

WEBSTER TOWN PLANNING BOARD MINUTES

PLACE: Webster Town Board Meeting Room 1002 Ridge Road

TIME: 7:00 p.m.

DATE: 18 May 2021

PRESENT:

Anthony Casciani, Chairman

Dave Malta, Vice Chairman

Derek Anderson

Derek Meixell

Mark Giardina

John Kosel

Raja Sekharan, Attorney

Josh Artuso, Director of Community Development

Katherine Kolich, Recording Secretary

ABSENT:

Dave Arena, Secretary

APPEARANCE BEFORE THE BOARD

Summary overview of outcome:

Coastal View Subdivision Section 5

Applicant: Lake Landing LLC

Drawing: N/A

Dated: N/A

Revision: N/A

Status: **Tabled to June 1, 2021**

507 Sweet Maple Run-Accessory Structure

Applicant: Bryan Munson

Drawing: N/A

Dated: N/A

Revision: N/A

Status: **Approved for personal use only.**

1820 Taboret Trail-Accessory Structure

Applicant: Jamie Newtown

Drawing: N/A

Dated: N/A

Revision: N/A

Status: **Approved structure to be 12 x 23**

1650 Ridge Road-Storage Building

Applicant: Steve Schlegel

Drawing: N/A

Dated: N/A

Revision: N/A

Status: **Approved w/conditions:**

***Letter to be sent to Town Board for a Special Use Permit.**

***Landscaping need in front of storage building.**

***To be used for storage and nothing to be outside.**

Waverly Woods-Storage Building

Applicant: 108 Linden Tree Lane

Drawing: N/A

Dated: N/A

Revision: N/A

Status: **Approved as presented.**

620 Wild Mallard Trail-Pool Pavilion

Applicant: Mary Dombovy

Drawing: N/A

Dated: N/A

Revision: N/A

Status: **Approved as presented.**

Esporta Fitness-Signs

Applicant: 929 Hold Road

Drawing: N/A

Dated: N/A

Revision: N/A

Status: **Approved as presented.**

Mr. Casciani welcomed everyone to tonight's meeting of the Planning Board of May 18, 2021.

Pledge of Allegiance

Roll Call

Mr. Casciani: We have 6 scheduled items on the agenda and one was Coastal View, if anyone was here for it but Coastal View was on the agenda but they were not fully prepared with all their paperwork so they are tabled to the next meeting, June 1, 2021.

Mark Giardina read the first application:

COASTAL VIEW SUBDIVISION SECTION 5: Located at western end of Coastal View Drive. Applicant Lake Landing LLC is requesting **PRELIMINARY/FINAL SUBDIVISION AND SITE PLAN APPROVAL (PUBLIC HEARING)** associated with the subdivision of land and construction of (9) single family residences on a 30.86-acre parcel having SBL # 036.03-1-

1.21 located in a WD Waterfront Development District under Sections 192-19, 225-22 and 228-8 of the Code of the Town of Webster.

RESOLUTION 21-037

Mr. Casciani made a motion to **TABLE APPLICATION TO JUNE 1, 2021.**

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

Mark Giardina read the second application:

507 SWEET MAPLE RUN ACCESSORY STRUCTURE: Located at 507 Sweet Maple Run. Applicant Bryan Munson is requesting **PRELIMINARY / FINAL SITE PLAN APPROVAL (PUBLIC HEARING)** associated with the construction of a 30 x 40' accessory structure on a 1.4-acre site having SBL # 078.11-1-86 located in an R-3 Single Family Residential District under Sections 225-36 and 228-10 of the Code of the Town of Webster.

Appearing before the board was Bryan Munson and I live at 507 Sweet Maple Run and I am just here with the plans for an accessory building for the final approval. Recently, last year actually, a very nice gentleman sold me the land that would allow me to build a building this size and I was able to purchase behind my house, so it is on a 1.4 acres now . The building I am looking to do is a 30 wide x 40 deep building so for 1200 square feet total which would keep me within the square footage allowed for that size of lot. The average roof height was going to be 18' 9" and I have a sheet here that has the construction material that is going to be used. I also have listed the particulars on the lumber for the frame of the building and what I am looking to do is keep it within the characteristics of our house and I have a color sheet here and I was looking to do the main steel on the building the charcoal grey which would closely match the color of our house.

Mr. Casciani: Pretty much like that picture you have here, right?

Bryan Munson: Yes, that picture that I have is a pole barn that was recently constructed for a friend of mine and is going to very similar or appearance to that and the grey would be a little darker but it would have that same white trim, it would have the 12" overhang and would also have a black roof on it and those doors I would probably just do 2 but as you see there, there is 3 but it would have that same appearance and the doors would face, they would be on the west side of the building and would have a 4" concrete floor and possibly 6 " we just have to discuss that further with the contractor. I was here last week for a Zoning Board variance because I was looking to place the structure far to the south on the property as possible due to the fact that there are some thicker trees the further north you go and then they kind of thin out as you go towards

the south end towards 104 so I wanted to put it as far south as possible where the least amount of trees where so I wouldn't have to take the least amount of trees down. So, I asked for a 20-foot setback as opposed to the 50 foot and that was approved because they determined it was a better location further south towards 104 and maintaining the trees as a barrier between the houses and where the structure would be. I recently, last month, April 12th I had a new survey done just to kind of show the proposal location and the layout of property now as it is.

Mr. Casciani: I see that, that's good.

Mark Giardina: If I understand you correctly, you are only going to have 2 doors to this facility not the 3?

Bryan Munson: Right, that was just an example to show you roughly the colors and the type of style of door and also it was constructed by the company that I am looking to have do this project so I would just do 2 I wouldn't have 3. This one is a little bit bigger than the one I was proposing to do.

Mr. Casciani: You received your variance for the 25 feet from the expressway .

Bryan Munson: Yes, I did.

Mr. Casciani: Ok, you have it shown on your survey map which is good. This is good to have this way you know exactly where it is. Anybody have any questions or anything?

John Kosel: Is there going to be a driveway going back there?

Bryan Munson: I was looking to do most likely that like a stone driveway that would come off the end of my driveway. Maintaining the proper distance between my neighbors lot on the west there which I believe is 5 feet and then it would go straight back to the front.

John Kosel; Is there electricity or water?

Bryan Munson: There would be electricity yes.

Mr. Casciani: Yes, you would want to have lights in there for sure. Again, this is a public hearing and public notice of that was published in the Webster Herald. Is there anyone here wishing to speak for or against this? Ok, I will bring it back to the board. Everyone reviewed the paperwork, right? It's a complete application and has everything we asked for here. This I like, (holding up the survey map) and it's here for the record exactly measured out. He has the sketch of the height of the building .

Derek Anderson: That is the kind of survey map we should be getting for all of them.

Mr. Casciani: That is right. I agree 100% percent that is what I have said before. You have your colored sheets here, you have that, the style of the building.

John Kosel: This is for personal use only?

Bryan Munson: Yes

Mr. Casciani: Anything else anybody? Ok, you are all good with this want to do a seqr on it?

Derek Anderson:

RESOLUTION

Town of Webster Planning Board considered the request by Applicant, Bryan Munson to construct a 30-ft x 40-ft accessory structure on a 1.4-acre site having SBL # 078.11-1-86 located at 507 Sweet Maple Run.

The Planning Board classifies the proposed action to be a Type II Action under Section 617.5(c)(12) of the State Environmental Review (SEQR) Regulations and therefore is not subject to further review.

RESOLUTION 21-038

Mr. Anderson made a motion to **TYPE II SEQR** which was by Mr. Kosel

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

RESOLUTION 21-039

Mr. Malta made a motion to **PRELIMINARY APPROVAL TO 507 Sweet Maple Run**. Applicant Bryan Munson is requesting to the construction of a 30 x 40' accessory structure on a 1.4-acre site having SBL # 078.11-1-86 located in an R-3 Single Family Residential District under Sections 225-36 and 228-10 of the Code of the Town of Webster which was seconded by Mr. Meixell.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE

Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

CONDITIONS:

1. The lot is restricted to one accessory building
2. The building is to conform to the size as presented on the plan
3. The placement of the building should conform to all setback requirements
4. The building should not be placed near the property line or rear line of the main footprint of the building
5. No point on the building will be higher than the existing structure
6. No commercial use shall occur on the parcel
7. The accessory building should be used for personal use only at defined by the Town Code.
8. Significant construction shall occur within one year as deemed by the Planning Board to expire on 5.18.2022
9. Will comply with all State, Town, and County agencies.
10. All site work to comply with the Town of Webster
11. Subject to all Engineer and government approvals
12. Subject to all governmental fees
13. Subject to resolution of the final approved minutes.

RESOLUTION 21-040

Mr. Malta made a motion to **FINAL APPROVAL TO** 507 Sweet Maple Run. Applicant Bryan Munson to the construction of a 30 x 40' accessory structure on a 1.4-acre site having SBL # 078.11-1-86 located in an R-3 Single Family Residential District under Sections 225-36 and 228-10 of the Code of the Town of Webster which was seconded by Mr. Meixell.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

CONDITIONS:

1. All requirements of preliminary approval
2. Significant construction shall occur within one year as deemed by the Planning Board to expire on 5.18.2022
3. For personal use only

Mark Giardina read the third application:

1820 TABORET TRAIL ACCESSORY STRUCTURE: Located at 1820 Taboret Trail.

Applicant Jamie Newtown is requesting **PRELIMINARY / FINAL SITE PLAN APPROVAL (PUBLIC HEARING)** to allow the construction of a 12' x 22' addition to an existing 20' x 25' accessory structure on a 3.01-acre parcel having SBL # 051.01-1-55 located in an LL Large Lot Single Family Residential District under Sections 225-36 and 228-10 of the Code of the Town of Webster.

Appearing before the board was Jamie Newtown. I just want to clarify; it was advertised as 22.

Mark Giardina: Yes, 12 x 22 addition.

Mr. Casciani: It say a 12 x 22 addition to an existing 20 x 25

Jamie Newtown: I will amend what I have. I thought I put 23. Poor math.

Mark Giardina: Your letter to us says 22 deep

Mr. Casciani: What did you want it to be?

Jamie Newtown: 23 but if it is advertised as 22, that is fine.

Mr. Casciani: Why don't we consider it as the 23 because if that is what you have on a drawing

Jamie Newtown: I do have it on the drawing, but I thought that is what I put on there

Mr. Casciani: Ok, we can. It is a foot and an adjoining building. It's not causing a variance or anything for you so what is the difference?

Raja Sekharan: Technically it is the advertisement and if he was going lower, I wouldn't have a problem but if he is going higher, technically you should re-advertise.

Jamie Newtown: I can understand that in terms of a variance but a planning perspective

Mr. Casciani: Yes, I don't see where there is an issue. Why don't we consider it as being the 23 foot. I don't see it impacting any setbacks and it is a large lot district you are in. What do you have 3 acres there?

Jamie Newtown: Yes. I didn't want to get off track I just wanted to double check when you read that.

Mr. Casciani: I think what will do... let me do this, let me open it. First of all, if there is anyone or neighbors either for or against this proposal, I would just see the board modify it the extra foot. No body here? Ok, let do that. It is 23 x 12.

Jamie Newtown: Thank you. Good evening, Jamie Newtown at 1820 Taboret Trail. What I am seeking this evening as we started to discuss already is a proposed addition on the west side of an existing 20 x 25 foot or 500 square feet accessory building . The proposed addition as we discussed would be 12 x 23 feet or 276 square feet for a total square footage of 776 square feet after the addition is built. This does meet all zoning requirements both the 15-foot side setback; 50-foot rear setback 2 % or 2500 square feet and in terms of lot coverage or square footage and it will be less than the 20-foot allowed accessory structure height.

The proposed structure would be 61 feet from the west property line and approximately 97 feet off of the rear property line based on the angle of the structure. The existing building is angled it is not parallel with the front or rear setback lines. The building will be sided to match both the existing garage and the house, it's all the same siding. This building sits approximately 120 feet, I am going to guess from the house. The proposed addition would be constructed with a reverse cable roof to tie back into the existing structure which is identical to the third bay on the existing 3 car garage . I am proposing an 8 foot, 1 8-foot x 8-foot overhead door, white, to match the existing garage doors on both the main house and the accessory building. There are brick pillars on all sides of the overhead doors both on the main structure and the current existing accessory structure 20 x 25-foot structure. I would add a matching brick pillar on the far west elevation, front elevation left hand side, facing it. It is not out of character with the neighborhood there are 3 other accessory buildings in the neighborhood. One at 1600 square feet; one at 1200 square feet and another on at approximately 500 square feet.

Mr. Casciani: Ok, so it's matching what you already have there so , same materials.

Jamie Newtown: Yes. I would be able to use the same siding in the current west elevation to go on the front façade and the rear façade and reside the west façade. That west façade is hidden by a significant number of trees from the neighbor and no one would ever pick up if you cannot get the exact siding match for the building. They no longer make that siding.

Mr. Casciani: This application is complete and as a matter of fact, I called Jamie and I was going to say make sure you have a survey map showing where it is and he says, it is in there. He has some high tech one and I don't even understand it, you see the color one there. (laughter)

Jamie Newtown: Yes, the actual survey has been overlayed using GIS onto an ariel.

Mr. Casciani: Ok, anybody? Basically, an addition to the existing one.

Jamie Newtown: This will be for personal use only and does have electric.

Mr. Casciani: Basically, an addition to your current garage area. Anybody, questions, or concerns? A pretty simple one here. Ok again, it is a public hearing. I will say it again, if there is anyone here either for or against this application . If not, we will close the public hearing and bring it back to the board.

Derek Anderson:

RESOLUTION

Town of Webster Planning Board considered the request by Applicant, Jamie Newtown to construct a 12' x 23' addition to an existing 20' x 25' accessory structure on a 3.01-acre parcel having SBL # 051.01-1-55 located at 1820 Taboret Trail.

The Planning Board classifies the proposed action to be a Type II Action under Section 617.5(c)(12) of the State Environmental Review (SEQR) Regulations and therefore is not subject to further review.

RESOLUTION 21-041

Mr. Anderson made a motion to **TYPE II SEQR** which was seconded by Mr. Giardina.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

RESOLUTION 21-042

Mr. Malta made a motion for **PRELIMINARY APPROVAL TO** at 1820 Taboret Trail. Applicant Jamie Newtown is requesting to allow the construction of a 12' x 22' addition to an existing 20' x 25' accessory structure on a 3.01-acre parcel having SBL # 051.01-1-55 located in an LL Large Lot Single Family Residential District under Sections 225-36 and 228-10 of the Code of the Town of Webster which was seconded by Mr. Meixell

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

CONDITIONS:

1. The lot is restricted to one accessory building
2. The building is to conform to the size as presented on the plan
3. The placement of the building should conform to all setback requirements
4. The building should not be placed near the property line or rear line of the main footprint of the building
5. No point on the building will be higher than the existing structure
6. No commercial use shall occur on the parcel
7. The accessory building should be used for personal use only as defined by the Town Code.
8. Significant construction shall occur within one year as deemed by the Planning Board to expire on 5.18.2022
9. Will comply with all State, Town, and County agencies.
10. All site work to comply with the Town of Webster
11. Subject to all Engineer and government approvals
12. Subject to all governmental fees
13. Subject to resolution of the final approved minutes.

RESOLUTION 21-043

Mr. Malta made a motion to **FINAL APPROVAL TO** Located at 1820 Taboret Trail. Applicant Jamie Newtown is requesting to allow the construction of a 12' x 22' addition to an existing 20' x 25' accessory structure on a 3.01-acre parcel having SBL # 051.01-1-55 located in an LL Large Lot Single Family Residential District under Sections 225-36 and 228-10 of the Code of the Town of Webster which was seconded by Mr. Meixell.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

CONDITIONS:

1. All the stipulations of the preliminary approvals.

Mark Giardina read the fourth application:

1650 RIDGE ROAD STORAGE BUILDING: Located at 1650 Ridge Road. Applicant Steve Schlegel is requesting **PRELIMINARY / FINAL SITE PLAN APPROVAL (PUBLIC HEARING)** to allow the construction of a 6,720-sf storage building with a 2,688-sf lean-to on a 1.12-acre parcel having SBL # 081.01-1-62 located in an LC II Low intensity Commercial District under Section 228-10 of the Code of the Town of Webster.

Appearing before the board was Al LaRue with McMahon LaRue Associates. We placed the building a little bit behind the 75-foot setback. This parcel has gained variances for the rear setback, rear setback buffer and it is situated in the middle of the parcel. There is a small building enclosure in the middle of the storage building that will house the toilet facilities . It will be heated and lighting. There is a septic system and we have done the perk tests and the soils are excellent. We have given you a grading plan that shows the grading of the parcel and we have taken advantage of the infiltrations and we have been able to put in the infiltrations in the locations indicated because the soils are so good we don't expect anything to run off from the site. We have 2 % on grades, 1 % on slopes and the driveway will be a gravel driveway. We have 15% going back up to Ridge Road in a flatter area right at the landing on Ridge Road but that is because there is a huge drop between the 16 feet down to the expressway property line.

We are in the middle of negotiating with DOT to minimize that entrance. That is a standard entrance for commercial but in this case, they want to make it smaller, so we are in the process of doing that with the DOT and submitting for their approval. There will be water service to the building and of course electric, gas and light. We have site distance where the entrance is located. We have buffering from the existing homes both from the east and west side with some plantings and we positioned in the middle just so INAUDIBLE and so with that Steve is here and can go into the construction of the structure itself and the colors and materials he plans to construct this building with.

Mr. Casciani: Al, you have the leech line out there by the property line. What is that, the tank is inside the building.

Al LaRue: Yes, it is inside and it's not a tank it is an enclosure inside the building. They are housing the toilet facilities and that sort of thing. It is not a tank. Inside bathroom because the building itself is not heated .

Mr. Casciani: Oh, ok.

Mark Giardina: According to my notes, and I may be way off, you were at the April 6th meeting right and the note that I had written down is that, you must get rear setback from the ZBA?

Al LaRue: We did, and we got the rear buffers. The setback and the buffer variances were granted.

Mr. Casciani: What is the deal, originally it was not enclosed, and it is enclosed now. The addition on there. The wind, the shed ?

Steven Schlegel: So, the building itself we are looking to get that up in just a couple of months here and that main building is a 60 x 120 and so when I was here a few weeks ago, beginning of April basically the barn is going to be used for storage of tractors for our snow removal business and it's in the LC-2 district so it meets all of that criteria. The lean to on it, in anticipation of growth and where things have been going this past few years and how many machines we have been adding to keep up with our demand we are trying to get all the approvals through now and in anticipation and a year from now, we are looking to add that lean to onto the building.

Mr. Casciani: So, is that included in the 1650 square feet?

Steven Schlegel: It is an additional.

Al LaRue: The building itself is

Mr. Casciani: What is it 60 x 112

Al LaRue: (not using the mic) The lean to is 2688

Steven Schlegel: So, part of the LC-2 district is trying to make sure any commercial structure kind of blends in with residential characteristic of the neighborhood. So, you can see on the building we are going with (not using the mic) a 4-foot stacked stone INAUDIBLE and then traditional steel siding all the way down. The bottom 4 feet on both of the west and south side just below the doors is going to have the stacked stone and the building itself will be light gray material and the wanes cut on the other side and the roof will be dark grey charcoal material. All the trim on it will be white, all the garage doors will be white, and the garage doors will have windows in them. On the top of the barn there will be 3 cupolas with glass in it that will light just to give is a little bit residential homie vibe to it rather than a large steel building.

Mr. Casciani: So, go back to that addition the 24-foot wing. That will just be open then is that what you are proposing?

Steven Schlegel: That is going to be enclosed

Mr. Casciani: You are enclosing it?

Steven Schlegel: Yes. In early conversations with Josh, that was going to have to be enclosed

Mr. Casciani: Ok, good.

Steven Schlegel: That couldn't be open otherwise that would be considered outside storage. Everything in this proposal is for indoor storage and that is part of the reason for the size of things and for the anticipation of needing that lean to so that we can keep everything inside and not have any outside storage.

Mr. Casciani: Yes. I was not aware of that part of it so that is what I was concerned about. Ok. What are you using for lights on the building, anything?

Steven Schlegel: On the outside under all the soffits I am going to do like a down lit, so stuff is not shining down

Mr. Casciani: Great. If there is anyone here wishing to speak for or against this application and would like to speak, anybody? Ok, I guess not so we will bring it back up to the board. Does anybody have any concerns? He was in and showed us what he wanted to do originally and got

his variances, so we are all set with that and lighting was the only concern, so it wasn't glaring or something.

Steven Schlegel: We will be going back to the Town Board pending this approval for a final special use variance.

Mr. Casciani: Do we need to send a letter to the Town Board for a special use permit then?

Raja Sekharan: A recommendation letter

Josh Artuso: It wouldn't hurt

Mr. Casciani: I think we do. Ok, no other concerns then, close the public hearing.

Derek Meixell: Should our plans have that building? Maybe the ones from earlier had that?

Mr. Casciani: Showing the location ?

Derek Meixell: Yes, showing what the building actually looks like? Like all the other packets that we have had.

Mr. Casciani: Oh, yes . I think he did show that once, didn't you show the building?

INAUDIBLE (not at mic) earlier....

Derek Meixell: As long as we have them

Mr. Casciani: I remember seeing them. I don't have them with this packet, but I know we did have them. They would be in the file and nothing has changed on them. It's the same building.

Al LaRue: Rod Potter has them up there now too getting ready for the building permit.

Mr. Casciani: Ok. No other concerns on this we can move forward. Derek, do you want to do a SEQR on this also.

Derek Anderson:

RESOLUTION

The Town of Webster Planning Board considered the request by Applicant Steve Schlegel to construct a 6,720-sf storage building with a 2,688-sf lean-to on a 1.12-acre parcel having SBL #078.11-1-86 located at 1650 Ridge Road.

The Planning Board determines that the proposed action is an Unlisted Action based on the following:

1. *Action includes approximately 84,000 sf of building space 9,408, which exceeds the 4,000-sf threshold for a type II action as defined by Section 617.5(c)(9) for non-residential structures.*

The Planning Board determined that the action is subject to a single agency review pursuant to Part 617.6(b)(4) of SEQR and that it is the most appropriate agency for making the determination of significance. The Planning Board therefore designates itself lead agency for the proposed action.

The Planning Board has given consideration to the criteria for determining significance as set forth in Section 617.7(c)(1) of SEQR, and has

1. considered the information contained in the Short Environmental Assessment Form Part 1 dated March 3, 2021,
2. considered public comments directed to the Planning Board during the concept review meeting,
3. considered public comments directed to the Planning Board during the Public Hearing on May 18, 2021, and
4. completed Part 2 of the Environmental Assessment Form.

NOW, THEREFORE, BE IT RESOLVED that the TOWN OF WEBSTER PLANNING BOARD hereby determines that the proposed action will not have a significant adverse effect on the environment for the reasons set forth in the attached Notice of Determination of Non-Significance; be it further,

RESOLVED that the TOWN OF WEBSTER PLANNING BOARD is authorized to take all actions reasonable and necessary to file the Negative Declaration and discharge the TOWN OF WEBSTER PLANNING BOARD'S responsibility as lead agency for this action, be it further,

RESOLVED that the TOWN OF WEBSTER PLANNING BOARD, based on the information and analysis above, the referenced supporting documentation, and discussions of the action by the TOWN OF WEBSTER PLANNING BOARD as documented by the Minutes for this meeting, that the proposed action WILL NOT result in any significant environmental impacts, be it further,

RESOLVED that the TOWN OF WEBSTER PLANNING BOARD, therefore makes a DETERMINATION OF NON-SIGNIFICANCE, be it further,

RESOLVED, that the TOWN OF WEBSTER PLANNING BOARD, based on the above reasons issues a NEGATIVE DECLARATION as evidence of its determination.

NOTIC EOF DETERMINATION OF SIGNIFICANCE

The Planning Board has reasonably concluded the following results for the proposed action, when compared against the criteria in Section 617.7(c):

1. The proposed action will not have a substantial adverse change in air quality since it does not include a regulated emission source.
2. The proposed action will not have a substantial adverse change in ground or surface water quality or quantity since it incorporates water quality control measures for runoff.
3. The proposed action will not have a substantial impact on the public water supply since it includes a restroom with anticipated water use similar to a single-family home and will be connected to the public water supply.
4. The proposed action will not have a substantial impact on the public sewer system since it does not connect to the public sewerage system. The proposed action includes an on-site septic system.
5. The proposed action will not have a substantial adverse change in potential for erosion, flooding, leaching or drainage problems. Construction practices will conform to accepted storm water management and controls.
6. The proposed action will not have a substantial adverse change in existing solid waste production since the proposed action is for storage facilities do not produce significant amounts of solid waste.
7. The proposed action will not have a substantial adverse change in existing noise, odor or light since the structures are consistent with the character of the surrounding area and lighting is directed to the interior of the site, between buildings. A temporary increase in noise levels consistent with normal construction activities is anticipated during construction.
8. The proposed action will not have a substantial adverse change, or cumulative change in traffic since the proposed action is for storage and will not attract high volumes of traffic.
9. The proposed action will not have a substantial adverse impact on the criteria listed under Section 617.7(c)(1)(ii) of SEQR because no habitats or threatened or endanger species were identified on or contiguous to the proposed site.
10. The proposed action is not located in an area designated as a Critical Environmental Area by the Town of Webster or New York State pursuant to subdivision 617.14(g) of SEQR.
11. The proposed action is not in material conflict with the Town of Webster 2008 Comprehensive Plan.
12. The proposed action will not create an impairment of the criteria listed under Section 617.7(c)(1)(v) of SEQR since the action is not located in or adjacent to the listed resources and is in character with the surrounding community.
13. The action will not result in a major change in the type or use of energy since the action is for storage space that uses small amounts of energy.
14. The action will not create a hazard to human health since it does not contain nor is it located adjacent to existing sources of hazardous substances or contaminants. The project does not contemplate the use or storage of hazardous substances or contaminants. The site is located within 2,000 feet a NYSDEC listed remediation site; site ID #828178, which is an active RCRA site at the Xerox facility, north of the site, across NYS Route 104.

15. The action will not create a substantial change in use of the land since the action is consistent with zoning for the land, the existing community character, and the Town of Webster 2008 Comprehensive Plan.
16. The action will not attract a large number of people for more than a few days when compared to taking no action since the action is for private use. and does not create areas that will attract a large number of people.
17. The action will not create a cumulative impact on the environment as listed under 617.7(c)(1)(x), (xi), and (xii) of SEQR.

RESOLUTION 21-044

Mr. Anderson made a motion to **UNLISTED ACTION** which was seconded by Mr. Giardina.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

Mr. Casciani: Are you proposing any landscaping, since you are in that kind of a business. Something to dress up out in the front.

Steven Schlegel: What we are going to do on the sides, we are going to do some privacy screening for the neighbors on each side.

Mr. Casciani: How about along the road? On the front on your 75-foot setback area? Along side the driveway in that open area there?

Al LaRue: We haven't decided to do that yet and the reason for it is he is already down quite a ways from the road so even anything short would obscure the building and so we will certainly do something small at the intersection. We will add that to your plan.

Mr. Casciani: Yes, I understand you are down low but there are other projects that are the same situation, but it wouldn't hurt to put some greenery or landscaping. Some low growing bushes. You are still above it.

Al LaRue: Yes, we will put something.

Mr. Casciani: Something to dress it up. Make a flower garden. Are you putting a sign out there?

Steven Schlegel: No and I know a guy that can do some landscaping so.

Derek Anderson: Do you have to do anything special for abandoning the well?

Steven Schlegel: No

Derek Anderson: Do you know what kind of well it is?

Steven Schlegel: I think it is just for water. I pulled the cover off of it. It's really old.

Mr. Casciani: Storage, everything is inside ?

Steven Schlegel: Correct.

Mr. Casciani: So, there is no outside storage everything will be in the resolution. So, don't start putting trucks out there and lawnmowers. The idea is to keep it neat and clean as can be.

Steven Schlegel: Ok

Mr. Casciani: Ok with that does someone want to make a motion for preliminary approval?

RESOLUTION 21-045

Mr. Malta made a motion to **PRELIMINARY APPROVAL** Located at 1650 Ridge Road. Applicant Steve Schlegel to allow the construction of a 6,720-sf storage building with a 2,688-sf lean-to on a 1.12-acre parcel having SBL # 081.01-1-62 located in an LC II Low intensity Commercial District under Section 228-10 of the Code of the Town of Webster which was seconded by Mr. Meixell.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

CONDITIONS:

1. Subject to PRC Comments
2. Subject to a Letter of Credit posted with the Town of Webster.
3. Subject to the determination of the ZBA for requested variances.(which were received)
4. All the improvements shall be constructed according to the specification of the Town of Webster.
5. All site work is to be in compliance with the standards of the Town of Webster.
6. Comply with all requirements of any Federal, State, County or Town agency.

7. Address drainage, lighting, signage, and landscaping, buffering, berming and snow storage.
8. Provide additional landscaping on the front of the building
9. Approvals are subject to Drawing No: # 2021-024-5.3.21

RESOLUTION 21-046

Mr. Malta made a motion to **FINAL APPROVAL** Located at 1650 Ridge Road. Applicant Steve Schlegel to allow the construction of a 6,720-sf storage building with a 2,688-sf lean-to on a 1.12-acre parcel having SBL # 081.01-1-62 located in an LC II Low intensity Commercial District under Section 228-10 of the Code of the Town of Webster which was seconded by Mr. Meixell.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

CONDITIONS:

1. Subject to PRC comments.
2. Subject to Preliminary Approval Conditions.
3. Subject to all applicable governmental fees.
4. Subject to Department of Public Works approval
5. Significant construction shall occur within one year, as deemed by the Planning Board, to expire on 5.18.22
6. The conditions of Preliminary and Final approval are depicted on the cover page of the final designed plans. This is the important part because now there will be a new building inspector coming on and I want to make sure we cover this right from the ground up.
7. All storm water facilities are to be constructed first
8. Subject to resolution of the final approved minutes.
9. Approvals are subject to Drawing No: 2021-024-5.3.21
10. Send letter to the Town Board for Special Use Permit.

Mark Giardina read the fifth application:

WAVERLY WOODS STORAGE BUILDING: Located at 108 Linden Tree Lane. Applicant Andrew Konsavage of Morgan Properties is requesting **PRELIMINARY / FINAL SITE PLAN APPROVAL (PUBLIC HEARING)** to allow the construction of a 30' by 50' pole barn for the storage of maintenance equipment associated with Waverly Woods Apartments on a 35.6-acre parcel having SBL # 079.19-1-16.1 located in an MHR Medium High Residential District under section 228-10 of the code of the Town of Webster.

Appearing before the board was David Cox with Passero Associates the Civil Engineer for the project. Mark did a great job introducing the project and got most of my points for me already. I also didn't know it was going to be an accessory building night tonight, so that is exciting. (laughter) . So, the Waverly Woods Apartments is a nice apartment project here in Webster and they have 2 existing tennis courts up here near the northern property line. They really only use one of the tennis courts right now so the other one is not being used for anything so they are going to remove that one tennis court and then put up that 30 x 50 pole barn to store maintenance equipment and things like that. It will have electric service but there won't be any water or gas or anything like that so electric is the only utility there. (not at the mic, showing on the plans) there is a buffer showing of trees along the northern property line and pretty far away from the road and the properties to the south that it really won't be able to be seen from any other properties as it is tucked pretty far away.

(not at the mic) It is a INAUDIBLE framed building and here is a picture of it and it is going to be very similar to this the only difference is it will have 2 overhead doors instead of the one showing in the picture besides that, it is going to look like that. I can take any questions you have.

Mark Giardina: Where is the second overhead door going to be?

David Cox: It is just going to be spaced out a little bit (showing on the plans)

Mr. Casciani: It looks like your driveway comes in from the front, the narrow width side. What do they store in there like lawnmowers ?

David Cox: Lawnmowers, weed eaters, if there is any salt during the winter.

Mr. Casciani: Any consideration for putting a door on the back side of it? Its like if you things near the front door, it's you know what I am saying, if you have things in there you can go out the back door too.

David Cox: (not using the mic) INAUDIBLE man door in there but it is for INAUDIBLE and there is not great way to get out of there in the loop network (mic) and that is part of the reason for having the two doors.

Mr. Casciani: Ok, that is fine. I just suggested. There was a cemetery or something where they were putting one in and we suggested putting a door through this way if you have a couple of trucks in there you don't have to move the other to get the other one out you can just go around, so that worked out. Ok, fine. Lighting on it at night?

David Cox: Just over the doors for security.

Mr. Casciani: Any body else any questions? Well we will open it up. Is there anyone wishing to speak for or against this? I guess not, we will bring it back to the board. Anybody? Alright, do a SEQR on it.

Derek Anderson:

RESOLUTION

Town of Webster Planning Board considered the request by Applicant, Andrew Konsavage of Morgan Properties to construct a 30' by 50' pole barn for the storage of maintenance equipment associated with Waverly Woods Apartments on a 35.6-acre parcel having SBL # 079.19-1-16.1 located at 108 Linden Tree Lane.

The Planning Board classifies the proposed action to be a Type II Action under Section 617.5(c)(9) of the State Environmental Review (SEQR) Regulations and therefore is not subject to further review.

RESOLUTION 21-047

Mr. Anderson made a motion to **TYPE II SEQR** which was seconded by Mr. Giardina.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

RESOLUTION 21-048

Mr. Malta made a motion to **PRELIMINARY APPROVAL WAVERLY WOODS STORAGE BUILDING**: Located at 108 Linden Tree Lane. Applicant Andrew Konsavage of Morgan Properties to allow the construction of a 30' by 50' pole barn for the storage of maintenance equipment associated with Waverly Woods Apartments on a 35.6-acre parcel having SBL # 079.19-1-16.1 located in an MHR Medium High Residential District under section 228-10 of the code of the Town of Webster which was seconded by Mr. Kosel.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

CONDITIONS:

1. Subject to PRC Comments
2. All the improvements shall be constructed according to the specification of the Town of Webster.
3. All site work is to be in compliance with the standards of the Town of Webster.
4. Comply with all requirements of any Federal, State, County or Town agency.
5. Address drainage, lighting, signage, and landscaping, buffering, berming and snow storage.
6. Approvals are subject to Drawing No: # C101 Dated: May 20, 2021

RESOLUTION 21-049

Mr. Malta made a motion to **FINAL APPROVAL TO WAVERLY WOODS STORAGE BUILDING:** Located at 108 Linden Tree Lane. Applicant Andrew Konsavage of Morgan Properties to allow the construction of a 30' by 50' pole barn for the storage of maintenance equipment associated with Waverly Woods Apartments on a 35.6-acre parcel having SBL # 079.19-1-16.1 located in an MHR Medium High Residential District under section 228-10 of the code of the Town of Webster which was seconded by Mr. Kosel.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

CONDITIONS:

1. Subject to PRC comments.
2. Subject to Preliminary Approval Conditions.
3. Subject to all applicable governmental fees.
4. Subject to Department of Public Works approval
5. Significant construction shall occur within one year, as deemed by the Planning Board, to expire on 5.18.22
6. The conditions of Preliminary and Final approval are depicted on the cover page of the final designed plans. This is the important part because now there will be a new building inspector coming on and I want to make sure we cover this right from the ground up.
7. Approvals are subject to Drawing No: C101 Dated: 5.20.21

Mark Giardina read the sixth application:

620 WILD MALLARD TRAIL POOL PAVILLION: Located at 620 Wild Mallard Trail. Applicant Mary Dombovy is requesting **PRELIMINARY / FINAL SITE PLAN APPROVAL (PUBLIC HEARING)** to allow the construction of a 20' x 30' open air pool pavilion on a 1.12-acre parcel having SBL # 064.01-2-90 located in an R-2 Single Family Residential District under Sections 225-36 and 228-10 of the Code of the Town of Webster

Appearing before the board was Mary Dombovy and this is Dan Hackett, he is the landscape architect who has designed the pool and has designed this pavilion. It will come straight out from the back of the house and there is patio out there already and we were here last week to get a variance for the rear lot line . The lot is a big pie so it will not be visible to our neighbors. It is a very private area and we want to extend our ability to use the area and also provide some shield from the sun which is pretty strong on that side of the pool but also allow us to use the area. We will put a fireplace and kind of a parcel outdoor kitchen and be able to use it more through the season. So, it's really covering an existing patio and extending it a little further back. It will be a timber type frame structure with cedar shake roof and fit in with the rest of the house that we have on that property.

Mr. Casciani: Do we get invited over for the first party on this? (laughter)

Mary Dombovy: Sure (laughter)

Mr. Casciani: That is very attractive.

Mark Giardina: Of the 2 pictures that you sent us, which one is going to be. The reason I am asking is because it looks like there is a house close by.

Mary Dombovy: Oh, this is not our house. This is something I pulled off the internet for an example of what the framing would look like , that's all.

Mark Giardina: It is nice looking.

Mary Dombovy: We don't have it built yet, so it can't be ours. (laughter)

Mark Giardina: I meant, is that what you were thinking of.

Mary Dombovy: Yes, that type of structure. So that type of framing and timber frame type look.

Dan Hackett: (not at the mic) Basically, an exposed rafter with a fireplace on the far end. Currently when you walk out of the house there is a patio, and the patio will be cut into the steps and go down into the structure which is one of the reasons it ended up pushing out to 600 feet and we were trying to keep it at 500 INAUDIBLE Planning Board but with the setbacks and over hangs on it the space INAUDIBLE and there are kind of 3 little rooms. A kitchen, table, and some chairs around the fireplace.

Mr. Casciani: Ok, I don't see anybody here that is obviously opposed to it. I will close the public hearing and bring it back . Does anyone have anything else? I think this is really cool. What did you have to get the variance for, just the setback from the rear?

Mary Dombovy: The setback from the rear. There is nothing behind us but woods.

Mr. Casciani: Ok, you guys ok with this?

Derek Anderson: I guess the only thought with this, is there any idea to put screens on it at any time?

Dan Hackett: (not using the mic) No, in fact. One of the conditions when we were talking to the Zoning Board and this is very funny. I used to work condition space meaning space that can be enclosed and have air conditioning and heating so someone on the Zoning Board said, well, we would like to have a condition that you could never enclose it. I said oh no, it can never be conditioned space , INAUDIBLE the idea the way it was designed, the floor is not INAUDIBLE and there will be pylons on each side and one of the reasons we did that was the boards found people enclosing them later so what we have done is made it so it can never be habitable space because it wouldn't meet the energy codes INAUDIBLE it will always be an open outdoor space.

Mr. Casciani: Yes, that is fine.

Mary Dombovy: The house is big enough I don't need any more enclosed.

Mr. Casciani: Ok we are good. Derek you want to do a SEQR on it?

Derek Anderson:

RESOLUTION

Town of Webster Planning Board considered the request by Applicant, Mary Dombovy to construct of a 20' x 30' open air pool pavilion on a 1.12-acre parcel having SBL # 064.01-2-90 located at 620 Wild Mallard Trail.

The Planning Board classifies the proposed action to be a Type II Action under Section 617.5(c)(12) of the State Environmental Review (SEQR) Regulations and therefore is not subject to further review.

RESOLUTION 21-050

Mr. Anderson made a motion to **TYPE II SEQR** which was seconded by Mr. Giardina.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE

Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

RESOLUTION 21-051

Mr. Malta made a motion to **PRELIMINARY APPROVAL AT 620 Wild Mallard Trail**. Applicant Mary Dombovy is requesting to allow the construction of a 20' x 30' open air pool pavilion on a 1.12-acre parcel having SBL # 064.01-2-90 located in an R-2 Single Family Residential District under Sections 225-36 and 228-10 of the Code of the Town of Webster which was seconded by Mr. Meixell.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

CONDITIONS:

1. Subject to PRC Comments
2. All the improvements shall be constructed according to the specification of the Town of Webster.
3. All site work is to be in compliance with the standards of the Town of Webster.
4. Comply with all requirements of any Federal, State, County or Town agency.
5. Subject to job # 4-2020-23-21 4.23.21

RESOLUTION 21-052

Mr. Malta made a motion to **FINAL APPROVAL AT 620 Wild Mallard Trail**. Applicant Mary Dombovy is requesting to allow the construction of a 20' x 30' open air pool pavilion on a 1.12-acre parcel having SBL # 064.01-2-90 located in an R-2 Single Family Residential District under Sections 225-36 and 228-10 of the Code of the Town of Webster which was seconded by Mr. Meixell.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE

Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

CONDITIONS:

1. Subject to PRC comments.
2. Subject to Preliminary Approval Conditions.
3. Subject to all applicable governmental fees.
4. Subject to Department of Public Works approval
5. Significant construction shall occur within one year, as deemed by the Planning Board, to expire on 5.18.22
6. Approvals are subject to Drawing No: 4-2020-23-21 4.23.21 Dated 4.23.21

Mark Giardina read the seventh application:

ESPORTA FITNESS SIGNS: Located at 929 Holt Road. Applicant Laura Baranes of Premier Signs is requesting **SIGN APPROVAL** to allow a (1) 211 sf building mounted sign and an additional 76 sf building mounted sign to reflect change of ownership of the former LA Fitness located on a 5.58-acre site having SBL # 079.12-1-19.00 located in an HC High Intensity Commercial District under Section 178-7 of the Code of the Town of Webster.

Appearing before the board was Laura Baranes. I have to clarify something, it is not a change of ownership, it is the same people. I just wanted to make sure everyone knew.

Mr. Casciani; We did get a notice on it. Josh sent one out and clarified that. Thank you.

Laura Baranes: So, they are just looking to replace the signs where they have the existing ones right now with a different name.

Derek Anderson: They do have 2 signs on the building, right?

Laura Baranes: Yes, and you will see. The first page is for the front and then your second page is for the side and it shows the existing and the new one.

Mr. Casciani: Actually, the new signs are smaller than the existing ones.

Laura Baranes: Yes, they are.

Josh Artuso: (no mic) The second sign did get a variance approval back in 2013.

Mr. Casciani: I don't see any issues with this it's just a name change on it.

John Kosel: Since the signs are smaller will they have to clean the face of the building?

Laura Baranes: From what I understand, all the locations and I am only doing 4 but what I understand is they have a maintenance crew that comes out and after remove the letters, which

we are suppose to be doing next week, they have someone that comes out and fills all the holes and facades.

John Kosel: Is there a monument sign out near the road?

Laura Baranes: There are 3 monument signs and I drove out to look at them and I noticed that the one that is closest to the expressway does not have any copy on it for LA Fitness but the one that is across from Wegmans Plaza, does have it on it and the one up on Ridge Road does have it on. So, there is only 2 right now that have their name LA Fitness on it that they would like to change to.

Mr. Casciani: And they are changing them the same as the others and they are not going to be lit signs, its just replacing what is there.

Laura Baranes: Right, it is just a face panel that they take out and put one in.

Derek Anderson: That is part of this application as well to change those.

Laura Baranes: Yes sir.

Mr. Casciani: Ok, this application is just here for a sign so it's not a public hearing. Go ahead.

Derek Anderson:

RESOLUTION

Town of Webster Planning Board considered the request by Applicant, Laura Baranes of Premier Signs to install a 211 sf building mounted sign, add a 76 sf building mounted sign, and to replace three free standing sign panels to reflect change of name from LA Fitness to Esorta Fitness, located on a 5.58- acre site having SBL # 079.12-1-19.00 at 929 Holt Road.

The Planning Board classifies the proposed action to be a Type II Action under Section 617.5(c)(2) of the State Environmental Review (SEQR) Regulations and therefore is not subject to further review.

RESOLUTION 21-053

Mr. Anderson made a motion to **TYPE II SEQR** which was seconded by Mr. Kosel.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

RESOLUTION 21-054

Mr. Malta made a motion to **SIGN APPROVAL TO ESPORTA FITNESS SIGNS:** Located at 929 Holt Road. Applicant Laura Baranes of Premier Signs is requesting to allow a (1) 211 sf building mounted sign and an additional 76 sf building mounted sign to reflect change of ownership of the former LA Fitness located on a 5.58-acre site having SBL # 079.12-1-19.00 located in an HC High Intensity Commercial District under Section 178-7 of the Code of the Town of Webster which was seconded by Mr. Arena.

VOTE:

Mr. Anderson	AYE
Mr. Arena	ABSENT
Mr. Kosel	AYE
Mr. Malta	AYE
Mr. Meixell	AYE
Mr. Casciani	AYE
Mr. Giardina	AYE

CONDITIONS:

1. As per drawing 7043939 3.11.21

With no other applications before the Board this evening Mr. Casciani concluded tonight's meeting at 8:15 pm.

ADMINISTRATIVE MATTER: No minutes were approved.

Respectfully Submitted,
Signed David C. Arena Sec Dated 6/15/21

David C. Arena, Secretary
Katherine Kolich, Recording Secretary

Dorothy M. Nugan
JUN 16 '21 PM 1:58
REC'D WEBSTER TWIN GLK
& Filed

