning Board, and the hour prior to our meeting I promised them some additional information on the Dana Marie Extension in particular. If the lots were modified I think it would be a better plan Kevin Curry said “With regard to that parcel, that is a parcel that is currently owned by Patrick Development, and is not officially a part of Waterford at this point. It is in a separate distinct ownership, although we would see that moving forward under similar guidelines to Waterford. We also would note on that parcel we are not really here looking for any decisions or resolutions, we are just more or less showing you the changes we made to the original proposal significantly decreasing the density and increasing the green space on the north side adjacent to the Thompson Woods neighbors, changing the road layout as you can see. Earlier this evening we did meet with the four neighbors to the north of this, but nothing was agreed upon or finalized. Sean Hopkins said the primary concern of the MRC last month was density, which we have reduced. Chairman Floss said we acknowledge that the changed plan that you have submitted indicate you have intended to develop Waterford Greens, the Landings, and the Campus with a density of 171 units. The plan you are now submitting, shows a density of 117 units, and we thank you for that. We do understand and acknowledge that you are stating you are reserving your right to still fit within the overall density maximums with 171. However, it is your intent to build

117. Kevin Curry said some of those structures are two family structures. All of the Planning Board members received the three page standards for Waterford, and it appears to be consistent with everything., so we are happy to attach that to the file. Mr. Curry gave a quick synopsis of the total project. They are providing 35 acres of conservation space to the Western New York Land Conservancy, as well as a fee. They also have done a significant amount of construction of wetlands on that site. Our park land area as currently presented is just over 15 acres, which actually is 8 percent of the site. We also are providing a gazebo which will be a community gathering point. We are providing the asphalt material for the bike path, 5500 feet of bike path material which equates to 55,000 square feet of asphalt material. They also will be paying \$100,000.00 dollars in open space fees. Chairman Floss asked if anyone in the audience care to speak on this item. George Semko of 9145 Thompsonwood said the Dana Marie extension is still too dense, and the units that back up to his property do not match the existing development.

ITEM VII
Richard Page
Agricultural

REQUESTS A ONE LOT OPEN DEVELOPMENT AREA
ON 7.98 ACRES AT 7850 NORTHFIELD ROAD.

DISCUSSION:

This property is located on the west side of Northfield Road, north of Wolcott Road, and consists of approximately 8 acres in the Agricultural zone. The Master plan identifies the property in the Agricultural area. The applicant received approval from the Planning Board in 1990 for a 4 lot open development area at this location. The Town Board never acted on the previous recommendation. The applicant is seeking a one lot open development area based upon the previous approval. Mr. Page said one home behind him, would be a big improvement over what was originally proposed. Chairman Floss said since that time, the rules for an open development have changed. He will ask for a motion with the stipulation that a deed restriction for no further splits in the future is provided. This will be subject to Fire Advisory approval. A satisfactory drainage plan must be approved by the Town Engineer. We will recommend to the Town Board that they grant relief in light of the fact that the laws have changed - for the road requirements, to grant relief on the distance between driveways, and a stop sign at the end of the driveway will not be required for one home.

ACTION:

Motion by Patricia Powers, seconded by Reas Graber to recommend this open development to the Town Board for approval

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with the conditions stated above.

On the Question?

Patricia Powers asked if the pond that was on the original plan was ever built? No, it was never built. Mr. Page said the house is not going to be built in the flood plain area.

On the Question?

Councilman Bylewski told the applicant that open development area approval expires two years after it is given, if there are no major improvements put in.

Chairman Floss said all the other conditions of the open development are that we did not ask relief for will apply. A hard surface road will be required.

ALL VOTING AYE. MOTION CARRIED.

Motion by Christine Schneegold, seconded by Reas Graber to adjourn this meeting.

ALL VOTING AYE. MOTION CARRIED.

Meeting adjourned at 8:45 p.m.
Joseph Floss, Chairman