

WEBSTER TOWN PLANNING BOARD MINUTES

PLACE: Webster Town Board Meeting Room 1002 Ridge Road

TIME: 7:00 p.m.

DATE: 18 January 2022

PRESENT:

Anthony Casciani, Chairman

Dave Arena, Secretary

Dave Malta, Vice Chairman

Derek Meixell

Mark Giardina

John Kosel

John DeMarco, Town Attorney

Josh Artuso, Director of Community Development

Katherine Kolich, Recording Secretary

ABSENT:

Mr. Casciani: Welcome to the January 18, 2022 Planning Board meeting. We have 2 items on the agenda. Farmers Insurance sign and Ridge Road Garber Chevrolet.

Pledge of Allegiance/Roll Call

Summary overview of outcome:

FARMERS INSURANCE: SIGN

Applicant: Kirk Wright

Status: **APPROVED AS PRESENTED**

710 RIDGE ROAD: GARBER CHEVROLET

Applicant: Lefrois Building and Developers

Status: **APPROVED ON CONDITIONS:**

- **Subject to PRC comments**
- **1-year meaningful construction**
- **Stormwater Maintenance agreement for pond shall be filed with Town**
- **Must follow construction sequence outlined in SWPPP**

Dave Arena read the first application:

FARMER'S INSURANCE SIGN: Located at 672 Ridge Road. Applicant Kirk Wright of Sign and Lighting Service is requesting **SIGN APPROVAL** to allow an 18-sf building mounted sign, and a 1.8-sf panel for placement on an existing monument sign for Farmers Insurance on a .68-parcel having SBL # 078.20-1-41.1 located in an MC Medium Intensity Commercial District under Section 178-7 of the Code of the Town of Webster.

Appearing before the board was Kirk Wright with Sign and Lighting Services 530 Route 104, Ontario, NY. We are just looking to replace the panels on the free-standing sign with the new for the tenant Farmers and add a 3 x 5 I thought it was, no I'm sorry, it is larger. Matt illuminated wall mounted sign also obviously to identify the building.

Mr. Casciani: It's the same size?

Kirk Wright: Yes

Mr. Casciani: I don't see anything. Does anyone have any issues with that?

Board: None

Derek Anderson:

RESOLUTION

Town of Webster Planning Board considered the request by Applicant, Kirk Wright of Sign and Lighting Service, for an 18-sf building mounted sign, and a 1.8-sf panel for placement on an existing monument sign for Farmers Insurance on a 0.68-acre parcel having SBL # 078.20-1-41.1 located 674 Ridge Road.

The Planning Board classifies the proposed action to be a Type II Action under Section 617.5(c)(2) and (9) of the State Environmental Review (SEQR) Regulations and therefore is not subject to further review.

RESOLUTION 22-014

Derek Anderson made a motion for **TYPE II SEQR** which was seconded by Mark Giardina.

VOTE:

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

RESOLUTION 22-015

Dave Arena made a motion for **FINAL APPROVAL** at 672 Ridge Road. Applicant Kirk Wright of Sign and Lighting Service is requesting **SIGN APPROVAL** to allow an 18-sf building mounted sign, and a 1.8-sf panel for placement on an existing monument sign for Farmers Insurance

on a .68-parcel having SBL # 078.20-1-41.1 located in an MC Medium Intensity Commercial District under Section 178-7 of the Code of the Town of Webster which was seconded by John Kosel.

VOTE:

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

(Dave Arena read the second application):

740 RIDGE ROAD GARBER CHEVROLET: Located at 740 Ridge Road. Applicant Lefrois Building and Developers is requesting **PRELIMINARY/FINAL SITE PLAN APPROVAL (PUBLIC HEARING)** for the construction of a proposed 2,700 sf commercial building for used car sales and associated parking lot improvements on a 13.21-acre parcel having SBL # 079.17-1-7.11 located in a CO Commercial Outdoor Storage District under Section 228-10 of the Code of the Town of Webster.

Mr. Casciani: If I am not mistaken at the last meeting, I suggested at the end of the meeting that we leave the meeting open, didn't we? The public hearing?

Board: Yes

Appearing before the board was Mike Bogojevski with BME Associates. I have the team with me from Lefrois Building and Developers and Joe Williams from the Garber Team, same as last time. Like you said, we are requesting Preliminary/Final approval for the New Garber building and parking lot expansion. I know you left the public hearing open from last time so if there are any questions, I would be happy to answer them.

I can just give a quick update from last meeting. I know there were a few drainage concerns from the neighbors, and we were able to meet with the Town Engineer; Highway Superintendent and Josh to review the drainage for the proposed site and I think we are handling a lot of the drainage concerns on site and I think everyone felt comfortable with the drainage design as proposed for the Garber site. So, with that, I would be happy to answer any questions.

Mr. Casciani: I know the lay out back there but what did you do, enlarge the size of the pond, what did you do?

Mike Bogojevski: Yes, the pond itself is getting enlarged a little bit to the east to basically handle more drainage. We are basically taking more drainage into the pond than what is going there today.

Mr. Casciani: Ok, so you are covering the extra and we do have a letter from Mary Herington and Pat Stevens, and they were in agreement to what you just said that it would be an improvement on the drainage. That was are biggest concern with the project there. Anything else, I would like to see you put something else on the front of the building other then make it kind of drab, but it is what it is.

Dave Malta: Let me as you about the color blue that you see on the drawing. Is that different then what is already on the main building?

Mike Bogojevski: No, they are shaking their heads. I believe it's a match, yes.

Dave Malta: Yes, because I would want to see a match to that blue that is on the existing building.

Mr. Casciani: Again, this is a public hearing, and I don't anyone here. I thought we would have a few neighbors but and I am hoping they will be satisfied with the outcome. We pretty much pointed them in the direction that we would be resolving the issue with the drainage.

Mike Bogojevski: Yes, we have the meeting with the Town Engineer and Pat Stevens. He helped us understand all the drainage off site that has happening, and I know Pat said, there are drainage concerns in that area in general, but we are doing what we can onsite with our design.

Mr. Casciani: Is this going to eliminate any drainage onto their properties? I think a lot of people were complaining about water, but I don't think it was coming from this it was just coming from their yards.

Mike Bogojevski: I believe so. There are some poorly drained areas all along the yards near Ridge Road for a lot of those properties which Pat acknowledged but with Garber site itself, we are doing what we can to manage and mitigate the drainage from the site, so we are not exacerbating any other issues.

Mr. Casciani: Alright. Your lighting, you have that. You guys turn the lights off at night, don't you Joel?

Joel: (talking from the audience, cannot hear)

Mr. Casciani: Ok, anybody have anything else? We will close the public hearing and bring it back up to the board.

Derek Anderson:

MOTION FOR AN UNLISTED ACTION - NEGATIVE DECLARATION

The Town of Webster Planning Board considered the request by applicant, LeFrois Building and Developers to construct a 2,700 square foot commercial building for used car sales and associated parking lot improvements on a 13.21-acre parcel having SBL#079.17-1-7.11 located at 740 Ridge Road in an CO District (Commercial Outdoor Storage District).

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

1. Action includes a 2,700 square foot structure,

2. Action includes 4.2 acres of disturbed area, and
3. Part 617.4(b)(6) of the SEQR regulation identifies “activities, other than the construction of residential facilities, that meet or exceed any of the following thresholds: or the expansion of existing nonresidential facilities by more than 50 percent of any of the following thresholds:” as a Type I action.
4. Part 617.4(b)(6)(iii) lists “parking for 500 vehicles in a city, town or village having a population of 150,000 persons or less as Type I action.
5. The 2020 US Census population for the Town of Webster, New York is 45,327.
6. Action increases parking by 166 spaces which is less than 50% of the threshold established above making the Action Unlisted.

The Planning Board determines 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 December 17, 2021,
2. considered public comments directed to the Planning Board during the Public Hearings on January 4, 2022 and January 18, 2022, and
3. 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 project 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.

NOTICE OF DETERMINATION OF NON-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 the proposed action does not include on site wells or septic systems.
3. The proposed action will not have a substantial impact on water supply since it replaces an existing, similar facility that is already connected to the public water supply.
4. The proposed action will not have a substantial impact on the sanitary sewer system since it includes a small structural expansion for car sales that is similar to the existing facilities already connected to the public sanitary sewer 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 replaces an existing, similar facility.
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 toward the ground. 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 is similar to existing facilities with the same on-site activities.
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 does not require an upgrade to the electrical distribution system.
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 of hazardous substances or contaminants.
15. The action will not create a substantial change in use of the land since the action improves existing facilities, and 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 the replacement of an existing building

with a new facility of similar 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 22-016

Derek Anderson made a motion for **UNLISTED ACTION** which was seconded by Mark Giardina.

VOTE:

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

RESOLUTION 22-017

Dave Malta made a motion for a **PRELIMINARY APPROVAL** at 740 Ridge Road for Applicant Lefrois Building and Developers for the construction of a proposed 2,700 sf commercial building for used car sales and associated parking lot improvements on a 13.21-acre parcel having SBL # 079.17-1-7.11 located in a CO Commercial Outdoor Storage District under Section 228-10 of the Code of the Town of Webster which was seconded by Mark Giardina.

VOTE:

Mr. Anderson	AYE
Mr. Arena	AYE
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. 1-year meaningful construction
7. Stormwater maintenance agreement for pond shall be filed with Town of Webster.
8. Must follow construction sequence outlined in SWPPP
9. Approvals are subject to Drawing No: AS PRESENTED
10. Proceed to Final Approval

RESOLUTION 22-018

Dave Malta made a motion for **FINAL APPROVAL** at 740 Ridge Road for applicant Lefrois Building and Developers is requesting for the construction of a proposed 2,700 sf commercial building for used car sales and associated parking lot improvements on a 13.21-acre parcel having SBL # 079.17-1-7.11 located in a CO Commercial Outdoor Storage District under Section 228-10 of the Code of the Town of Webster which was seconded by Derek Meixell.

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 1.18.23.
6. The conditions of Preliminary and Final approval **MUST** be depicted on the cover page of the final designed plans.
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: AS SUBMITTED
10. Stormwater maintenance agreement for pond shall be filed with Town of Webster.
11. Must follow construction sequence outlined in SWPPP

VOTE:

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

With no other applications before the Board this evening Mr. Casciani concluded tonight's meeting at 7:30 pm.

ADMINISTRATIVE MATTER: Minutes were approved for January 4, 2022

Respectfully Submitted,

Signed David C. Arena Sec. Dated 3/1/2022

David C. Arena, Secretary
Katherine Kolich, Recording Secretary

MAR 2 '22 AM 9:45
FILED WEBSTER TWIN CLK
Dorothy M. Maguire

