

**Town of Geneva
Planning Board
April 19, 2022
FINAL**

Present: Mary Ann Bell, Robert Gringeri, Eric Reuscher, Gary Johnson, Jeff Trickler

Absent: Kenneth Nardozzi (due to Fire Department Training)

Staff: Floyd Kofahl, Code Enforcement Officer, Amy Naegele, Clerk of the Board, Pat Nicoletta, Town Engineer, Steve High, Town County Planning Board Representative

Others Present: 18 members of the public

Chair Mary Ann Bell called to order at 7:00 pm.

Public Hearing (continued) – Bayview Heights - Phase 3 PB2022-001

The applicant is applying for a modification to a previously approved site plan. Prior to the continuation of the Public Hearing, Mary Ann asked that members of the public wishing to speak to do so now and reminded them that they would not be able to comment once the Public Hearing was closed. She also asked that everyone turn off their phones.

Matt Newcomb, from Passero Associates, presented to the Board. He provided an overview of the project and updates since the last meeting. He explained that the original approved plan was for 76 lots, and they are now proposing 92 lots. He explained that the additional lots would help cover the costs of amenities that had been added to the project, such as the addition of sidewalks and a secondary access to Turk Road. He added that the new plans also include a water main extension that includes over 4,000 lineal feet of public infrastructure, which the developer is paying for. He explained that this will improve the water system in the existing development, the new development, and along Turk Road. He explained that currently, each dead-end street has a dead-end water main. The new plan will connect everything to the main on Turk Road. The original approved plans do not include this water main extension, sidewalks, or a second access.

Matt also went over the Stormwater Management Plan. He talked about how every developer must meet DEC's requirements on all projects and no development can cause an increased impact to an existing property. It must be a positive impact, meaning that the stormwater runoff must be decreased. He went over how the runoff will be caught in the stormwater management facility to help slow the rate of runoff down. He confirmed this will result in a positive impact downstream of this project. He explained all of this information is part of the SWPPP that is submitted to the Town Engineer and Town Code Enforcement Officer. He confirmed that the stormwater flows from the existing property will be reduced by approximately 73 percent. He explained that this will help mitigate any issues the existing residents may have and relieves a lot of the stress on the pond that is currently there. He explained that they have received some comments from MRB's regarding the SWPPP and that the comments were technical in nature and would not affect the flowrates. He explained that the 2nd pond will also reduce the rate of runoff.

Matt explained that he had spoken with Floyd and they looked at the options for connection to see if there was an option that would have less of an impact on the current development. He explained that the Fire Code now requires 2 access points for a development of over 30 single-family homes. Also, these 2 access points must be a minimum distance from one another. He explained that the northern most connection to the existing development would need to stay and if any were to be blocked they would use the 2 eastern connections. He confirmed that they are still proposing all of the same connection points.

Eric Reuscher asked about fire hydrants. Matt confirmed that fire hydrants would be installed as regulated by the State Health Department. He returned to the water main extension. He explained that with the current system if there were an issue, everyone would lose water and they would have to re-chlorinate and repressurize the system, which would leave residents without water for an extended period of time. The water main extension will allow a failure to be isolated and service to the remaining residences to continue. He also added that the secondary access point will also be beneficial in the event of an emergency.

Mary Ann opened the floor to the public. Ann Osborne, of 74 Bay Heights Circle, addressed the Board. She asked what the plan would be for the town right-of-way to the stormwater management area. She questioned if there would be a walkway there and if there would be a walkway around the entire stormwater pond. She knows there is currently a right-of-way there and she has been doing the maintenance since she has been there. She stated that if there is going to be a walkway there, she would ask that the town puts a barrier from her property and from the adjacent property, owned by Ellen Ferrara.

Dan Tompkins, of 23 Bay View Terrace, also addressed the Board. He questioned if the existing homes would be connected to the water system. He also asked about the timeline for the completion of the 4 model homes and if the construction would be using the Turk Road access point for the development.

Mary Ann confirmed that no other members of the public were wishing to speak and then she closed the Public Hearing.

Matt Newcomb addressed some of the comments from the public. He confirmed that the stormwater maintenance facility would need access for maintenance. The walkways around the pond have been removed from the plans. There will be 2 points of access for the stormwater management facility. He also confirmed that the new water system will connect to the existing homes. He went over the connection points necessary due to differences in pressure zones. Matt explained that the 4 model homes should be completed in the next month or two. He also confirmed that the goal is to cut the new road from Turk in and use that for construction access to the new development.

Mary Ann asked Pat Nicoletta for his input. Pat explained that the Board will consider SEQR tonight. That would be the first step before moving forward. He also referenced MRB's comment letters from March 25th and April 18th. He confirmed that the comments were technical in nature but that he could go over them with the Board in more detail if they wish.

The board members confirmed that they did not need to go over the comment letters. Pat explained that a drainage district will be created as part of this development. A fee will be charge to the residences in the district. Eric Reuscher questioned if this would be an annual tax, which Pat confirmed that it would be. Pat explained the process of the creation of the drainage district. He also confirmed that this would be a flat fee that would be added to the taxes. He also added that this would not necessarily affect the existing properties in the area, but it will affect the new development. He confirmed that moving forward, this will be something the Town will be doing.

Mary Ann asked Floyd for his comments. Floyd clarified some of the fire safety measures. He explained that currently, the houses on Bay View Terrace are fed water from State Route 14 and the houses on Bay Heights Circle are fed water from the back of the circle on the northwest corner. He explained that the new system will loop the entire system for fire safety measures.

Floyd talked about the drainage district. He explained that the stormwater management facilities would be dedicated to the town and that the town would be maintaining them. He pointed out the access point that would be vehicle access. He also noted where walkways are intended to be and explained that the comment about having buffer trees is noted and he will talk to the developer about that. He went over the options that would meet the town's design standard requirements for landscape buffering.

Floyd also pointed out the piece of land along White Springs Creek that is being dedicated to the town. The intent will be to use this for trails and to support the town's goal of walkable communities. He also talked about the 4 model homes and explained that there had been issues with the construction road had been put in. He explained that if this plan is approved and moves forward, the plan is to have it mandated that the access road from Turk Road be put in first and that be the only road that the construction vehicles use. A sign will be put on State Route 14 for construction vehicles to use the access on Turk. He also spoke with the utility companies, and they confirmed that if a sign is put on State Route 14 that construction vehicles must use Turk Road, that they will inform their truck drivers to use the Turk Road access. He also spoke about the possibility of installing a gate after the 4 model homes to block access.

Eric Reuscher questioned if it was possible to fine construction vehicles who do not use the access road from Turk. Floyd explained because Bay View Terrace is not a posted road they cannot issue fines. There was a discussion regarding the process of getting a road posted and what it would mean for the development. Floyd confirmed that he would speak with the Highway Superintendent about posting both Bay View Terrace and Bay Heights Circle. He also explained that the construction hours would be 7-7 on weekdays, 7-6 on Saturdays and no construction on Sundays or national holidays.

Robert Gringeri noted that any residents in the current development that are having construction done will want to notify their contractors to have them disregard the sign on State Route 14. Floyd agreed.

Mary Ann checked if there were further questions from the board members. There were none. She checked to see if Steve High had anything to add regarding the information received from Ontario County Planning Board. He had nothing to add.

A member of the public requested to ask a question and Mary Ann allowed it. Floyd was asked what the consequences would be if the construction vehicles disregard the signs and don't use the access road off Turk. Floyd explained that at the pre-construction meeting it will be explained that they must use the access road from Turk. If they do not, the town will have the ability to shut down construction for 3 days and require another meeting be held. He explained that stopping mid-construction will be the last thing the developer wants. Matt Newcomb confirmed that the access road from Turk would be the preferred access point.

Mary Ann questioned if the lots will be maintained while waiting to build. Matt explained the typical process is to rough grade the lots, put in all of the infrastructure, then temporarily seed the lots. After the lots are sold, they will go back in, build, and do the final grading and seeding. He explained that it benefits the developer to have them look nice so that people can come in and pick out their lot.

The board returned to the SEQR.

Motion made by Eric Reuscher that the Planning Board make a determination of non-significance and that the Planning Board Chairperson be directed to issue the Negative Declaration as evidence. 2nd by Robert Gringeri. All in favor, motion carried.

Motion made by Eric Reuscher to approve PB2022-001 with the conditions that the comments from MRB's letter dated March 25, 2022 and MRB's letter dated April 18, 2022 are met. 2nd by Robert Gringeri.

Roll Call Vote:

Robert Gringeri: Yes

Eric Reuscher: Yes

Mary Ann Bell: Yes

Gary Johnson: Yes

Jeff Trickler: Yes

Motion carried.

There was a short intermission while waiting for everyone to leave.

Fox Ranch Farm – Site Plan Review PB2022-002

Floyd addressed the Board. He explained that the Town Board approved the formation of the PUD at their last meeting. The project is now before the Planning Board for site plan review. The Town Board approved what it is and what can be in there and now the Planning Board is charged with reviewing the need for buffering, if there are lighting issues, or any other concerns they may find. He explained what had been approved, which includes two residences, an occupancy in one of the barns, the farm, another outbuilding, and a maximum of 14 yurts. He explained that during the Town Board process the yurts were proposed as a place for people to stay when they came to learn about the farm and a place to stay for people coming to visit the wineries and breweries. It was approved as a mixed use.

Jacob Fox spoke to the board. He explained what to expect from a silvopasture farm and how the property would work for that type of farm. He explained the focus is on animals and trees benefiting each other and he wants it to be a highly accessible farm to allow others to come and learn, stay, and eat. He talked about the future possibility of a roadside stand along State Route 14. There was a discussion regarding the sculpture currently on the property along State Route 14 and Jacob confirmed he intends for it to remain.

Gary Johnson asked if there would be a fence all the way around the property and Jacob confirmed that there would be a fence to keep deer out and the animals in. There was a discussion regarding how the animals would be kept and fenced on the property. Jacob explained the idea of a "chicken tractor" and how the chickens would be moved around. He explained that the plans show internal fences that would segment the animals. He was asked what animals would be on the farm and he explained that there would be sheep, goats, ducks, chickens, and a pig or two. Gary Johnson asked about the plans for manure. Jacob explained that the animals would be moved around but if there was a build up of manure in one area the plan would be a composting approach. Gary expressed concerns over smell and insects that could be a result of the manure. There was a discussion regarding other farms where insects caused issues for neighboring properties. Jacob explained that the total number of chickens would be 20-30 chickens and under 50-60 animals total. He is confident with his background that he can manage the farm to not create any issues with manure.

Mary Ann asked if the animals would be held in the barn at all. Jacob explained that the eventual goal would be for them to be among the trees full time, but it would be awhile before they had any animals other than chickens. Mary Ann asked about the houses and Jacob

confirmed that there are no houses there right now. He also confirmed that the fence around the property would be 8 feet high and would have access gates at various points.

There was a discussion regarding the ponds. Jacob explained that they still need to be fully engineered but that they will have fish in them and will be approximately 1 acre. Jacob also confirmed that the project will be phased. The agritourism will begin as soon as they are able. They will be planting cover crops to start to rehabilitate the land. He will also be building his house now. The agriculture and animals will take longer to get established. There was a discussion regarding the plan for clearing, the hedgerows currently on the property, and the prep that will be happening for the property.

Motion made by Mary Ann Bell to set the Public Hearing for the May Planning Board meeting. 2nd by Gary Johnson. All in favor, motion carried.

Meeting Minutes of March 29, 2022

Motion made by Robert Gringeri to approve minutes. 2nd by Eric Reuscher. All in favor, motion carried.

Steve High's Report

Steve talked about a current project going on in Farmington's Town Center. The location of the project is in front of the current Top's Market.

Other Business

Floyd updated the Board on other business. He explained that new projects and subdivisions are currently on hold due to issues with the city and new projects being able to connect to the City Sewer. He explained that the city is under DEC restrictions due to their level of capacity. As a result, they have denied a couple of projects that have been recently submitted.

Eric asked about mobile homes being built in the town. Floyd explained that there is a restriction regarding old ones being moved in, but new ones can be built wherever a stick-built residence can be built. He also explained that a mobile home park is restricted to certain areas of the town.

One of the projects that he has been working on was for a manufactured home park similar to Gypsum Mills. The plan was for approximately 300 lots on 82 acres. According to zoning, the 82 acres could actually fit around 600 lots. This project is currently on hold due to the issues with the city sewer.

The project for the medical office building on the lot next to Town Hall has also been put on hold and the current facility has been temporarily closed until further notice. Floyd has found out they are looking to merge with a larger medical group and have put everything on hold until that happens.

Rochester Regional Health is still moving forward with the old Alison's and the current plan is for a full medical facility by fall of 2024.

He was asked about the Geneva Crossing PUD. He explained that they have received funding for the 80-unit building.

There was a discussion regarding the carwash and Floyd confirmed that he has had no complaints from the neighbors. He also mentioned that they have a water system that recycles the water.

Floyd mentioned the creamery that is being built in the Town of Seneca has also been denied by the city for sewer.

Motion made by Eric Reuscher to adjourn the meeting. 2nd by Robert Gringeri. All in favor, motion carried at 8:13