

Chairman Gene Bavis, Chairman called the regular meeting of the Planning Board to order at 7:34 P.M. Members present were Chairman Gene Bavis, Elaine Leasure, Rick Johnson, Deb Amsler, Karel Ambroz and Marlene Hall (alternate). Also present was Phil Williamson, Code Enforcement Officer, Norm Druschel, Building Inspector, Brendan Bystrak, Town Engineer (LaBella Associates) and Suzi Mance, Planning Board Liaison.

Deb Amsler made a motion, seconded by Rick Johnson to approve the minutes of September 8, 2014 as written:

Roll Vote:	Chairman Bavis	Aye
	Rick Johnson	Aye
	Elaine Leasure	Abstained
	Deb Amsler	Aye
	Karel Ambroz	Abstained

Motion carried.

**1. Concept discussion of John Skvorak to subdivide 27.7 acres of land from a total acreage of 30.45 located at 3895 Ontario Center Road. Property is zoned: R-Residential.**

John Skvorak provided a rough sketch of the property, showing how he intends to subdivide the property. The 2-lot subdivision of 30.45 acres would result in two separate parcels. The 27.7 acres is primarily a wooded area with some wetlands. The remaining 2.75 acres is vacant land with an existing 60 ft. right of way (flag lot) onto Ontario Center Road.

Karel Ambroz questioned if there were any plans to further subdivide the 2.75 acres. Mr. Skovorak said that there were no definite plans at this time; but there are potentially two lots. If the 2.75 acres were to be subdivided into two lots in the future; there would need to be access to Ontario Center Road for both parcels. A brief discussion ensued about an easement or common drive. Mr. Skvorak will seek legal advice.

The Planning Board concurred that they had no problem with the 2-lot subdivision. The next step would be to submit a formal application and survey map.

**2. Concept discussion of Dennis O'Brien to subdivide 10.6 acres into two parcels located at 4445 County Line Road. Property is zoned: RR-1 – Rural Residential.**

Dennis O'Brien, owner of the parcel was present to discuss the subdivision. Mr. O'Brien said that he would like to subdivide 10.6 acres and sell approximately 4 acres to a friend to build a house. Mr. O'Brien would retain the remaining 6 acres. Dennis O'Brien resides on the adjoining parcel (4463 County Line Road) and both houses would share a common driveway.

The Board members were concerned that the subdivision would create a landlocked parcel. Discussion ensued.

Phil Williamson explained that there would need to be an easement in place granting access to the road. The easement would be a legal document that would be agreed upon by the attorneys for both the buyer and the seller.

Phil Williamson referred to Town Code Section §180-24 *Access to structures* that states:

“Every building hereafter erected or moved shall be on a lot bordering on a public street or with access to an approved private street, and all structures shall be so located on lots as to provide safe and convenient access for servicing, fire protection and required off-street parking.”

Karel Ambroz suggested contacting the Town Attorney prior to making any decision on the subdivision.

**3. Concept discussion of Dennis Gifford & Janet Zimmer (Hillside Equestrian) located at 1624 Route 441 to subdivide 42 acres from a total of approximately 62.56 acres. Property is zoned: R – Residential.**

There was no one present for the concept discussion.

**4. Application of 3655 High Street, LLC, for Preliminary and Final Site Plan Approval and Special Use Permit for a proposed 52-unit apartment building to be called Walworth Village Apartments located at 3655 High Street. Property is zoned: Hamlet (Public Hearing).**

Chairman Bavis stated that he owns property that adjoins the site, so he recused himself and stepped off the dais. Elaine Leasure, Vice Chair took Bavis' place as chair. Marlene Hall, Planning Board alternate joined the others to complete the five member board.

The Board was in receipt of a Property Development Plan prepared by Carpenter Consulting Group, 17 Industrial Street, Rochester NY 14604, dated September 8, 2014. The Plan included a Site Plan, Utility and Grading Plan, Lighting and Landscape Plan and Detail Sheet.

Chairperson Elaine Leasure began by inviting Don Carpenter, engineer for the applicant to give a presentation of the project.

The 2.05 acre property is located at 3655 High Street at the southwest intersection of Academy and High Streets and is zoned 'Hamlet'. It was formerly a school, first Walworth Academy and later Walworth High School. More recently, with renovations made to the high school, the site was home to a 26-unit apartment building. Earlier this year, the building on the site was demolished and rubble remains.

The owner of the property, Alex Tamoutselis (3655 High Street, LLC) is seeking an area variance, site plan approval and special use approval in an effort to develop the property into a two-story, 52-unit one-bedroom apartment building.

The site plan calls for on-site parking with 86 spaces. Town Code requires a minimum of 78 spaces (1½ space per rental unit).

The one-bedroom market rate apartments will be marketed toward an older population of age 55 and up.

Don Carpenter said that if they were to use the existing front setback a variance would be needed. After the Code Enforcement Officer and Building Inspector reviewed the structures nearby; an adjustment of the front setbacks (16.4 ft. on Academy Street and a 24 ft. on High Street) would not require a variance according to Town Code.

The proposed storm water facility will have to comply with storm water regulations.

Brendan Bystrak, LaBella Associates (Town Engineer) reviewed the Special Use Permit and Site Plan application and in a letter to the Planning Board dated October 14, 2013 offered a summary of their findings.



Engineering  
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300 State Street, Suite 201 | Rochester, NY 14614 | p 585.454.6110 | f 585.454.3066 | www.labellapc.com

October 14, 2014

Mr. Gene Bavis, Planning Board Chairman  
Town of Walworth  
3600 Lorraine Drive  
Walworth, NY 14568

RE: Town of Walworth, Planning Board  
Walworth Village Apartments  
LaBella Project Number 212141.035

Dear Mr. Bavis:

LaBella Associates has reviewed the Special Use Permit and Site Plan application submitted by 3655 High Street LLC and their engineering consultant, C/CG Development Design. To date we have received and reviewed:

- Planning Board and Special Use Permit Applications
- SEQR Short Form, revised and resubmitted September 9<sup>th</sup>
- Site Plan Set, by C/CG Development Design
- Architectural Floor Plans and Elevations, by Peter L. Morse & Associates
- Engineering Report and additional supplemental information dated October 1, 2014

On Thursday, October 9, 2014, a Development Review Committee meeting was held with the applicant and their engineers to discuss the application. This meeting was attended by:

- Applicant, Alex Amoutselis
- Applicant's Engineers, Don Carpenter and John Shields
- Walworth COE, Phil Williamson
- Highway, Mike Frederes
- Sewer, Rob Burn and John Pagliuso
- WCWSA, Marty Aman
- Town Engineer, Brendan Bystrak

In addition, we received comments from Norm Druschel, Building Inspector and Dave Osborn, Walworth Fire Chief.

The applicant has verified that they are asking for 52 market rate rental units in the two story building which will currently not have a basement. The submitted preliminary architectural plans are being revised. The building will comprise 52 units each with its own heating and cooling systems. There will not be a centralized cooling tower or roof top mechanicals units. In addition, the building will be sprinklered; has a second floor laundry for the tenants; has an elevator; and does not have an emergency generator.

We offer the following summary of our comments and findings for your consideration:

Site

**Clearing limits**

- We have asked the applicant's engineer to clearly note the clearing limits along the western boundary.
- Provide a detail for the fencing if it is going to be replaced along the western boundary line.
- The mature trees along the north was western right-of-ways need to be clearly identified as being either removed or saved and protected with snow fencing along their drip lines.
- The removal limits of the existing structure and pavements should be clearly identified on the plans.

Relationships. Resources. Results.

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#### Building

- The Site Plan versus the preliminary architectural floor plans and renderings has several differences. The applicant and their engineer indicated the site plan is more accurate than the submitted Preliminary Architectural Drawings.
- The Code Enforcement Officer (CEO) and Building Inspector reviewed the code and setback of the existing structures in the vicinity of the application. The CEO indicated that if the buildings were to have a 24' setback from High Street and 16.4'+ setback from Academy Street then no variance will be required based on the Code. The applicant and their engineer are considering relocating the building to be in conformance with the Zoning Ordinance and avoid this variance request.
- The Building Inspector and Fire Chief have required that location of the Fire Department Connection (FDC) be shown on the site plan.
- The preliminary elevations prepared by Peter L. Morse & Associates provide a good graphic representation of the buildings. The final application should include a legend that details the materials and colors for the various exterior finishes. A color rendering for the building should be prepared for review by the Planning Board and presented to the public at the next board meeting. Overall building height should also be noted. Building mounted lighting and signage should also be included on the renderings.
- Sizing of the mechanical room for the electric meters for each unit and backflow prevention devices for the fire and domestic services should be verified.

#### Parking

- The proposal includes 52 units which require a minimum of 78 spaces (1.5 parking spaces per dwelling). The current layout has 86 spaces including 5 ADA spaces. The applicant and their engineer are considering moving the building to be in conformance with the zoning requirements and may decrease the proposed parking by several spaces.
- In addition to the possible building adjustment, they will also look at converting the interior island to pavement and removing several additional parking spaces for internal circulation of larger vehicles as requested by the Fire Chief.
- We asked that the applicant and engineer consider shifting the Academy Street access northwards to keep exiting traffic from shining headlights directly on the residence across the street. This also impacts the mail box for this residence.

#### Lighting

- There are no provisions in the town code for site lighting in the Hamlet District.
- No wall or building mounted lighting has been shown on the plans. Ask that the applicant provide cut-sheets and add the photometrics to the lighting plan.
- The proposed parking lot lighting consists of six - 400 watt high pressure sodium lamps with an 18' mounting height. The proposed lights are made by Cooper and have a type 3 distribution pattern with house side shields. We note that western residences are lower than the site and the lamps may be visible to these residences. This has not been confirmed given the final clearing limits and locations have been determined.
- We noted during on site reconnaissance that High Street and Academy Street has several street lights along the frontage of this development. We want to conform that these lamps are also high pressure sodium so that a uniform look exists.

#### Traffic

- The supplemental engineers report notes that a trip generation study was completed for the 52 units. However, the table referenced in the report has not been submitted at this time.
- The town roads in the vicinity of the application appear to have adequate lane widths and signage for the proposed application. High Street and Academy Street have access to two county roads.

#### Snow Storage

- We ask that the applicant provide a narrative on where snow storage will occur. The locations should be noted on the site plan. If the intent is plowing snow into the stormwater management facility, then this practice must be included in the stormwater analysis and verified that this is in conformance with the NYSDEC design standards.

**Utilities:**

**Watermain:**

- A dedicated water supply is located along Academy and High Street with two existing hydrants for fire protection.
- Flow tests were completed by the WCWSA and results show that adequate water pressure and flow are available for both domestic service and fire protection.
- The water service has not been finalized at this time. Applicant and their engineer are aware a separate application for backflow prevention is required and will be approved by the WCWSA and NYSDOH.
- The engineering report notes a hydraulic demand of 200 gallons per unit. This appears excessive from a design point based on the Gananda Senior Development historical flows. During the past 12 month, the average for per unit has been 50 gallons per day.

**Sanitary Sewers**

- Dedicated sewers exist on High Street; intent is to reuse the 6" sewer from the former apartment complex.
- The existing collection has the capacity to serve the proposed development.
- Each rental unit will be a separate unit, with quarterly charges.
- The original pump station needs to be properly abandoned. The forcemain needs to be located at the exterior of the original footing and capped in accordance with the town standards.

**Storm Water**

- We have asked the applicant and his engineers to review the report and drawings that have been submitted.
- Making revision to show the storm laterals that will convey roof run-off to the collection system on the west side of the building, not sheet flow across the parking facility.
- Asked the applicant's engineer to review the NYSDEC Redevelopment Standards to ensure compliance with the water quality requirements. The initial report shows they intend to detain the storm water and not increase the peak discharge rates.
- We asked to improve the outlet conditions to ensure no additional impacts on the adjoining residences to the west of the site. The applicant's engineer provided LaBella with a set of the 1985 First Academy Apartment of Walworth Drawings. The Site Plan, Drawing SD1, shows an 8" clay tile storm sewer that conveyed the roof top from the Academy Building southwest going to the west side of the tennis courts. During the DRC meeting, several town residents noted they remember that the building flowed into the old cistern used for the fire department. Comments were also made that there may have been an old overflow out of the cistern to the road side swale. A 6" corrugated steel pipe was observed in the road side swale going towards the old impoundment. We have asked that the applicant and their engineer explore the utilization of this sewer to convey storm water run-off to the existing swale.

**SEQR**

- The Special Use Permit and Site plan applications are an Unlisted Action under SEQR's implementing regulations. The application does not meet the thresholds for a Type 1 action and is not listed as a Type 2. The applicant has submitted a revised Short Form on October 9<sup>th</sup> for both the Planning Board and Zoning Board Applications. Note: the original application included a setback variance request; this is listed as a Type 2 Action and would require no further review related to SEQR for the setback variances.
- LaBella will complete Part 2 of the SEQR Short Form once the applicant has submitted their final stormwater analysis and revised drawings to ensure no impacts to the adjoining residence associated with stormwater run-off. The trip generations calculation will also need to be reviewed as part of completing Part 2 of the SEQR Form.
- It is LaBella's understanding that the November meeting is intended to be a combined Planning and Zoning Board hearing for this application to review SEQR related to the variances, Special Use Permit, and Site Plan applications. LaBella assumes that the Planning Board will take the Role as Lead Agency in the SEQR Process. The only involved agencies we have identified are the Town of Walworth Planning and Zoning Boards. We have identified numerous local agencies and departments (\*) associated with the projects; however, only the Planning and Zoning Boards are identified as involved relation to SEQR.

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The following local agencies and departments have been identified with this application:

- o Zoning Board – Site specific variances for Required Lot Area §180-13 (I), SEQR Unlisted Action
- o Planning Board - Special Use Permit - Site Plan – SEQR Lead Agency
- o Wayne County Planning Board – Advisory review, within 500' County Right-of-way
- o Wayne County Sewer and Water Authority – Approval of the Water Service and Backflow Prevention
- o New York State Health Department – Approval of the Backflow Prevention Device
- o New York State Dept of Conservation – SWPPP and NOI
- o \* Highway Department – Town Roads, access along Academy Street and High Street
- o \* Sewer Department – Sanitary Sewer, just lateral, no dedicated mains or structures
- o \* Building Inspector / Fire Marshall – Fire Access
- o \* Fire Chief, Walworth Fire Department
- o \* Town Engineer, LaBella associates D.P.C.

Note: for SEQR, the only involved agencies are the Planning Board and Zoning Board.

Thank you for the opportunity to review this application on your behalf.  
Please contact us at your convenience with any questions or concerns.

Sincerely,

LABELLA ASSOCIATES, D.P.C.



Brendan Bystrak, PE  
Civil Engineer

Attachments: None,

BSB/bsb

cc: LaBella Project File 212141.035  
Applicant

Don Carpenter responded to several of the comments in the letter:

The row of trees on the western boundary is on the neighbor's property. One sugar maple on the applicant's property that has been invaded with poison ivy will be removed. Additional screening, possible a fence along the western boundary, is also being considered.

In response to the concern about snow storage; since there are 86 spaces proposed (and only 78 spaces per code required) several of the extra spaces could be designated as a snow storage area.

The parking layout may be revised to incorporate a larger turning radius for emergency vehicles per suggestions by the Walworth Fire Department.

Don Carpenter said that they are open to suggestions regarding lighting; to strike a balance between lights shining too brightly on neighboring properties and having a safely lit building and parking area. Shorter poles are a possibility.

The water main in proximity to the site is owned by the Town of Walworth and maintained by the Wayne County Water Authority and the engineer does not have any concerns with water capacity. The Town of Walworth owns and operates the sanitary sewer system servicing the site and is adequate for the proposed building.

Concerning the density issue, Mr. Carpenter said that the former apartment building had 26 units, but had 32 bedrooms. The developer is proposing 52 single-bedroom units (two stories) to make this project economically feasible.

Chairperson Leasure invited the Board to voice their concerns.

Karel Ambroz said the under Part 1 of SEQR, question #8, he disagrees that the increase in traffic is not substantial.

Elaine Leasure said she was concerned about the lighting. Although most of the foliage will remain on the western boundary, she would like to see something done for the people to the east. She also questioned why he is considering only one-bedroom units, saying that she would want at least two bedrooms, as she had accumulated so much through the years. Alex Tamoutselis said that many in the 50 and older age group want to downsize and leave the maintenance of homeownership behind. There will be several options on the size of the units, 750, 800 and 900 sq. ft.

Rick Johnson said that as a member of that community he has concerns about lighting and traffic. He walks in the area and 12 cars per hour is a significant increase. There are small children in the area, school buses and children playing in the summertime and he said he has serious reservations about the traffic calculation.

Alex Tamoutselis wanted to note that this location was a former school and later apartments. The area is zoned 'Hamlet' which is an allowed use. He said that he would assume that as a school there was more vehicle traffic than an apartment will generate.

Chairperson Leasure said that the following petition was received and signed by 42 residents:

Resident Petition Regarding: Development of 3755 High Street, Walworth, New York 14568

The undersigned citizens are opposing the variance applied for at the Town of Walworth as listed below, for the intent of building a 52-unit apartment complex including 86 parking spaces covering 92.6% of the 2-acre lot with building and parking structures.

- Relief from the minimum front setback (Town Code Section § 180-13(K)(1))
- Minimum lot size per dwelling unit (Town Code Section § 180-13(I)(3))

Based on the current traffic patterns, town infrastructure and housing density, it is the desire of those signed below to maintain the current Hamlet setting and only allow single or dual family dwellings to be constructed within the neighborhood.

Chairperson Leasure then asked for a motion for the PB to declare its intent to serve as Lead Agency on this project.

Karel Ambroz made the following motion, seconded by Rick Johnson:

I move, that the Planning Board declare its intent to serve as Lead Agency on the Walworth Apartment Project.

Roll Vote:	Rick Johnson	Aye
	Elaine Leasure	Aye
	Marlene Hall	Aye
	Deb Amsler	Aye
	Karel Ambroz	Aye

Motion carried.

Chairperson Leasure asked for a motion regarding to ask the Clerk to the Board to notify the Zoning Board of Appeal about the intent of the PB to be declared Lead Agency and that the November 10, 2014 meeting will be a joint session by the Planning and Zoning Boards specifically to consider SEQR (part 2).

Rick Johnson, made the following motion, seconded by Deb Amsler:

I move, for the Clerk to the Board to notify the Zoning Board of Appeals about the intent of the Planning Board to be declared Lead Agency and that the November 10, 2014 meeting will be a joint session by the Planning and Zoning Boards specifically to consider SEQR.

Roll Vote:	Rick Johnson	Aye
	Elaine Leasure	Aye
	Marlene Hall	Aye
	Deb Amsler	Aye
	Karel Ambroz	Aye

Motion carried.

Chairperson Leasure opened the public hearing.

Chairperson Leasure invited the public to comment on the application. Elaine Leasure requested that those who wanted to give a statement to step to the podium and give their name and address. Questions should be addressed to the Board and not to the applicant or engineer. Comments should be limited to three minutes to give everyone an opportunity to speak.

#### **Colleen Siracuse, 3664 Walworth-Palmyra Road**

Colleen Siracuse said the state guidelines for Planning and Zoning in seeking a variance must consider both the benefit to the applicant as well as the detriment to the health, safety, general welfare of the neighborhood or the community that would occur as a result of the variance being granted.

Colleen Siracuse read a definition of neighborhood and what qualities contribute to strong sense of community. She said that purchasing a home is one of the largest financial commitments that a family will make. Homeowners are also interested in the school their children will attend, the surrounding areas and the roads they will travel. Neighborhoods are not just a collection of houses, but contribute to a sense of partnership, leadership and civil involvement. A community is only as strong and sustainable as its neighborhood.

The areas that need to be considered in seeking a variance are

- Will an undesirable change be produced in the character of the neighborhood?  
With the previous apartment building there was an increase in crime, noise and issues with lighting.
- Can the benefit to the applicant be achieved in any other way?  
There could be consideration of other development on the property that would not be a 52-unit apartment complex.
- Is the variance substantial?  
Minimum lots size would be less than ½ of Town Code requirement
- Will the proposed variance have an adverse effect or impact on the physical or environmental conditions in the neighborhood?  
Traffic, noise and volunteer emergency response are concerns.

She also said that the trees on the western side are deciduous and would not provide much of a visual barrier during the months the leaves are off the trees.

#### **Scott Duval, 3647 Walworth-Palmyra Road**

Scott Duval expressed a concern about the increase of population in the neighborhood and ability of the roads which are only 1½ car width to handle the increased traffic. He said that the 12 car increase in traffic during the peak hours was “unrealistic”.

He asked if there was a business plan. If the project is not sustainable it could just end up a vacant building like in the past.

There is the concern that the apartments could become Section 8 or low income if the owner failed to rent all the units to the retirement community of 55 years and up.

**Luke Render – 2240 Main Street**

Mr. Render said that he lives next to the property and feels that the project is “foolish” and none of the previous owners of the property made any money on the apartments and doubted that this project would make money either. He stated that there appears to be a “short memory” about the previous problems....a murder, a child hit on Main Street, broken glass in the parking lot, prostitution. He apologized for his demeanor, but said that he was upset.

**Stanley Weller, High Street**

Stan Weller stated that as a member of the target group of 55 and older, he asks “What would entice me to move there?” He expressed concern about the lack of green space. When I look out the window what will I see; a parking lot, asphalt, parked cars?

Inside, is there a community room, a nutrition site where I can eat with other people?

Outside, as a nature lover, is there enough room for a garden, flowers, birdhouses, perhaps a gazebo or fountain (something therapeutic)? Is there room to walk around, paths for a wheel chair?

Is there something besides looking at two walls, boredom? “If I were to live there, I want life around me”.

**Lynn Howard, 3640 Main Street**

Lynn Howard said that she came before the Town some time ago when the Town was considering selling the basketball/tennis courts and now they are once again considering selling the property.

She said that her children are now almost grown, but they spent many hours playing and riding bikes on the property. Now, there seems to be many younger children in the neighborhood riding bikes and playing basketball on the courts and she hates to see the community lose that. Where will the children safely ride their bikes? It is not safe to ride to Ginagaw Park, especially having to go in front of the Tops market parking lot and Sherburne Road is too far.

Also, if there is an apartment there, some of the residents may want to play tennis or basketball and enjoy watching children playing and living life.

**Santo Pecora, 2247 Center Street**

Santo Pecora questioned where he would play basketball, ride his bike and skateboard if the basketball/tennis court was sold. There would no longer be a safe place to ride his bike.

**James Eastham, 3680 High Street**

James Eastham said that he has a special needs child and has concerns about her safety with the increase in traffic.

**Robert Thon, 3648 Main Street**

Robert Thon said that the previous apartment building were a sore spot in the neighborhood. Every night you look out your window and see drug activity happening. He would rather see the property used for four private residential homes. Home owners would have more of a vested interest in the community.

**David Lynch, 2129 Walworth-Penfield Road**

David Lynch said that he felt that the entire project is under thought. He expressed concerns about the density (52 apts. on two acres). He stated that the whole plan is under thought and would not necessarily appeal to seniors. Many would want at least a two bedroom apartment, to have additional room to be used as an activity center. The proposal does not indicate that the apartments were handicap accessible. There is a lack of green space outside and no solarium inside that would draw people together. To build a 2-story building just for financial reasons, “to get a buck out of it” does not seem reasonable.

Increased traffic is also a huge concern. He disagreed that an increase of 12 cars per hour at peak times is not an issue. Mr. Lynch mentioned that the projected increase in traffic with the Tops Market is 200 cars a day; and the new apartment will make the traffic situation even worse. The sight distance from High Street onto Walworth-Marion Road is poor at best. High Street is not a full two lane with curbs and that is also a concern.

Mr. Lynch stated that the project needs to be rethought and suggested reducing the number of units and considering a smaller, more livable project that would be enjoyed by the residents and the entire community. He suggested increasing the green space, both inside (solarium) and out. He said that he would ask that no action is taken until any new changes to the site plan are brought back to the public.

**Linda Pecora, 2240 Center Street**

She said that she does not think this proposal is keeping with the character of the neighborhood or in the best interest of the neighborhood. It is a quiet, family neighborhood. She expressed that she did not think that a 52-unit apartment (or even 26 apartments) would attract middle income or elderly people. More likely it would attract a lower income population that could result in many of the same problems as in the past. She would like to see an apartment building with elevators on both sides, a community area and all the things that others have suggested that would make it attractive to seniors; or single-family homes, certainly not what is proposed.

**Patrick Schmitt, 3705 High Street**

Patrick Schmitt said that his biggest concern was the traffic. Now when he pulls out of his driveway between 7:00 am and 8:30 am, he never has to wait for another car. An increase of 12 cars per hour during peak times is an increase of over 100%. This increase in traffic could deter his family from staying in that community. It will no longer be safe for his young daughter to ride her tricycle with him following behind her, as there are no sidewalks in the neighborhood.

**Frank Skrotzki, 3574 Wal-Palmyra Road**

Frank Skrotzki stated that the previous apartment building had approximately 45 parking spaces and this proposal calls for almost double the number of parking spaces. He questioned where four sets of dumpsters would be located? Would they need to take away parking space to accommodate the dumpsters? He also was concerned about the additional traffic and whether the existing road can handle the garbage trucks and buses.

He said that the applicant needs to seriously rethink who they are marketing to. His mother is 70 years old and would not move into a single bedroom apartment.

**Fred Fortune, 3712 High Street**

Fred Fortune said that when he pulls onto Walworth-Marion Road from High Street he has to wait 2 to 3 minutes and an increase in traffic will make the wait even longer. He said that school buses currently are not allowed to pull onto Walworth-Marion because of the danger. With the increase in traffic he fears there could be more accidents.

**Daniel Wildey, 3652 High Street**

Daniel Wildey said that he is an engineer and would like to see more firm numbers. The application seems more like a proposal with "hopes, dreams and wishes" rather than an application that addresses the real impact such a project will have. We need to know how much snow is going to build up, how much light will be shining onto neighborhood homes, what is the effect of the traffic, what is the effect on the sewer and water lines. At this point, I think we have gone too far without really understanding the impact on the neighborhood and community as a whole.

Daniel Wildey expressed a concern about the variances. The previous building already had a variance and now an additional variance on top of the original is being requested.

He also felt that renters will not have the same interest in the community that homeowners have. Without having any tax requirements or school requirements it will change the dynamics of the neighborhood.

**Mable Risley, 2187 Church Street**

Mabel Risley said that she had lived in this beautiful town for many years and misses the school. She said that single family homes would be more fitting with the character of the neighborhood and two single-family houses would look nice on the property. There would be plenty of space and there wouldn't be the car problem.

**Judy Markowski, 4403 Cream Ridge Road**

Judy Markowski said that unless there is something legal in place stating the apartments are for ages 55 and above, it would be open to anybody. What kind of lease would there be? How many people can stay in them? Some of these questions have to be answered. It would be a great place for DSS to put folks in. People need to know that something legal must be in place, or the apartments are open to anybody.

**Kurt Calkins, 3631 Main Street**

Kurt Calkins said that his wife works with the senior population and transportation to shopping and doctor appointments is a real need for many seniors who no longer drive. Not having bus or other transportation services available would be a concern.

**Isabella Pecora, 2240 Center Street**

Isabella said that when she is older, she would not want to live in a small apartment, but have a bigger space where you could talk to other people.

**Gordy Reid, 3697 High Street**

Gordy Reid said that he has lived at his property during the last few projects. During that time there were all kinds of EMS and fire calls to the apartment building, as well as criminal activity in the neighborhood. He said that \$3,000 worth of tools was stolen from his garage. Someone went into a neighbor's home on Main Street, took keys from a purse and stole a van. He said, "If you have a bunch of undesirables move in, we could be in for more trouble."

Chairperson Leasure asked for a motion to table the public hearing until the next meeting.

Karel Ambroz made a motion, seconded by Rick Johnson to table the public hearing November 10, 2014.

Roll Vote:	Rick Johnson	Aye
	Elaine Leasure	Aye
	Marlene Hall	Aye
	Deb Amsler	Aye
	Karel Ambroz	Aye

Motion carried.

Chairperson Leasure asked Don Carpenter to respond to some of the concerns of the residents.

Green space and landscaping - Mr. Carpenter said that additional landscaping could be provided along the front of the property and along the drainage facility to the north and he is open to other landscaping ideas.

Parking – Mr. Carpenter explained that the target population of 55+ may have downsized to one vehicle and some may no longer drive so they may not need all 78 spaces, freeing up some of spaces to be used for additional green space.

Traffic – The traffic generation is based on the Institute of Transportation Engineers (ITE) Trip Generation Manual and is only an estimate based on statistics for Senior Housing (ages 50+). The one-bedroom single apartments are expected to appeal to and draw from the senior market comprised largely of retirees who do not have need to exit and leave the property during the routine AM and PM peaks. If employed, they may be part-time workers or not have typical 9 to 5 jobs. Mr. Carpenter said that logically the increase in traffic of 12 vehicles per hour during peaking times would be on the high side.

Lighting - The engineer can look further at the lighting to minimize impact to the surrounding neighbors (shorter poles and shields, etc.). There are no guidelines for lighting in the Town Code. The objective is to maintain a safe level of light on the property.

Marketing – A market study was done that indicated that there is a large need for housing for empty nesters 55 and up (specifically in Penfield and the surrounding area which Walworth is a part). Mr. Carpenter stressed that the proposal is not without thought and has been fully researched. He said that this is not a development company such as United Nursing out of Cincinnati, but a small business owner from Rochester who has already invested money and time into the project. It is in his best interest to make sure that this proposal is successful.

Chairperson Leasure posed several questions:

- Is there a sidewalk? There is none proposed. One could be added but there is no existing sidewalk to tie into.
- Will there be an elevator? Yes.
- Is there a community room? It has been discussed, but it is not a Senior Living or Assisted Living facility and one is not proposed at this time, although adding a community room could be reconsidered. Basement storage may be added.
- Will there be an on-site manager? There will be a full-time manager during the day.

In response to concerns that the apartments would be subsidized or DSSI, Don Carpenter said that this is not the case. Alex Tamoutselis does not envision that type of project. He wants a "trouble-free environment that is an asset to the community; that is economically feasible".

Karel Ambroz said that the site plan did not show the turning radius and wanted to be sure there was adequate room for fire apparatus. He also asked if the building would be fully sprinklered and was told yes. He expressed concern that the 75 ft. ladder would not reach across the cars to the second story of the building. Fire Marshall, Norm Druschel said this was not required by NYS Fire Code.

Marlene Hall commented on reducing the number of parking spaces. She said that she cannot imagine anyone 55 to 70 in the Town of Walworth not having a car and that she felt all the parking spaces would be necessary. Also, if you are marketing to that age group of 55+ and cannot fill them up what is your plan then? Would you rent to someone younger?

Alex Tamoutselis responded that it would rent to 45 and up.

Rick Johnson asked if any changes to the site plan could be made available to the Planning Board prior to the November 10th meeting so members would have a chance to review them prior to the meeting. The Engineer responded that they would have the information a week in advance.

Lynn Howard spoke up from the floor and said that she had a question. Chairperson Leasure said that she could ask the question to the Board. If a couple 25 years of age needed a place to rent, would they be turned away? Chairperson Leasure agreed that this was a valid question. She asked the engineer, "We have heard, 55 and up, 50 and up and now 45 and I would like some clarification. That may be your target group, but what I'm hearing is that you are not going to limit it to that? Am I correct in this?"

Alex Tamoutselis said that they definitely would not rent to someone 25 years. He also said that he does not expect that all the units will be rented the first month. It may take a year or longer.

Someone spoke from the floor and said that NYS Fair Housing Law requires that unless you designate it for 55 and up you cannot legally restrict access to anyone 18 years and older.

Chairperson Leasure said that the public hearing remains open and the residents will have the opportunity to comment further at the next meeting when updates and additional information will be presented.

Rick Johnson thanked everyone for coming.

Chairperson Leasure asked for a motion to adjourn.

Rick Johnson made a motion, seconded by Deb Amsler to adjourn the meeting. Motion carried.

The meeting was adjourned at 9:16 P.M.

Gail Rutkowski, Clerk

