

Town of Clarence
Town Board/Planning Board Joint Meeting Minutes
Wednesday June 29, 2011

Agenda Items 7:00 pm

Supervisor Bylewski called the meeting to order at 7:00 p.m.

Joe Fiegl led the pledge to the flag.

Town Board Members present:

Supervisor Scott Bylewski	Councilman Joseph Weiss
Councilman Bernard Kolber	Councilman Patrick Casilio
Councilman Peter DiCostanzo	

Planning Board Members present:

Chairman Al Schultz	Vice-Chairperson Wendy Salvati
2 nd Vice-Chairman Richard Bigler	George Van Nest
Paul Shear	Robert Sackett
Gregory Todaro	

Planning Board Members absent: Timothy Pazda

Town Officials Present:

Director of Community Development James Callahan
Planner Brad Packard
Town Attorney Steve Bengart
Deputy Town Attorney David Donohue
Tim Lavocat, Town Engineer

Other Interested Parties Present:

Karen Willyoung	Robert Geiger
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ACTION:

Motion by Councilman Casilio, seconded by Councilman Kolber, to authorize Supervisor Scott Bylewski to sign the Amherst Alarm Inc. proposal for equipment and the installation of security cameras at the Clarence Town Park Swimming Pool located at 10405 Main Street for a cost not to exceed \$6,195.00, subject to review and approval by the Town Attorney.

ON THE QUESTION:

Patrick Casilio stated that he received several prices; Amherst Alarm, Inc. was the lowest bidder.

Councilman DiCostanzo	Aye	Councilman Casilio	Aye
Councilman Kolber	Aye	Councilman Weiss	Aye
Supervisor Bylewski	Aye		

MOTION CARRIED.

GENERAL DISCUSSION ON SEWERS: DISTRICTS, FLOWS, CAPACITIES:

Planning Board Chairman Shultz discussed the importance of sewers in the approval of certain building and development decisions. Priorities were put in place as far as sewer development location in the Master Plan. Much has changed since these priorities were initially decided upon, and this is a good opportunity to discuss the major end goals as far as sewer service in the Town of Clarence. It would be ideal for the sewer system to be less segmented, and instead be connected between different locations within the town.

Brad Packard from the Planning and Zoning Office led the presentation which outlined the current infrastructure service areas and capacity, current development requests/project reviews, Master Plan 2015: Sewer prioritization amendment, past practice: Heise-Brookhaven Sewage Works Corporation and finally a summary and considerations moving forward. See presentation attached.

Chairman Shultz pointed out that the idea of a trunk line extension down Harris Hill Road would be similar in cost and complexity to the Heise-Brookhaven project. Mr. Packard noted that in theory the developers proposing these projects would be largely responsible for the upfront financing of those improvements. A major concern is that there is no balancing commercial factor for the ongoing residential development projects.

Councilman Kolber said the last time the Town had a meeting with the Erie County Sewer Department, Erie County expressed that they do not want expansion of this district or additions of new districts because of the capacity that was already there and the cost they foresaw to maintain the expansions. Mr. Fiegl asked if this was regarding a specific project or a general question. Councilman Kolber said it is frustrating because it seems the Town is not in control of its own destiny because when a developer comes in they report that they have out of district agreement with ECSD#5. Mr. Fiegl said the protocols have changed over the past few years, Erie County will now ask the appropriate Town (s) for their input when a project is brought before the County asking for capacity. He confirmed that there is capacity in ECSD#5. Councilman Kolber said there is no identified capacity in SD#6. Mr. Packard explained that some of that district boundary location was predicated on the notion that long term the Peanut Line would have additional capacity in association with the sewer prioritization schedule.

Supervisor Bylewski suggested discussion continue on why the Board is talking about the Harris Hill sewer and why public or private.

Mr. Packard said this is a huge financial consideration; there are also projects that are coming to fruition. There will be downstream capacity reports forwarded to the community in relationship with North Woods Subdivision. Supervisor Bylewski said presently there is no consent order for Harris Hill. Mr. Packard continued saying it has been referenced in the Master Plan, it is a concentration of on-site septic development within the community, it is an expense to taxpayers in terms of their private investment they have to make to correct or replace or remediate those systems. It has been identified

by the DEC that they are not fond of concentrated septic development. Long term the Town would like to provide sanitary sewer capability to the Main Street Corridor in the Harris Hill area.

Wendy Salvati asked how much capacity will remain to accommodate development plans if ECSD#5 is fully built out. Mr. Fiegl said very little, if any. Ms. Salvati said if sewer was brought to Harris Hill, how many homes would be switched from septic to sewer? Supervisor Bylewski said according to the sewer priorities the Harris Hill area includes 1723 single-family homes and 24 two-family residences, so however many can be serviced, will be, however it is a question of funding.

Tim Lavocat referred to SD#9 and said that could not be done up to SD#9, the cost per resident would have been \$1800. The town could not get a trunk sewer to service the Hollow without a public/private. A public/private gives the Town of Clarence control through that agreement who gets to go into that sewer.

Councilman Weiss said by bringing in more housing it is reducing the quality of life in Clarence. Regionally, there are many abandoned homes; by building more homes we are just deadening the region. He is concerned with what will happen for the next generation.

Mr. Packard pointed out that there is no balancing commercial component to these housing developments. The Town of Clarence cannot regulate the American market. Clarence has Open Space Design Regulations that attempts to permanently protect open space and there is an active Greenprint Program to secure property before it becomes developed.

Mr. Lavocat said the goal of the Pollution Abatement Plan is to get sewers to Harris Hill.

Councilman Weiss said it is hard to believe the amount of squalor in Clarence. Supervisor Bylewski said Belmont Housing has frozen their applications.

Ms. Salvati said sewer expansion will not make its way to Newstead or further out in Alden because the County is not going to continue to invest in pushing sewer further. Mr. Fiegl said there are no grants coming down the line for sewer expansion. There is only 4 billion dollars across the entire country for wastewater infra structure.

Ms. Salvati asked once the trunk line is in Harris Hill, how is the cost funded to extend the lines throughout Harris Hill. Mr. Packard said at that point there will be further discussions with relevant commercial projects and work towards that balanced growth pattern. He also indicated that if the trunk line is in, there may be a better chance to obtain grants to fund extending the lines.

Councilman DiCostanzo referred to the Master Plan saying keeping the character of hamlets is very important. What is going to happen to Harris Hill, that whole part of Town, if this just explodes? People have said no way do they want that road expanded, it has character, there are neighborhoods there. How does this balance with the other priorities in the Master Plan.

Mr. Lavocat noted there are problems in the Harris Hill area, the lots are small and when their septic systems fail, they have to bring it up to code, plus the area is on rock.

Councilman Weiss asked if Mr. Packard could put a proposal together. Mr. Packard said there have been proposals put forward in the past. The people who drew up those proposals are finding another way. He believes time is of the essence. Town Attorney Steven Bengart said he does not want this

meeting to turn into an emergency/immediate situation. Councilman Weiss said he would like to see a meeting date set to discuss this further with the appropriate people.

Mr. Fiegl said there are approximately 300 EDU's (Equivalent Dwelling Units) in the southern portion of SD#5 and 300 in the northern portion. There have been very few, if any, proposals that have been brought forth that have any wheels to keep this moving. The capacity is still spoken for in the analysis but there is always the potential for flexibility. Once the areas are being sewered that are not targeted, there will have to be some sort of capacity augmentation.

Mr. Callahan said Brad Packard worked hard on this presentation and thanked him for the preparation.

IMPROVING THE OVERALL PLANNING PROCESS:

Chairman Schultz referred to the Planning Process which was on display for all to view (see attached). It has worked well except for some concerns in the "seems". What happens in one step hasn't always translated precisely to the next.

Wendy Salvati noted that the Town Board should put everything on the record so that it translates precisely to the next step which is usually at the Planning Board level.

Chairman Schultz noted that the Planning Board is reviewing the Environmental Assessment Form (EAF) as a way to get information from the involved agencies about what is important to them. If there is a Part III to the EAF it becomes part of the motion and is documented in the minutes. If there are conditions set forth in the Concept Plan, the Planning Board is making sure those conditions are carried over to the Development Plan.

Mr. Lavocat said any Public Improvement Plans (PIP) that were approved has the Town Board resolution on the cover sheet of the plans, Mr. Lavocat signs the plans and those are the only valid plans allowed on the project site.

The pre-construction meeting is attended by Jim Callahan and if necessary also attended by the Landscape Committee.

Supervisor Bylewski asked who verifies that the permit requirements listed on the PIP are being done. Mr. Lavocat explained that if it is a public PIP that is hired out to a consultant, that consultant is responsible. If it is a private PIP, the verification is done in-house, at the Town level.

Chairman Schultz noted that Tim Lavocat has an open invitation to all Planning Board Executive Committee meetings.

Robert Sackett agreed that the Town Board minutes are important. If there is a problem that needs to be addressed, that discussion needs to make it into the minutes.

Councilman Kolber suggested having the meeting recordings available for the public to listen to whenever they want.

Supervisor Bylewski said there are liaisons to all boards and committees, so all information should be relayed.

Councilman DiCostanzo noted that Jim Callahan and Brad Packard are at all meetings so if anyone has questions about what was said they can provide feedback.

Town Attorney Bengart said it is important that everyone works to improve the record as best they can in order to include any and all important information.

Councilman DiCostanzo said there was a lot of concentration on Harris Hill at this meeting, he questioned whether this is the spot to go, there are other places in Town. Should the Board be looking and investing in other parts of Town. Town Attorney Bengart said it is because of the pollution that made it easy to create Harris Hill as a priority.

Supervisor Bylewski suggested May 2012 for the next joint meeting as it has five (5) Wednesdays.

Meeting adjourned at 8:36 p.m.

Carolyn Delgato
Senior Clerk Typist