

**Town of Geneva
Planning Board
November 16, 2021
DRAFT**

Present: Mary Ann Bell, Eric Reuscher, Kenneth Nardozzi, Gary Johnson, Jeff Trickler

Absent: Robert Gringeri

Staff: Amy Naegele, Clerk of the Board, Pat Nicoletta, Town Engineer, Steve High, Town County Planning Board Representative

Others Present: 19 members of the public

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

**New Business – Orchard Brook Park Subdivision, Phase 4 PB2021-012
Public Hearing – Subdivision Modification**

The applicant is applying for a modification to a previously approved subdivision. Ryan Destro from BME Associates presented to the Board. Chris Iversen from Chrissantha, Inc. was also present. Ryan went over the history of the project and confirmed that phase 4 is the last phase of the project. He explained that they are asking for a modification to change from 30 lots to 40 lots. The modification is being requested due to changes in market demand since the subdivision was originally approved in 1998, and the lots will still meet the R1 code requirements in the town. He went over the layout of the roads and confirmed that they would be dedicated to the town, along with the water and sewer. He discussed the stormwater management plan, confirming that the 7-acre area would be dedicated to the town at the completion of phase 4. He confirmed that they had gone to the Ontario County Planning Board meeting and had received MRB's comment letter and that he did not see any issue with being able to address those comments.

Gary Johnson asked questions regarding the drainage. Ryan confirmed that there would be a French drain behind the houses on the North boundary and the outlet will be on the northern portion of the parcel and will revert to an open swale. There was further discussion about existing drainage and the plans. Ryan explained there will be a combination of open swales and culverts in some areas along with a concrete gutter system in other areas. Gary also questioned if the project would be completed in phases. Ryan explained that the earthwork operations are intended to be completed all at once and the home construction would depend on when the individual lots are sold. There was further discussion regarding the construction of the road and the construction erosion control plan. Eric Reuscher also questioned the maintenance of the unsold lots and the mowing of the lots. Ken Nardozzi asked if any lots were sold yet and Chris Iversen confirmed that none were.

Mary Ann asked if there were any members of the public wishing to speak. Michael Mack, of 12 Orchard Park Drive, questioned the expected sell out of the project and if they knew what the houses would look like. Chris Iversen addressed his questions, explaining that they were not sure what the sell out would be. They do not have any plans or buyers currently and

cannot predict what the houses will look like. He commented that he would expect the lot prices would impact the type of homes being built.

Jamie Mesmer, of 51 Orchard Park Drive, addressed the Board. She distributed copies of her comments and concerns and a copy of these are on record in file PB2021-012. She questioned the location of the road as they will be losing their privacy with the tree removal. She also has concerns with stormwater and asked that the Board consider asking for a 500 yr storm analysis instead of a 100 yr. She also had questions regarding increasing the west end berm and requesting privacy trees for wind and snow buffer. She had questions about the setback rules and about the deed restrictions that would be put in place. She also expressed concerns about the end of the proposed Apple Lane and the possibility of cars being unable to stop in the winter, and the effects it would have on her neighbor.

Andy Clark, of 52 Orchard Park Drive, also spoke to the Board. He questioned the change from 30 to 40 lots. Mary Ann allowed the applicant to respond. Ryan Destro explained that current market trends have changed, and buyers are going for smaller lots than back in 1998. He also commented that the proposed lots are still wider than the Town of Geneva requirements. Andy also questioned whether the new lots would have the same deed restrictions on them. Chris Iversen confirmed that to the best of his recollection, they would. Andy asked about cost, and it was confirmed that they did not have a cost yet. Andy questioned the timeline for the project and Chris explained that they would like to start clearing the area as soon as they get approval. Andy also expressed concerns over drainage issues in the area. He highlighted a 12 inch culvert that currently is there and is proposed to be replaced with another 12 inch culvert, explaining he did not feel like this was enough. He also commented on the proposed stone driveway into the stormwater management area and explained that they already have issues with people dumping garbage items in the area and kids partying. His opinion is that a stone driveway will allow this to continue. He concluded that he knew there would be future development but would like the Planning Board to stick to the original plan of 30 lots as he feels this fits more in line with the Town of Geneva.

Mary Ann checked if any other members of the public were wishing to speak. There were none. Kenneth Nardozzi questioned whether Pat Nicoletta had met with the Highway Superintendent regarding the culverts and drainage issues. Pat confirmed that he will touch base with him before the next meeting to discuss in further detail. Pat went over the next steps for the Planning Board. The board members confirmed they had reviewed part 1 of the SEQR.

Motion made by Eric Reuscher for the Planning Board to declare its intent to be lead agency for the SEQR. 2nd by Ken Nardozzi. All in favor, motion carried.

Pat led the Board through MRB's comment letter, which is on file in PB2021-012. He confirmed that the majority of items were technical in nature.

Mary Ann asked if there were any questions from the board members. Gary asked about the gravel road to the stormwater management area. Ryan confirmed that a 12 ft wide access was a DEC requirement. There was a discussion on the options for the road and the possibility of a gate. Gary also questioned how deep the retention pond would be. There was a discussion among the board members, Ryan, and Chris about the depth and the possibility of a fence. Pat confirmed that the Planning Board could request a fence. A resident also commented, noting that the water should dissipate and there is a creek in the area that would not be able to be fenced. Ryan explained that there would be a 4 on 1 slope into the water and 10-12 foot wide wetland bench that would only be 18 inches deep. After that it would reach the 6-8 foot area.

There was discussion regarding the mailboxes and how some of them are in community bundles and some are individual mailboxes. Chris confirmed that the Post Office has control over this. It was also asked if NYSEG had confirmed that there was enough power for this project. Ryan explained that the plans had been submitted and they have not been made aware of any issues.

Mary Ann asked Steve High for any comments from the Ontario County Planning Board. Steve explained that the Board has received the comments from the OCPB (on file in PB2021-012) and that he did have to explain to them that it was not a planned development with houses, but just lots.

Ken asked Pat to also check with Bernie, the Highway Superintendent, to see if he has any input regarding the pond being fenced as the Town will be maintaining this.

Mary Ann closed the Public Hearing and explained that the review will continue at the December Planning Board meeting.

Meeting Minutes from October 19, 2021

Motion made by Mary Ann Bell to approve the minutes. All in favor. Motion carried.

Other Business – PB2021-011

There was discussion regarding holding a special meeting to review PB2021-011 and the subdivision request. It was explained that the Planning Board needed to review the subdivision before the Town Board can consider the zoning change request. Pat explained the timeline for the SEQR review. If the Planning Board approves the subdivision and after the Town Board makes a decision regarding the zoning change, the Planning Board can move forward with the site plan review. The board members discussed options. It was decided that the Planning Board would meet Thursday, December 9th at 6:00 pm to review the subdivision request for PB2021-011 Finger Lakes Health – Specialty Clinic MOB.

Steve High's Report

Steve discussed the town of Clifton Springs and the zoning changes they are making regarding Short-Term Rentals. He went over some of the requirements they are considering.

Motion made by Eric Reuscher to adjourn the meeting. 2nd by Ken Nardozi. All in favor, motion carried at 7:45.