

Hamlin Planning Board Special *Meeting*
Thursday, December 18th, 2003
7:00pm

Called to order by Chairman Dane Emens at 7:00pm with the location of the fire exits explained for those present. The Special Public Hearing took place at Saint Elizabeth Ann Seton Church.

Present: James Breslawski, Ralph Della Rocco, Dane Emens, Judith Hazen, David Martin, James Nesbitt and Chris Schlieter.

Also present: Fire Marshall B. J. Maier, Support Board Attorney Charlie Welch, Town Engineer J. P. Schepp, Supervisor Austin Warner, Town Councilman Ed Evans, Town Councilman George Todd, Councilman Paul Rath and Councilman-elect Dave Rose were present in the audience.

Pastor Ryan of Saint Elizabeth's Church gave a brief introductory speech and also explained where the fire exits were located.

Clerk for the Planning Board Cindy Olds gave an introductory speech and introduced the Project Team for De Marco Development Group and explained that the Project Team would give their presentation first. Following that, the residents who signed up at the front door would be called upon to voice their concerns and questions. Afterwards there was an open question period. The Project Team stated that they would be listening tonight to the questions asked and writing them down. They stated that they would not be answering questions tonight. They will be addressing all of the resident's concerns at a meeting to be scheduled for early 2004.

Chairman Emens explained that this a continuation of the Public Hearing that was held on December 1st, 2003 for the East Cove Senior Housing and Millstream Subdivision Phase 1.

The meeting began promptly at 7:00pm

The Clerk read the Proof of Publication.

Mr. Jerry Goldman, Attorney for the East Cove Senior Housing Project began his presentation. He explained that this proposal was for the purpose of seeking Preliminary Approval to construct 24 senior apartments and 25 single family residential homes on Lake Road East Fork and Brick Schoolhouse Road. He introduced three other men who will be involved with this project. **They are Al LaRue, Scott Shaw and Tom Durtle.** Mr. Goldman stated that this project would be located in the R-H District. This proposed project does conform to the current zoning codes and will be located adjacent to the existing Hamlin Terrace Apartments that consists of 62 units, and under the management and control of Baldwin Development. Mr. Goldman explained that this project will be well situated in the community. One of the buildings (the community center) may have to be altered. There will be construction of road ways which will be a

credit to the community. He displayed pictures of the proposed homes for all to see. Mr. Goldman stated that Hamlin Terrace Apartments are affordable living units with 47 senior apartments and 15 family units, which are regulated by the State of NY. The management is highly controlled. Issues in regards to traffic and drainage will be addressed at a later meeting.

Chairman Dane Emens asked about the possibility of the renters having part of their rent payment be used towards the purchase of these homes. Mr. Emens said that would curb vandalism and the appearance of the property will be greatly improved. If the renters felt they could own the house at some point it would encourage better care of the property. Mr. Goldman replied that in 15 years they would have the opportunity to buy these homes. Chairman Emens asked Mr. Goldman to explore this issue further.

At 7:30pm the residents were given their chance to have their concerns addressed. Below are the names and addresses of residents who voiced their concerns throughout the meeting:

- 1). Mike Marchetti of 3847 Brick Schoolhouse Rd. stated that he has obtained 813 signatures from residents of the community asking that this Public Hearing not be closed tonight until the residents have the opportunity see all the information. He asked that if the site plans are approved, are there any procedures that the Town has to go through? Does the Supervisor have to sign off on anything? He said he wanted it in writing that there is no way that the Town people will be subsidizing this. Also who will be paying the \$250.00 Recreation Fee? Town Engineer J.P. Schepp stated that the fee would be \$250.00 times 25 single family homes.
- 2). Sandy Tuschong of 3897 Brick Schoolhouse spoke next and voiced her concern regarding drainage. She explained that many homes in her area are required to carry flood insurance. There is currently a drainage problem in her area. Any new buildings that are constructed will affect the runoff of drainage. She stated that some type of master drainage plan would be needed. Someone must do a study to see the lay of the land and how it has changed over the years. Sandy also asked what statistics were used to study the drainage patterns. She also stated that this is a very dangerous intersection with many accidents occurring. The Town installed flashing lites in addition to the Stop sign to slow traffic.
- 3). Ken Stephens of 77 Drake Road asked how after 15 years the houses are not sold, only rented, how is that going to affect the value of my house?
- 4). David Swan of 1377 Brookedge Drive inquired about police protection? His concern was that this development could result in increased police activity. Is the Monroe County Sheriff department ready for this? Also is a pond really needed? It could breed mosquitoes. What kind of procedure does the management team have that will control tenants and evict them if needed?
- 5). Regina Page of 95 Locust Drive stated her concern regarding traffic on the road, over population of the existing schools. Also the possibility of crime coming into the Town. She asked the Project Engineers why there was no one present who lives at Hamlin Terrace Apartments to show their support of this project? The Developers did not reply.

6). Terry Wolfe of 1309 Brookedge Drive voiced his concern over the drainage issue? He stated that he had not seen a drainage report yet and felt that the Developers were not prepared for this meeting. A drainage report was produced and given to him to look over and return.

7). Steve Lauth of 1310 Brookedge Drive stated that he has done some research on this Public Hearing. He explained that a Public Hearing is supposed to be a question and answer session, if the Developers aren't willing to speak then this should not be considered a Public Hearing. He asked if this project is approved for welfare recipients Section A? Can welfare recipients just move in with no requirement? He stated that he did not want to come across as judgmental but he lives and works in Hamlin and if this is to be a thriving community then anyone who moves here should be expected to work for a living also. He stated that there has also been several studies done confirming that rental areas have a higher than normal amount of calls for crime. If there is an increased usage of police/fire service for this project, will this increase our taxes? Will the Fire and Police Department have enough equipment to handle extra emergencies? When will the other 150 lots be developed? Chairman Emens stated that if the developers wish to expand this project they must come before the Planning Board again and start the process over. Mr. Lauth also asked if this project could at any time be sold to another company? Is Baldwin Realty bound to this property for 15 years? Will there be large tax credits given to the developers if they sell these units as commodities? Also there is a Bread and Thread program in Town that helps families in need. They give to over 200 needy children every year. They cannot afford to give anymore.

8). Robin Lauth of 1310 Brookedge Drive stated her concern over drainage going to the southeast into Lakebreeze Estates. She explained that many residents had remodeled their basements over the years. What if we have a wet year and that water goes there, who is going to pay for their flood insurance or pay for their damages? Will the Demarco Group cover the cost of flood insurance? What will this do to our property values if these homes are run down over the years.

9). Timothy Slossong of 52 Close Hollow questioned the building of a community center on the property. She asked, 'Why don't you build a community center in the Town of Hamlin and let everyone use it? This whole meeting is not legal if the Developers won't even answer our questions tonight!'

10). Jim Martin of 559 Martin Road had a list of questions. Jim stated that he would like to know if the Planning Board is looking for a done deal and would like a fast process? He stated that the Town's citizens have been misinformed. He stated that his main concern is full disclosure of the financing of this project. Has there been a tax abatement built into it? What is the exact nature of the financing, saleable tax credits and insurance benefits? We need to know if there are any tax abatements available for this program. What are the current residents of the Town going to lose? What is the New York State Division of Affordable Housing all about? Do they mandate a tax break? Will an 1800 sq ft home in this subdivision be taxed the same as other homes in the immediate area? Do we have a guarantee that we will not lose on this endeavor?

11). Robin Guerin of 3730 Brick Schoolhouse Road spoke of a Pilot program. Does that mean that the people living here will not have to pay their own taxes? Do we have a need for senior housing in this area? Will low income take over if there is not enough interest in senior housing. She stated that she had done some research on this and found that currently there are 18 houses in the area for sale for \$40,00 –\$100,000 each. Why build this project when there are affordable homes available already? Regarding traffic issues: is there adequate transportation, shuttle buses for these people if they don't have cars? Chairman Emens stated that the NYDOT would have to approve this traffic study.

12). Tim McArdle of 1386 Brookedge Drive voiced his concerns over the water drainage. He stated that the homes on Brick Schoolhouse have to be an elevation at 2' above the road. The new proposed homes will not be at grade level. Why do these homes get to be built below grade? We don't want more water in our yards. Why do we need a pond? Town Engineer J.P. Schepp stated that a drainage site has been prepared and a detention pond will be dug to ensure that the amount of runoff is no greater than the current condition. Mr. Schepp also said that the function of the flood plain in proximity of your property is how the grade is determined.

13). Mike and Kim Lyons of 3652 Brick Schoolhouse Road spoke. Mr. Lyons said that he works for the County of Monroe. When English Village Apartments in Greece and the Pines of Perinton were originally built the local fire departments and 911 were overwhelmed with calls and needs for assistance. There were disputes, fights, fires in dumpsters, gang related activity. We don't need that here. This is a rural, small town and we would like to keep it that way. He stated that he is concerned about the infiltration of children. Will the Brockport School District be able to absorb this many children? Also this Town does not have its own police force. It has a friendly town atmosphere; we don't want it to get any bigger than it is now. Would you want this in your back yard? Kim Lyons voiced her concern about the existing rental property on Railroad Avenue and Brick Schoolhouse Road. Does the Town have any regulation or laws pertaining to the ascetics of the rental property? If they start to get run down, who will address and fix these rundown homes? What if damage occurs to the siding, who repairs that?

14). Nancy A. Pierce of 18 Greenridge Crescent asked who would monitor this project? Who will evict and control the tenants moving in and out?

15). Richard Chape of 448 Moscow Road addressed the developers and asked who would pay the town and school taxes? Who will order garbage pickup? Will there be curbs and sidewalks, speed bumps, sprinklers, storm drains, fire and water mains? What will the resident age group be? Why build a community center for use to tenants only? What about green space, utilities, bus lines, shuttle services, additional taxes on town residents, energy consumption, heating method? Will this project conform to the UBC, electric code? What will the design aspect look like? Will there be appliances and junk tires littering the properties when tenants move out? Why build more rental units in Hamlin when rental property is available. Who will pay for difference in housing? Have the developers had any actual experience with projects like this? Why this particular property? Have the developers had any private meetings with the Planning Board? Will

there actually be 8 people allowed to reside in a house that has 1400 sq feet? That's what is on the plans. Has the Town asked for their renewal certificates to see if they are still licensed to build? What about onsite management? Will there be future phases, blacktopped driveways, will emergency vehicles have access? What type of water lines will there be? What guarantee is this development giving to the Town to make sure they maintain public services. Whats to keep the developer from walking away from their responsibilities? Chairman Emens stated that the Planning Board had not met with the developers alone and has no intention of doing so.

16). Steve Audin of 1318 Brookedge Drive was concerned regarding that Demarco Corp.'s only way to sell off their land is to get a government subsidized project to buy it. Since this is a wetland area, it is possibly hard to sell to most buyers. How is the developer going to be paid? How is the tax rate figured? Will these houses be reassessed every year? Who will pay for damages to these homes? Who will control the bidding for this project?

17). Denny Roach of 575 Martin Road asked what has become of the Town of Hamlin's Master Comprehensive Plan and the surveys that were recently sent out? Is the Planning Board in communication with the Master Plan Committee? Could possibly a moratorium be placed on this issue? Please define how those questions are going to be answered.

18). Allison Brunsdun – 234 Martin Road stated that low-income housing attracts people in need of social services. Since the Social Service Department is located on Westfall Road, how are these people going to have get there? Assuming some of these residents might not own cars.

19). Roger Cole of 35 Countryside Drive stated that he has worked for the Town of Greece for 15 years. He gave statistics regarding police calls to English Village Apartment in 2002. He said approximately 1151 calls were to the English Village complex. In reference to the government subsidized apartments behind Sam's Club in Greece there were approximately 1957 calls in 2002 to the police department alone.

17). Terry Kondof of 1300 Lake Road West Fork stated that when she moved to Hamlin she originally moved to Harper Park. These mobile homes are a great place for seniors; why not fix up the existing empty trailers? This is a dangerous corner, it is a flat road and the sun at certain times of the day can blind you.

18). From Cindy Olds-Clerk to the Planning Board-To all residents who were present to voice their questions and concerns, thank you. I've done my best to capture it all, however some people I couldn't quite hear and this is just a summary, not a word for word document.

The following residents did not sign up for questions, but also asked questions and only gave their name:

18).Dave Ducett asked who would publish these minutes tonight, and when can the Public read them? Also what exactly does subsidized housing mean? Who prepared the drainage study?

19). Angela Morrison asked who makes the final decision. How many more work sessions will be needed?

20). Sheila Bibbims explained that she used to live near English Village. At the time there were dumpster fires and vandalism.

21). Karen Jenson asked how long this process would take?

22). Chairman Dane Emens stated that if this project meets all of the specs and regulations, it would not be in our legal determent to prevent it.

Melvin Reading- stated that he didn't want to sell his house. He doesn't want further drainage problems in his yard. Also why hasn't the existing drainage ditch been maintained?

23). Sandy Tuschong also asked again who would be preparing the drainage survey? Why wasn't it done by a private, independent company? Also where are the people who live in Terrace Gardens tonight to lend their support of this project?

24). Ed Doan stated his concern about a detention pond? Who is responsible for a fatality if that occurs? Why not use the existing road to enter the project? Why create more roads?

25). Donald Rabjohn asked if the housing would be built on slabs? Now the information sheet says they will have full basements? Which one is correct?

26). Steve Lauth spoke again and asked if there was any legal recourse the Town might have regarding a project of this sort? Will DeMarco Corp.be able to sue the Town if this project is rejected.

*Attorney Charlie Welch stated that certainly a person could sue if they feel grieved by the Town. The Town residents could try to sue as a group. He asked if there would be a defined time line for this so that everyone is satisfied?

19). Jim Martin also spoke again and asked why J.P. Schepp the Town Engineer would put this responsibility solely on himself. Why can't the Town hire an independent company to come in? Mr. Schepp stated that he is a licensed engineer by law and is qualified to do the engineering work. Also Jim asked if this is to be a wet pond or a dry pond? Will this be a 6-acre pond donated to the Town of Hamlin, and why would the town want to take responsibility for this pond?

Bob Bibbins asked if the Town sent out a survey why can't the Town back up their survey?

Board Member James Nesbitt explained that in 1997 a Comprehensive Plan was done. We are currently working on the new plan, inputting it into a computer, we meet every third Tuesday. It will take some time to get that information published. I don't think that survey will be a fix all for the Town of Hamlin.

It is the Town Board's opportunity to also review all of the information gathered tonight. Get on the Town Board agenda.

Peter Tonery spoke regarding the Harry Bower Special Use Permit that was granted last year against many residents concerns. Look at what has happened now at his residence? Harry's character was raised at the Planning Board Public Hearing. This Board needs to take a hard look in light of what has happened there, take a look at how this will affect the character of the neighborhood. Why aren't many questions being answered here tonight?

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Jim Martin also asked if the Developers had met with the Brockport School District? Have the Developers met with the Monroe County Sheriffs Department? We are a town of very skilled tradesman. How many subcontractors living in the town are able to bid on this construction? Will we get a little piece of the pie here? Why did you pick Hamlin in the first place? Jim stated that he wants assurance that this Public Hearing will not be closed tonight. Jim also stated that he would like to see some scooping done. He explained that scooping is when a group of residents can get together to discuss the situation and address many issues pertaining to the project before it comes before the next Public Hearing.

Scott Hinrichs stated that he lives at 22 Orchard Avenue and expressed his concern regarding the many rental houses on his street, Railroad Ave, Lake Road and Rose Circle that were already in a state of disrepair. He asked why the Town would want to bring more rental homes to the Community?

Bill Redding asked why these new residents couldn't be allowed to buy these homes sooner? Why make them wait 15 years?

Chris Schlieter stated that as a member of this Board your input is most important. A lot of this process involves SEQR. Traffic and drainage issues will need to be addressed. All the questions need to be upfront. Approval will not come in one meeting, in this process. A lot of research must be completed. The SEQR process is a large process. The Developers need to be given time to address your concerns.

Chairman Emens said there is a process that the Town must adhere to, this takes time. There will be no fast decisions made during this process.

Board Member Chris Schlieter asked the Board to end the meeting for tonight and to have a continuance of this Public Hearing. He asked that the Developers address the issues brought forth tonight at the continued Public Hearing. In addition Chris stated that he would like the Planning Board to have the opportunity to speak and ask questions at the next Public Hearing. Board Member Dave Martin seconded that motion. Members polled, Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, Public Hearing will be continued at a future date.

ADJOURNMENT

A motion was made by Judith Hazen, seconded by James Breslawski to adjourn the meeting at barring no further business. Members polled, Breslawski aye, Della Rocco aye, Emens aye, Hazen aye, Martin aye, Nesbitt aye and Schlieter aye. Motion carried, meeting adjourned.

Respectfully submitted,

Cindy Olds
Clerk to the Support Boards

The next ***regular*** meeting of the Hamlin Planning Board has been scheduled for Monday, January 5th, 2004 at 7:00pm.