

A regular meeting of the Village of Victor Planning Board was held on Wednesday, June 22, 2016, at the Village Hall, 60 East Main Street.

MEMBERS PRESENT: Chairperson Meg CHaides
Member Charles Criss
Member Steven Van Dyke
Member Peter Kowal
Member Jeffrey Swan
Planning Clerk Roseanne Turner-Adams

OTHERS PRESENT: Eleanor M. Barry, Patricia Haggett, Robert Haggett, Lyn Dailey, Dave Nellis, Bob Kelly, Janice Kelly, Walt LaRaus, Gerald Birmingham, Leona G. Hawkins, David R. Hawkins, Ruth Nellis, George Beckinghausen, John Knapp, Howard Johnson, Patrick Liberti, Ken Curry, Mary Kocher, Barbara Pippin, Sandra Sweet, Wayne Sweet, Gene Pratt, Nancy Pratt, Gail Huff, John Huff, Jean Laitenberger, Marcia Parry, Matt Graney, Maureen Arquette, Al Benedict, Donna Hall, John Kosko, Cynthia Quinn, Marsha Senges, Kathleen B. Nichols, Tom Nichols, Bob Cantwell, Deb Mackey, Dante Gullace, Cherie Dugoman, Chris Gullace, Norma Halbleib, Edward Halitisin, David Kiddie, Robert Culhane, Ying Chen, Mrs. Keith Thompson, Roberto Keith Thompson, Dan Loeser, Alyssa Loeser, Karen Grasso, Rob Grasso, Daniel Kelly, Gina Thomas, Phillip Thomas, Tom Kurilovitch, Ron Rossolo, Kevin Fleig, Charlotte Schenk, Mercedes Murray, Tom Hooker, Rolan Dauber, Julie Doyle, Nancy Hooker, Verena Emmons, Robert E. Emmons, Robert Schlueter, Cheryl Jones-Richter, Mary McCarthy, Donna Kramer Rossman, Charles Maves, Pam Adams, John Adams, Jim Mason, Gary Hadden, Ryon McElhiney, Kate Finn-McElhiney, Lisa Roberts, Luba Mason, Karen L. Spawton, Jeffery A. Smithe, David Hahn, David Welsh

Meeting called to order at 7:00 PM by Chairperson CHaides.

Salute to the flag.

Resolution #14-16PB
Acceptance of Minutes

On a motion made by Peter Kowal, seconded by Charles Criss, the following resolution was ADOPTED 5 AYES 0 NAYS

Resolved, to accept the minutes dated May 25, 2016.

Lynaugh Road Properties, LLC

Preliminary Subdivision Plan Review – Gullace Project

Mr. Bob Cantwell of BME Associates stated that he is speaking on behalf of Lynaugh Road Properties, LLC and with him are Dante Gullace and Chris Gullace who are the applicants. Mr. Cantwell stated that the proposal is for the preliminary subdivision plan for the Village portion of the overall Gullace Project which includes 17 single family homes on 5.8 acres which is zoned R-2. Mr. Cantwell stated that the Town portion of the project will be presented at the Town Planning Board meeting on June 28th at Town Hall. Mr. Cantwell explained that the homes in the Village will be patio homes that are approximately 1,600 to 2,000 square feet and include 2 car garages. Mr. Cantwell stated that the homes will be marketed to an empty nester profile. Mr. Cantwell stated the applicant would like the Planning Board to review the project as a cluster development and as required by clustering, the benefits to the community would include the dedication of an open space parcel adjacent to Harlan Fisher Park and the ability to line up Hillcrest Drive with the proposed dedicated Village Road. Mr. Cantwell stated that a conventional zoning plan has been provided which shows 18 lots where 17 lots are being proposed within the Village limits. Mr. Cantwell stated that the proposed lot standards include a minimum lot area of 8,000 square feet and public sewer and water are available to serve the neighborhood. Mr. Cantwell stated that they have received official comments from Village Engineers and the Village DPW and will be addressing their concerns in writing. Mr. Cantwell stated that sidewalks will be provided in the development as well as a sidewalk connection on the East side of Church Street which connects to the project. Mr. Cantwell stated that the annexation of approximately 2.2 acres from the Town to the Village was approved by both the Village Board and the Town Board in May of 2016 and that SEQR was completed by the Town as lead agency and received a negative declaration. Mr. Cantwell stated that the project is a 4 phase project which will be driven by market demand and section 3 is the Village portion.

Ms. CHaides asked if the patio homes will have basements. Mr. Cantwell stated that they will have basements.

Mr. Swan asked for Mr. Cantwell to clarify the phases of the project. Mr. Cantwell stated that the Village portion is shown as section 3 on the plan and the intent is to do the 1st section in the Town because that is where the existing sewer is for the overall development. Ms. CHaides stated that they have not received approval on the Town side so once section 1 is approved you will go in order. Mr. Cantwell stated that they do not have approval from the Town yet but that the intent would be to have a progression from the initial phase through, but the applicants may decide to start construction on the patio homes in the Village before phase 3 and will be driven by the market. Ms. CHaides stated that section 1 would be done first and the rest would be driven by the market. Mr. Cantwell said yes.

Mr. Criss asked if there will be any buffering along the southern border which backs up to a number of homes in the Village as there is nothing indicated to allow privacy. Mr. Cantwell stated that buffering has not been shown. Mr. Chris Gullace stated that there would be a significant tree line for buffering. Mr. Criss stated that the Village likes individual trees planted on the property as part of the plan. Ms. CHaides stated that she counted about 200 trees on the plan. Mr. Chris Gullace agreed and stated that there will be significant plantings to give a developed look.

PUBLIC HEARING

Lynaugh Road Properties, LLC

Preliminary Subdivision Plan Review – Gullace Project

Chairperson CHaides read the legal notice into the record:

“A public hearing will be held before the Village of Victor Planning Board on Wednesday, June 22, 2016, at 7:00 p.m. at Village Hall, 60 East Main Street to consider:

- 1) The application of Lynaugh Road Properties, LLC for the Preliminary Subdivision Plan for the Gullace Project which consists of the construction of 17 Single Family homes in the Village of Victor. The parcel, 188 Church Street, Tax Map #16.18-03-1.2 and #16.18-03-1.1, is owned by Dante Gullace. The parcel is zoned R-2, One-Family Residential.”

On a motion by Charles Criss and seconded by Steven Van Dyke Ms. CHaides opened the Public Hearing

Thomas Hooker– 57 East Parkway

Mr. Hooker stated that he believes that the Gullace’s have a right to develop their property but within current zoning laws and no one should have special exemptions from the laws, especially when the project overall is so out of character with the community. Mr. Hooker stated that promises were made by the current and former Mayors and the former board both on and off the record that any land in the Village would be kept to strict R-2 zoning with no variances or clustering. With that assurance the citizens did not resist the annexation but were very concerned that not enough land was annexed to provide for legal R-2 lots. Mr. Hooker provided a packet on annexation deficiency that he prepared (Exhibit A). Mr. Hooker stated that the scale of the homes on the Gullace plan are deceptively small and that when scaled correctly cover a huge portion of the lot. *Mr. Hooker read the Village law on clustering.* Mr. Hooker stated that the piece of land that the Gullace’s propose donating to the Village is swampy unusable land which goes against the code and there is no reason that they should be granted the clustering. Mr. Hooker stated that this is the first time that the residents have had a chance to speak about this project.

Charles Maves– 23 Tareyton Drive

Mr. Maves stated that he would like to give Mr. Hooker his 5 minutes to continue speaking.

Thomas Hooker– 57 East Parkway (continued)

Mr. Hooker stated that a petition was presented to the Town last fall and have not received any comments. Mr. Hooker read the petition: "We believe the proposed project does not fit in any way with the current character of the single family neighborhood. It simply does not belong there. It is nothing like what the property was arbitrarily and capriciously spot rezoned multiple density (M-D) for in 1985. Should the Town Planning Board decide to move forward on this irresponsible, misplaced project, we the undersigned (501 people) demand that the board insure that the project be designed to fit the existing single family home neighborhood in terms of density including spacing of the buildings and various setbacks & architecture (less than 3.6 units on any one acre) with no clustering options or variances with true green space, drainage, sidewalks, buffers, screening, landscaping, traffic (including during construction), limited construction duration (approve in phases). Comply with the original 1985 plan, including promises and requirements for which the rezone was granted, as a starting point. Include sunset clause, back-up plan and accountability should something go wrong. Re-justify the M-D Zoning (done 30 years ago) in light of the current community."

Mr. Hooker stated that this petition was basically ignored. Mr. Hooker stated that in looking at the proposed plan that he noticed that there will be a topsoil storage pile behind East Parkway that is a house size pile that will be active for many years. Mr. Hooker stated that this is one example of something that is of concern. Mr. Hooker thanked the Village Planning Board for their time and asked for more time to gather more information.

Patrick Liberti– 996 Kensington Court

Mr. Liberti stated that the phasing is of concern as it sounds like the project is being market driven and could go on for years. Mr. Liberti stated that there will be environmental impact such as the blight visual, noise and construction vehicles using Church Street. Mr. Liberti stated that his concern is that the developer will clear cut the land and sell and build in several areas at once leaving a sand lot that could be there for many years. Mr. Liberti stated that he would like the project to be approved and built specifically in phases. Mr. Liberti asked if there is another subdivision plan after the preliminary subdivision plan with another vote. Ms. CHaides stated that there will be a final subdivision plan. Mr. Liberti brought up his concern with traffic specifically turning Hillcrest into a 4 way intersection and vehicles traveling from 0mph to 55mph on a blind hill. Mr. Liberti stated that none of the traffic studies addressed this issue. Mr. Liberti asked if the public hearing can remain open so that residents can collect more information.

Gene Pratt- 12 Andrews Street

Mr. Pratt stated that he has a concern with traffic and that he attended the Ontario County Planning Board meeting on June 8th where this project was reviewed. Mr. Pratt stated that Maria Rudzinski who is the Senior Planner for Ontario County offered what he believes are very appropriate comments regarding the current traffic circumstance. Mr. Pratt stated that Ms. Rudzinski talked about all of the housing developments in Victor and each of them incrementally led to the point we are regarding traffic. Mr. Pratt stated that the intersections surrounding the project are failing according to the D.O.T. and that Ms. Rudzinski offered this comment; "at what point do we say time out

or stop until the traffic solutions can be put in place prior to moving forward with additional large-scale projects.” Mr. Pratt stated that the time to do that is now. Mr. Pratt stated that we cannot ignore the total project because it is the Village. Mr. Pratt stated that 69 townhouses and 17 homes (a total of 86 residences) could add over 150 vehicles to failing intersections. Mr. Pratt stated that he thinks he has made his point and that this is the time to say stop and that a traffic solution needs to be in place in order to facilitate a project that is too large in that spot based upon the current infrastructure.

Dave Nellis- 93 East Parkway

Mr. Nellis stated that there are water problems on East Parkway and in Victorwood and that during a normal year his sump pump keeps the water level six inches below the basement floor. Mr. Nellis gave examples of many attempts to solve the drainage problem such as clearing and grading Harlan Fisher Park, property development and the East Parkway ditch being filled in, none of which have improved the situation. Mr. Nellis stated that clear cutting an oddly shaped piece of property from the Town into the Village would make the drainage problem worse. Mr. Nellis stated that clear cutting will remove all of the trees that are now absorbing ground water and the more homes that are built adding concrete and asphalt will hinder absorption of surface water. Mr. Nellis stated that at minimum, these lots should abide by R-2 Zoning. Mr. Nellis stated that notes and recommendations from the Ontario County Planning Board, Referral 49-2014 relative to the proposed Gullace development state that successional northern hardwoods are the predominant land cover type with the balance being mostly shrub land. To minimize impacts to current and future residents, the maximum amount of existing vegetation should be retained. In addition to providing a natural buffer, it will assist in reducing storm water flows. Mr. Nellis stated that in the 77-2016 minutes it was noted that Lynaugh Road Properties had no storm water and sediment controls details page. Mr. Nellis referenced the June 8, 2016 Ontario County Planning Board motion which states that this project; “be retained as a class 2 and returned to the local board with the following modifications: The referring board will require that additional analysis be completed by the applicant to further investigate the impact that the proposed development and storm water management system could have and include any changes that are necessary to mitigate potential adverse impacts on the adjoining residents from surface and/or groundwater associated with this project.” Mr. Nellis stated that the Village Engineer should investigate the impact between East Parkway and the Gullace lots.

Maureen Arquette-83 Latchmere Drive

Ms. Arquette stated that her concern is with the westward flow of traffic. Ms. Arquette stated that people already cut through Quail Ridge to avoid Village traffic and the proposed new road will increase the number of people cutting through her neighborhood.

Robert Schlueter -7 Valley View Circle

Mr. Schlueter read the legal definition of setbacks; "Setbacks are building restrictions imposed on property owners. Local governments create setbacks through ordinances and Building Codes, usually for reasons of public policy such as safety, privacy, and environmental protection. Setbacks prevent landowners from crowding the property of others, allow for the safe placement of pipelines, and help to preserve wetlands. Setbacks form boundaries by establishing an exact distance from a fixed point, such as a property line or an adjacent structure, within which building is prohibited. Violating setback provisions can lead to legal action against a property owner, and penalties can include fines as well as an order to remove noncompliant structures. Property owners whose desire to build stymied by setbacks have few remedies. They can petition their local government by applying for a variance—a special permission to depart from the requirements of Zoning ordinances—but variances are generally granted only in cases of extreme hardship." Mr. Schlueter stated that he finds it extreme that the board would consider a 27% reduction in property size and reduce setbacks on this project and still think that it is going to be safe, private and environmentally protected.

Julie Doyle-37 Hillcrest Drive

Ms. Doyle stated that she would like to discuss clustering and the way she reads it in the Village Code is that it is a variance that is only intended to promote the current public welfare and be in harmony with the existing character of the area and preserve green space. Ms. Doyle stated that clustering is not a right but something that is discouraged until the developer has the burden of proof to show that this variance of clustering would be better for the public than the standard lots. Ms. Doyle stated that her concern is that the Gullace's benefit to the public are toward the future public who would live in their development, not the people currently living in the area. Ms. Doyle stated that the benefit of the clustering and the variances need to be justified to the current public in Victor. Ms. Doyle stated that her other concern is with the Schools and the increase to the student population. Ms. Doyle stated that the speed of vehicles driving down Hillcrest Drive is of concern and connecting that road will just increase the speed and amount of traffic in a child filled neighborhood.

Robert Thompson -48 Hillcrest Drive

Mr. Thompson stated that grew up in Victor and he just recently returned noting that Victor has grown nicely with spacious homes and yards. Mr. Thompson stated that this proposed subdivision is not the same thing and that his concern is that the development would bring down the value of the homes that are currently here. Mr. Thompson stated that Victor is attractive because of the big yards and trees. Mr. Thompson stated that he dares to say to Mr. Gullace "would you put this in your back yard?" Mr. Thompson stated that he wouldn't because it doesn't hold the genre that we have right now. Mr. Thompson stated that this development is not a good thing for Victor and asks for it to be toned down. Mr. Thomson stated that this proposal is not going to benefit Victor and will not create anything positive for anyone in Victor. Mr. Thompson asked that we not lose sight of what Victor is because someone wants to cram everything into one spot.

Sandy Sweet -981 Kensington Court

Ms. Sweet stated that she moved to the Village 16 years ago from Boston because of the impressive Village. Ms. Sweet stated that the thing that bothers her the most about

the proposed project is the trust. Ms. Sweet stated that the homes on the plan look small but are not accurately scaled. Ms. Sweet also stated that the homes were initially supposed to be geared toward Senior Citizens but seniors are not going to buy these homes.

Marsha Senges -1231 Wellington Drive

Ms. Senges stated that this project goes back to an approved plan about 1985. Ms. Senges gave some history about a similar project that was approved in 1989, the Drumlins. Ms. Senges stated that the Drumlins were a joint effort between the Village and the Town combining single family homes and for sale townhomes. Ms. Senges stated that the entire Drumlins plan, much like the Gullace plan, was already established, however, in 1999 a developer from Cortland came in to develop 50 acres of remaining land that was zoned M-D. Ms. Senges stated that the Town Planning Board was unaware that a total plan had been approved 10 years earlier. Ms. Senges stated that it took Drumlins residents three and a half years and \$65,000 of their own money to defend and define what was already approved. Ms. Senges stated that their Attorney, Engineer and Planner donated another \$35,000 because they knew that the plan was there and that the residents were right. Ms. Senges stated that the documentation that their specialist put together for the EAF, SEQR etc.... were ultimately used almost 95% verbatim by the Town at the expense of the residents. Ms. Senges stated that Gullace's project was approved in 1985 by the Town but the maps and plans seem to be missing. Ms. Senges stated that she contacted the Ontario County Planning Board who told her that a plan such at this should never be purged. Ms. Senges stated that it is depressing to see what the residents have to go through when there is already an existing plan. Ms. Senges stated that she hopes that the Planning and Zoning Board members will represent the tax paying, voting residents and in conclusion respectfully asks that the public hearing be left open until the next meeting as it is too important of a project to be reviewed quickly.

Jim Mason-120 Church Street

Mr. Mason stated that the Gullace's would not like a project like this in their back yard as they unsuccessfully fought a one acre development in their own back yard, so they do know how we all feel. Mr. Mason stated that there is a lot of question on whether the house sizes on the plan are to scale and they could be to scale if they were two-story houses but the letters that are submitted that are part of the record state that they are one-story. Mr. Mason stated that the Village of Victor code has a 40 foot minimum distance between multiple dwelling buildings but unfortunately, the Town does not. Mr. Mason stated that this plan proposes 10-20 feet between buildings and this project shares a lot line with the Village so the Village residents are going to experience the 10-20 foot separation of buildings even though it is in the Town. Mr. Mason stated that the definition of R-2 states that the districts are to be so situated and organized as to provide maximum privacy and quiet and low traffic volume for residents. Mr. Mason asks if this development is going to provide maximum privacy and low traffic volume for the residents. Mr. Mason stated that the definition of a town

house in the Victor code is a residential building consisting of a series of non-communicating one family units having a common party wall between the units. Each unit has a private outside entrance, separate front and rear yards, separate utilities, and is located on a separate recorded lot. Mr. Mason stated that the developer is proposing 0 feet lot frontage, 0 feet rear setback and 0 feet side setback and that sounds like no yard at all. Mr. Mason stated that he knows that this is the Village but that the Town portion is intertwined and is the first step toward the whole development. Mr. Mason stated that this looks like an apartment complex, not townhomes, as noted on a plan. Mr. Mason stated that the developer has said that they could build 170 units on the property but Mr. Mason showed a rendering of the property with 170 units on it and they do not fit. Mr. Mason stated that he could only fit 158 units on the property with no roads at all. Mr. Mason stated that the proposed development is apartments, not townhomes.

Wayne Sweet-981 Kensington Court

Mr. Sweet stated that the bottom line is that Mr. Gullace owns the property and can build, but make him stick to the R-2 zoning that we have as it is there for a reason. Mr. Sweet stated that if he wants to build in the Village and 17 homes don't fit, don't let him build.

Mary McCarthy-21 East Parkway

Ms. McCarthy stated that her property backs up to Mr. Gullace's property and wonders what kind of buffer will be planted between her property and the proposed development. Ms. McCarthy stated that she has a concern with the traffic and the road to the west side of the development connecting with the east side of the development because this would create 7 roads going from Forest to the end of Kensington which is more than you have in a city block. Ms. McCarthy stated that Mr. Gullace paid for a traffic study which was completely opposed to the study that the New York State Department of Transportation did. Ms. McCarthy addressed ground water being controlled with ponds and stated that underground streams cannot be controlled by ponds. Ms. McCarthy stated that there are underground streams and that her 3 sump pumps run all of the time and wear out often. Ms. McCarthy stated that she cannot understand how Mr. Gullace does not see this as a problem when half of the homes on East Parkway and Victorwood don't have basements because of the water problem. Ms. McCarthy stated that a sunset clause should be put on this project and should have been done when the project was rezoned 30 years ago.

Luba Mason-120 Church Street

Ms. Mason asked the residents who would like this development to be here. Ms. Mason stated that nobody wants this development and asks why the residents are being ignored. Ms. Mason stated that the residents write letters, do not sleep at night, and come here with children and this matters to every single person here. Ms. Mason stated "shame on you" to Mr. Gullace and "shame on you" to the Planning Board.

Janice Kelly-10 Valley View Drive

Ms. Kelly stated that she purchased a home on Valley View Drive, a former Gullace Project in 1993 and were told that it would be a completed development with sidewalks and streetlights. Ms. Kelly stated that about 6 years later more development began with a house next door and one across the street. Ms. Kelly stated that the house next door was abandoned and one night the French doors fell out because they were not installed properly. Ms. Kelly stated that she called Mr. Gullace's Secretary about it who said that Mr. Gullace said that there wasn't a house being build next door and didn't know anything about it. Ms. Kelly stated that the home was being built without Mr. Gullace's permission and wonders how this could even happen. Ms. Kelly stated that 10 years later the sidewalks were put in because Morrell took the project over and paid for the sidewalks, but they still do not have street lights. Ms. Kelly stated that the current Village Mayor lives in one of the houses that the Gullace's started and there is a myriad of things wrong with that house. Ms. Kelly stated that luckily Mr. Gullace was never allowed to build anything on his own after Morrell took over. Ms. Kelly stated that the roads through the development were never approved and not built to code. Ms. Kelly asked the board to hold Mr. Gullace's feet to the fire and make sure that he knows exactly what he can and cannot do and don't have any preliminary plans that he says will be done later because it will never happen.

Dan Kelly-191 Huxley

Mr. Kelly stated that he moved to the Village three years ago from Indianapolis and that he and his Wife looked all over for a place to raise their family and settled on Victor because of the feel. Mr. Kelly stated that there is nothing wrong with development but there is a personal cost to it such as more units driving down the price of the existing stock. Mr. Kelly stated that the sacrifice is that the personality of the Town is lost and people move out farther to get the home feel. Mr. Kelly asked the Planning Board why they want this project and if it is money, fine, but understand that you will be giving up a little bit of what it feels like to live in a small Town.

Karen Spawton-10 Latchmere Drive

Ms. Spawton stated that her Husband, Jim Spawton, was Fire Chief and Assistant Chief in the Village of Victor from 1990-1995 and one of his concerns is the access to emergency equipment. Ms. Spawton stated that fire truck and ambulance access is restricted. Ms. Spawton stated that with the homes so close together a fire could spread from house to house and the whole neighborhood could go up in flames and is concerned about the safety.

Mary McCarthy-21 East Parkway (continued)

Ms. McCarthy stated that she didn't use her 5 minutes so she would like to say that her father-in-law, John McCarthy, helped write the Zoning laws for Victor and at that time she asked "why do we need zoning laws? Victor is a small community where everyone gets along, what is the object?" Ms. McCarthy stated that he told her that there is going

to be a time when Victor starts to develop and people will be much more concerned about how much money they can make then they are about the people.

Ryan McElhiney-169 Church Street

Mr. McElhiney introduced his small Daughter, Colleen and stated that they marched up and down Church Street to get over 800 signatures on a petition which addressed the water and traffic problems. Mr. McElhiney stated that a lot of the residents that they talked to told his Daughter that the people on the Planning Board would take care of this and make sure that the traffic doesn't get so bad that she cannot play safely. Mr. McElhiney asked the Planning Board to advocate for the families in the Village, not the developers that don't live here. Mr. McElhiney stated that the Village residents should come first.

Ken Curry-63 East Parkway

Mr. Curry stated that it has been 31 years of many proposed plans that were not likeable because they were all too dense. Mr. Curry stated that the tactic that the Gullace's are trying to use to get around the density issue is to resort to clustering. Mr. Curry pointed to the green space on the plan that the Gullace's propose to 'gift' to the Town/Village. Mr. Curry asked how many people have looked at the land and stated that it is in the job description of the Planning Board to look at the land. Mr. Curry stated that the land is very wet and swampy and asked what the Town/Village is going to do with it. Mr. Curry stated that we all like to get gifts but sometimes gifts need to be returned because they don't fit. Mr. Curry stated that he saw the Deputy Mayor give a sincere 'thank you' for this 'gift' to the developers at the annexation meeting and stated that this 'gift' doesn't justify clustering.

Matthew Graney- 9 Valley View Drive

Mr. Graney stated that he grew up in Victor on Duxbury and there has been a lot of change in the past 30 years. Mr. Graney thanked his fellow residents for doing their due diligence and homework as they have gathered a lot of great information. Mr. Graney stated that it would be impossible to fit the patio homes on that property as proposed and voiced his concern with the amount of traffic. Mr. Graney stated that if the Village portion of the project is section 3, it makes sense to wait to see if the Town approves sections 1 & 2 first. Mr. Graney stated that to make a decision on section 3 before sections 1 & 2 are even started is not good business. Mr. Graney stated that the property has already been zoned and variances should not be granted and Mr. Gullace should build within the limits.

David Welsh-80 Church Street

Mr. Welsh stated that the board needs to stand up to the developers. Mr. Welsh stated that he has worked in construction for a long time and has seen developers come in and boards just let them walk all over them. Mr. Welsh stated that there are a lot of people here today that look at this in a different way. Mr. Welsh asked if anyone has asked Mr. Gullace if he would be willing to zone it back to residential. Mr. Welsh stated

that the property being next to a golf course makes it prime property and valuable and maybe it would be a better avenue to take. Mr. Welsh stated that 28 years ago he could back in and out of his driveway without a wait, 10 years ago he had some trouble backing out but now he has to wait going either way. Mr. Welsh stated that 30 years ago Mr. Gullace has a great idea when the Village was small but the Village has grown in that time from 7,000 to 15,000 people and it would make better sense to ask Mr. Gullace to return the property to residential.

Deb Mackey-33 Duxbury Circle

Ms. Mackey stated that not only would she like the Planning Board to stand up to the Gullace's but to stand up for the residents. Ms. Mackey stated that the residents have been very vocal about objections to the development and the Planning Board is here to represent all of the residents.

Ms. CHaides thanked all of the residents for coming and stated that she will keep the public hearing open until the next meeting on July 13th. Ms. CHaides stated that she would find out if the meeting could be moved to the Town Hall to accommodate the number of residents who would like to attend.

0 persons spoke in favor of the application and 23 persons spoke against the application.

MEMBER REPORTS

Mr. Criss stated that a Father at the corner of Coville Street and East Street told him that he has a problem with cars speeding and running the stop signs and cannot get any law enforcement response. Mr. Criss stated that if law enforcement cannot respond to protect the safety of children that speed bumps should be installed. Ms. CHaides stated that speed bumps create issues for plowing. Mr. Hadden stated that this comment should be directed to the Village Board as it is their responsibility, certainly not the Planning Boards.

Discussion amongst Planning Board & Mr. Hadden regarding intersections

Mr. Benedict stated that on #2 on his report that it has already been completed and it does not need to go to the State.

Mr. Criss stated that each Planning Board member should take a look at the green space that the Gullace's propose as a 'gift' to the Village/Town. Mr. Hadden stated that you can get a feel for the property by going to the north border of the park. Mr. Van Dyke stated that he would like to meet to go over the resident comments. Ms. CHaides stated that she would like to schedule a workshop on Wednesday, June 29th at 5:30 to discuss the public comments.

Mr. Swan stated that he doesn't think that anyone on the Planning Board hasn't done their job and that they are here to collect information. Mr. Swan stated that the residents were saying that the board is holding back information and they are not. Mr. Van Dyke and Ms. CHaides agreed. Mr. Van Dyke stated that this was a good meeting. Mr. Kowal stated that the project has not been approved and that the Planning Board is doing their due diligence to hear the resident's feedback.

Ms. CHaides stated that the Village Planning Board will go through the public comments that the residents made and that the Gullace's have to fulfill the requirements that were made by Village Engineers.

Discussion amongst Planning Board & Mr. Hadden regarding public comments and utility services through the Village

ADJOURNMENT

Meeting adjourned on a motion at 9:10 PM

Roseanne Turner-Adams, Planning Clerk