P.B. Meeting #7 Regular Meeting #7 Date: October 11, 2018 Page 1

MEMBERS PRESENT: Harold Fabinsky, Chairman/Paul Bodden/Joseph Liberti/David Kaczor/

Philip Murray/Nicholas Taneff/Nicholas Baich, Alternate

EXCUSED: Henry Heppner

OTHERS PRESENT: John P. Bernard, Planning Coordinator

Len Berkowitz, Deputy Town Attorney

Andrew Geist, Building Inspector

Thomas Ostrander, Assistant Town Municipal Engineer

Rosemary Messina, Planning Board Secretary

The Chair called the Planning Board meeting to order at 7:00 P.M. by stating that if anyone appearing before the Board has a family, financial or business relationship with any member of the Board, it is incumbent upon that person to make it known under State law and the Town Code of Ethics.

The Chair stated that that alternate, Mr. Baich, will be voting this evening in the absence of Mr. Heppner.

Upon a motion duly made and seconded, the reading of the August Planning Board Meeting minutes was unanimously waived as each Board Member had previously received a copy.

Mr. Taneff made a motion, seconded by Mr. Murray to accept the August 9, 2018 meeting minutes as presented.

THE **VOTE** ON THE **MOTION** BEING:

FABINSKY AYE

BAICH AYE

KACZOR AYE

LIBERTI AYE

MURRAY AYE

TANEFF AYE

THE **VOTE** BEING **UNANIMOUS,** THE **MOTION** IS **PASSED**.

1. P.B. File #36-15, Sheffer Farms, Phase 1, 4.95-Acres out of a 24-Acre Vacant Land Parcel, west side of California Road near Stepping Stone Lane, Zoned R-4. Applicant is seeking Final Site Plan Approval of Phase 1, Fourteen (14) Townhouse Units, out of a Fifty-Two (52) Unit Townhouse Development.

APPEARANCE: Mr. Jeffrey Bochiecho, Developer & Owner

Mr. David Stutz, Studio T3 - Civil Engineer & Landscape Design

Mr. Bochiechio told the Board that all necessary approvals and permits were obtained for Phase 1, which consists of fourteen (14) Townhouse Units. He is before the Board to answer remaining questions and to seek Planning Board Final Approval for Phase 1.

Mr. Taneff established that the project has received Approval from the Army Corps of Engineers and Final Town Engineering Approval for Phase 1.

Mr. Murray established that the responses to the EAF pertain to the entire project. Mr. Stutz explained that there are no segmentations or updates on the future phases. He also confirmed that nothing with this project would make it a Type 1 Action.

Mr. Kaczor established with Mr. Bochiecho that the project delay over the last two (2) months involved issues concerning the Army Corps and National Fuel Gas Line.

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Mr. Bochiechio described the elevations and materials to be used for the buildings.

Mr. Bodden made a **MOTION**, seconded by Mr. Kaczor to **GRANT** Final Plan Approval to Phase 1, a 14-unit Townhouse Building complex, based on the Site Plans received on 1/09/18 with the following conditions:

1. This is an Unlisted SEQR action based on the submitted Short EAF Parts 1, 2 and 3, and a Negative Declaration was made on 2/08/18 for Phase 1.

2. Preliminary Plan Approval was granted on 2/08/18.

3. Public Hearing and Development fees have been paid.

4. Recreation fees in accordance with Section 144-70E of the Town Code have been paid.

5. The Conservation Board approved the Landscaping Plan on 3/6/18 prepared by a NYS licensed Landscape Architect, as submitted on 8/07/17, and the Landscaping Value Estimate of $59,455 requires a Certified Check amounting to 50% of the total and this shall be deposited with the Town Clerk prior to receiving a Building Permit. ($29,727.50)

6. Town Engineering Final Plan Approval has been granted on 10/11/18.

7. The Zoning Board of Appeals granted Setback Variances on 2/21/17.

THE **VOTE** ON THE **MOTION** BEING:

FABINSKY AYE

BAICH AYE

KACZOR AYE

LIBERTI AYE

MURRAY AYE

TANEFF AYE

THE **VOTE** BEING **UNANIMOUS,** THE **MOTION** IS **PASSED**.

2. P.B. File #17-16, “Orchard Grove Apartments” proposed one-hundred and fifty (150) Multi-Family units, Vacant Land, 27+/- Acres located west of California Road, east of Shadow Lane, and north of Big Tree Road (US 20A), Zoned R-4. Requesting Planning Board scheduling of a Public Hearing per Section 144-46D of the Town Code.

APPEARANCE: Mr. Andrew Romanowski, Developer & Owner

Mr. Sean Hopkins, Attorney

Mr. Hopkins stated that the last time they were before the Board was on February 8, 2018 wherein “Lead Agency Status” was declared by the Planning Board. He briefly described the project’s advancement since that meeting, noting that they have answered Engineering comments, updated the Traffic Impact Study (TIS), and obtained a Wetland Permit from the Army Corps of Engineers. They feel they are in the position where the Planning Board can consider scheduling a Public Hearing, and make a SEQR Declaration. He offered to answer any addition questions the Board member’s may have.

The Assistant Town Municipal Engineer, Thomas Ostrander, reported that a minor review letter will be issued shortly.

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Mr. Bernard reported that the public hearing fee will need to be paid and several comments are still pending from State Agencies. In addition, the sign-off sheet will need to be signed by the Town Engineer and Highway Superintendent for Final Approval.

The members did not have any further questions for the Applicant’s.

Mr. Fabinsky made a **MOTION,** seconded by Mr. Bodden, to **authorize scheduling** the Public Hearing when the required documents are complete for the hearing.

THE **VOTE** ON THE **MOTION** BEING:

FABINSKY AYE

BAICH AYE

KACZOR AYE

LIBERTI AYE

MURRAY AYE

TANEFF AYE

THE **VOTE** BEING **UNANIMOUS,** THE **MOTION** IS **PASSED**.

There being no further business, the Chairman adjourned the meeting at 7:18 P.M.

DATED: 10/25/18

REVIEWED: 11/8/18

Respectfully submitted, Rosemary M. Messina

Planning Board Secretary

Harold T. Fabinsky,

Planning Board Chairman