

Clarence Town Environmental Quality Review
(TEQR)
Meeting Minutes
Monday April 21, 2008

Chairman Matthew Balling called the meeting to order at 7:00 p.m. and led the pledge to the flag.

TEQR Members Present:

Matthew Balling	Richard McNamara
John Moulin	Paul Shear
Lisa Bertino-Beaser	Jonathan Hickey

Other Town Officials Present:

Director of Community Development James Callahan
Planner Brad Packard
Councilman Peter DiCostanzo
Planning Board Liaison Jeffrey Grenzebach
Town Attorney Steven Bengart

Other Interested Parties Present:

Gerry Drinkard	Chris Cardillo
Peter Sorgi	Dominic Piestrak
Mark Dean	Steve Kieffer
Robert Blood	

Item 1-Approval of minutes from the previous meeting.

Motion by John Moulin, seconded by Richard McNamara to **approve** the minutes for the meeting held on March 17, 2008, as written.

Matthew Balling	Richard McNamara
John Moulin	Paul Shear
Lisa Bertino-Beaser	Jonathan Hickey

MOTION CARRIED.

Item 2-Communications.

Communications will be discussed under the appropriate agenda item.

Item 3a- Spaulding Greens, Findings Statement Development (Draft findings and involved Agency findings attached)

DISCUSSION:

A Finding Statement, prepared by Chairman Balling, was distributed to members of the Committee, a copy was provided to the Town Attorney as well. There were traffic impacts that were not initially in the prepared draft. Under SEQRA each involved agency, including the Town, issues its own statement of findings, Chairman Balling is particularly concerned with the traffic impact. Chairman Balling refers to the Lead Agency Findings which indicates that the findings must consider the relevant environmental impacts, facts and conclusions disclosed in the Final EIS; the Town has analyzed the information contained within the FEIS and finds it complete for the purposes of considering the transportation impacts of the proposed development. These impacts are unavoidable. Transportation improvements have been recommended. These improvements minimize, to the greatest extent practical, the significant adverse impacts upon the transportation system. The impacts can be addressed by making capacity improvements to the highway system. These improvements are extending an existing collector road (Roll Road), increasing local road and pedestrian connectivity in the development (Green Valley Drive connection and cross walk to Town Park), and upgrading existing connector road and arterial road intersections surrounding the development to accommodate increased traffic volumes that will result from the project. Chairman Balling refers to the diagram regarding traffic impacts and points out that there are no collector roads identified nor is there connectivity to existing local roads. The traffic study initiated by Greenmen Pedersen showed the intersection at Goodrich and Greiner Roads would degrade to a D without the project; with the project it would degrade to an F, which is considered an unacceptable level of delay. The study also showed the intersection at Goodrich and Clarence Center Roads would have cumulative impacts and the project's traffic would contribute to the degradation of the intersection but would not cause the intersection to completely decline. The intersection at Goodrich and Roll Road degrades to an E with this project. There is no pedestrian connectivity to the Town Hall or the Town Park. The study showed cumulative impacts at the intersection of Greiner and Thompson Road and individual delay impacts at the intersection of Goodrich Road and Main Street. Chairman Balling explains that a cumulative impact refers to all projects in the community being held responsible for impacts, whereas the direct impacts refer to one project in particular being responsible for the impacts.

Chairman Balling goes on to read the Lead Agency Findings: Several mechanisms exist for the development to contribute towards the transportation capital improvements in an equitable manner. The on-site improvements shall be incorporated into the final design and can be constructed by the developer at their own expense; there are improvements on-site and off-site. To address the off-site adverse impacts at surrounding intersections, the Town shall utilize one or more of the contribution options available to proportionally assess the cost of the improvements to the development. The project shall be constructed in phases, and subject to the Town's Building Permit Cap as specified in the 2015 Master Plan, in order to ensure the growth does not outpace the ability of the Town, County and State to design and construct the transportation capital improvements.

The transportation impacts, and the subsequent improvements to address them, have considered the social and economic and fiscal considerations. The upgrading of the un-signalized intersections to signalized intersections may impact the character of the area which is a rural setting. Rural intersections that experience increases in traffic volumes become less rural in character. The density of traffic on rural roads impacts character. The Town's Comprehensive Plan and related zoning and subdivision regulations permit the density of housing proposed. The only method available to provide safe intersections is to upgrade them to handle more traffic.

The project shall provide the necessary collector roads that provide regional network access, the opportunity for traffic movement to serve the regional trip stage, and appropriate emergency access. The final subdivision plan may provide an extension of Roll Road to Greiner Road designed as a collector road. This roadway modification will require a stream crossing which can be mitigated using appropriate design to minimize erosion and address non-point source pollution from storm water runoff. The Town's preferred Roll Road extension design would not connect to Kraus Road, which would help protect its character as rural road. And it may help preserve the existing NYS Agricultural Districts on Kraus Road.

The local road connection to Green Valley Drive is necessary to provide proper and complete roadway network to serve the entire community. Green Valley Drive is a local road and will be connected to a new local road versus being upgraded to a collector road. Extending the local road system is necessary to (1) disperse traffic from collector roads needing access to individual homes in the development, (2) reduce trip times of residents traveling between Green Valley Drive and residences in the new development, (3) provide emergency access, and (4) provide connectivity between neighborhoods and extend the existing character of Green Valley Drive.

The project will increase traffic volumes on Goodrich Road. As these volumes increase, gaps in traffic will decrease which will have a significant impact upon pedestrian safety on Goodrich Road. The gaps in traffic currently can provide safe passage for pedestrians accessing the Town Park and Town Hall complex to the west of the development. But as the gaps decrease it will provide less and less time for crossing as traffic increases. A properly designed mid-block crossing shall be required of the development to facilitate safer passage across Goodrich Road. Sidewalk or pathway connections to this crossing shall be provided along the local roads that would serve as the primary routes to and from the park. This crossing minimizes, to the greatest extent possible, the adverse impact of increasing traffic volumes on Goodrich Road.

It is the Town's responsibility to facilitate the development of the community in a manner that protects the public health. It has been well documented that the built environment can facilitate physical activity. The Town seeks to harbor subdivision design that encourages physical activity such as bicycling and walking. Connectivity between land uses is a necessary component of encouraging these activities. It also disperses traffic, reduces walking distances, reduces reliance on arterial and collector roads for all trips. This project includes several dead ending streets that should be connected with other streets to facilitate multi-modal transportation trips. Where physical or environmental barriers exist, these connections may be in the form of less intrusive paved pathways or seasonal trails. The final subdivision plan shall provide for a network of bike trails that will provide access between streets and to the greater network of trails throughout the Town.

The NYSDEC has identified a need for wetland mitigation measures. They also have identified additional wetland acreage they feel will be impacted by the project. NYSDEC has requested that the impacted acreage be adjusted to reflect the new wetlands identified. The applicant proposes to undertake a wetlands restoration in the open space area along Gott Creek.

Chairman Balling refers to the map included in the hand-out entitled Direct Transportation Mitigations Required. The first mitigation would be that a new traffic signal would be installed at Goodrich Road and Roll Road. Roll Road would be extended to Greiner Road and Green Valley road would be extended north to connect with the local road inside the subdivision. The FEIS also identified the need to install high visibility cross walks and sidewalks on the local roads. Goodrich and Greiner Roads would need to have left turn lanes installed on all of the approaches; the traffic signal would need to be upgraded to provide green arrows. Cumulative mitigation has been identified at the

intersections of Goodrich and Clarence Center Roads, Greiner and Thompson Roads and Goodrich Road and Main Street.

Chairman Balling said the shared cost to the developer for upgrading the transportation system will be subject to the Town Board's purview.

Paul Shear said he does not have a problem with the developer sharing in the cost to upgrade the transportation system, however, he does not know how the numbers presented were reached and he is not prepared to support it. Mr. Shear said he would support the document without the developers cost percentage included.

Chairman Balling said the cost numbers were created by the State's mitigating policy at an intersection.

Town Attorney Steven Bengart points out that the discussion has been on a supplemental document; the actual document has not yet been discussed. Any indication regarding impact fees would, without a doubt, have to be removed from the supplemental document; it does not belong in this document. If the project moves forward with the document as part of the motion, Town Attorney Steven Bengart will recommend the removal of the fee information.

Jim Callahan points out one item identified in the impact statement and the findings for the Heise-Brookhaven Trunk Sewer related to the Waterford Development was to basically put the developer in a position to contribute a percentage of cost to the necessary upgrades based upon future traffic studies that would be the responsibility of the applicant as well.

Paul Shear said the percentage calculation for what a developer may be responsible for is not the TEQR Committee's responsibility.

Jim Callahan said although the extension of Roll Road to Greiner Road could provide some benefit, it also completely changes the design of what has been forwarded to the TEQR Committee. Chairman Balling does not think it changes the design. Jim Callahan said the reason the Roll Road extension was not proposed is because it would have cut through a wetland area.

Dominic Piestrak, applicant, explains that he tried to create an open space that everyone in the Town could utilize; half the acreage is dedicated open space. Mr. Piestrak thought the open space with the bike path running through it would be more appreciated than a connector road. In talking with Erie County representatives, Mr. Piestrak found that they thought Greiner Road was going to be the larger road; there are plans to put traffic lights at Shimerville and Greiner Roads and Thompson and Greiner Roads. The County representatives felt there was no reason for the connection between Roll Road and Greiner Road.

Jim Callahan refers to the Written Findings Statement that was distributed to all Committee members and summarizes that it identifies comments from all involved agencies, incorporates their findings and into the Town's findings and generally identifies the design and the principles of the design to carry forward the issues brought up in the Environmental Impact Statement. It generally ends with positive findings on the project with mitigations identified.

Chairman Balling said the Town has not received comments or final findings from the NYS DEC or the Army Corp of Engineers.

Jim Callahan briefly summarizes the Findings Statement dated April 21, 2008 by explaining the statement identifies the findings of the Heise-Brookhaven Trunk Sewer and the Waterford Development. The statement identifies the 50% Open Space on the Open Space Design; it is in compliance with the Town Code. It also incorporates the findings from Erie County; it limits the project to 419 acres so 50% Open Space is maintained. It also includes the finding from the Clarence Hollow Abatement project. The Specific Design Issues section lists connectivity, connections, access to the Town Hall and the bike path issue, and high visibility crosswalks. The letter from the Clarence School District is incorporated along with the County highway issues, wetland impacts and archeological impacts. A summary of the positive findings is included as well.

ACTION:

Motion by Chairman Balling, seconded by John Moulin, that after thorough review of the documents, the TEQR Committee **recommend** forwarding the Witten Findings Statement dated April 21, 2008 as prepared by the Planning and Zoning staff, in it's entirety to the Town Board, separate from the Traffic and Transportation Addendum.

Matthew Balling	Aye	Richard McNamara	Aye
John Moulin	Aye	Paul Shear	Aye
Lisa Bertino-Beaser	Recuse	Jonathan Hickey	Aye

MOTION CARRIED.

Motion by Chairman Balling, seconded by Jonathan Hickey, to **forward** the prepared Traffic and Transportation Addendum to the Town Board subject to the following revisions:

- the instances of the phrase "impact fee" are stricken.
- the instances of the word "fee" are substituted with the word "contribution".
- the column labeled "development share" and the content of that column on the table that identifies Direct Impacts and Cumulative Impacts be stricken from the content of the document.

ON THE QUESTION:

Town Attorney Steven Bengart recommends amending the motion as follows: the third sentence within the second paragraph on page one (1) of the Lead Agency Findings document shall end after the words "...assess the cost of the improvements to the development". The subsequent sentence (s) shall be deleted and the paragraph will resume with the sentence that states "The project shall be constructed in phases,...".

Chairman Balling amends his motion to reflect Town Attorney Steven Bengart's recommendation as listed On the Question. Jonathan Hickey amends his second to the motion.

Jim Callahan voices his concern with the wording of the document with regards to the extension of Roll Road and it cutting through wetlands; this changes the design of the plan. He is concerned with section (2) of the Lead Agency Findings, paragraph two (2), second sentence and suggests that the word "shall" be replaced with the word "may". He does not think it is the intent of the TEQR Committee to change the design; however the current wording suggests this. Chairman Balling

said the Findings Statement is not concrete, it is simply stating what the FEIS said. Mr. Piestrak said he would use 20 acres if the road extension was put in and this changes the design of the project. Chairman Balling does not have a problem with forwarding the document with the word “shall” being replaced with the word “may” as discussed. Town Attorney Steven Bengart agrees that this suggestion is a more reasonable option. Paul Shear states that he has a problem with the paragraph in question, which is paragraph two (2) on page two (2) of the Lead Agency Findings document. Chairman Balling refers to page 13 of the FEIS in which it indicates it is in the Town’s best interest to pursue the extension of Roll Road from the intersection of Goodrich Road to Greiner Road as it would provide the transportation network with additional connectivity. He respectfully disagrees with taking the current local road network that is designed in the project and converting it to a collector road that would be more standard and straighter is going to have a significant change on the project; it will have a significant benefit to the Town. Mr. Piestrak does not understand why we would want to sell out all the people on Greiner Road by bringing all the traffic directly to them. For the record, Dominic Piestrak and Nick Piestrak are present.

ACTION:

Motion by Chairman Balling, seconded by Paul Shear, to **forward** the prepared Traffic and Transportation Addendum to the Town Board subject to the following revisions:

- the instances of the phrase “impact fee” are stricken.
- the instances of the word “fee” are substituted with the word “contribution”.
- the column labeled “development share” and the content of that column on the table that identifies Direct Impacts and Cumulative Impacts be stricken from the content of the document.
- the third sentence within the second paragraph on page one (1) of the Lead Agency Findings document shall end after the words “...assess the cost of the improvements to the development”. The subsequent sentence (s) shall be deleted and the paragraph will resume with the sentence that states “The project shall be constructed in phases,...”.
- page two (2), paragraph two (2) the word “shall” will be replaced with the word “may”.

Matthew Balling	Aye	Richard McNamara	Aye
John Moulin	Aye	Paul Shear	Aye
Lisa Bertino-Beaser	Recuse	Jonathan Hickey	Aye

MOTION CARRIED.

There is a five (5) minutes recess.

The meeting is reconvened at 8:02 p.m.

Item 3b- North Forest Office Providers, 6031 Transit Road. (tabled at 3/17 meeting)

DISCUSSION:

Jim Callahan explains the project as being located on the east side of Transit Road and was referred in January 2008 as a project conforming to zoning. Coordinated review was commenced in

January 2008. TEQR identified a concern with segmentation and asked applicant to provide full build-out alternatives for the entire site including the rear residential. The application was tabled at the March 17, 2008 meeting; the applicant asked to be tabled again to complete the alternative design. Chairman Balling said the Town is currently waiting for the applicant to complete a Development Plan. The project shall remain tabled.

Item 3c- Dan Furmanek, 8230 County Road, Open Space Design Subdivision. (coordinated review initiated by Town Board on 2/13/08-tabled at 3/17 meeting)

DISCUSSION:

Jim Callahan provides the history on the project and explains that the site is on the north side of County Road, east of Stahley Road. It is a proposed Open Space Subdivision, coordinated review was initiated by the Town Board on February 13, 2008 and tabled at the March 17, 2008 TEQR meeting pending further information.

Chris Cardillo, of the law firm of Damon & Morey, is present on behalf of the developer.

Chairman Balling said the Town of Clarence has not heard from the Town of Amherst regarding the sewer capacity in District #5. Mr. Cardillo said he has communicated with Brian Armstrong, of the Town of Amherst as well as a representative of Erie County. Mr. Armstrong has provided written confirmation that he is deferring to flow capacity and off setting that with Capital Improvements to Erie County. Mr. Armstrong explains that for every four (4) inputs in, there will be one lateral out. Mr. Armstrong said this will be the County's stated policy for Clarence Sewer District #5. The applicant's obligation with the proposed thirty-six (36) parcels will be between four (4) and five (5) laterals. The County told Mr. Armstrong that they are moving forward with allowing this project access to Sewer District # 5, provided they comply with the County's requests. The County needs the project to move past the TEQR level with a Negative Declaration before they can finalize the project. This information came to the applicant via phone call; Chairman Balling would like to see it in writing before the TEQR Committee passes a recommendation.

Mr. Cardillo has a map, prepared by Bissell-Stone, that denotes the stump locations; this information was requested by the TEQR Committee at the March 17, 2008 meeting. The TEQR Committee also asked the applicant to research the reason for the ditch at the site; Mr. Cardillo explains that it is a heavy rain run-off area. All the stumps that were dumped at the site have been ground down. The Committee also asked the applicant to contact the Town of Amherst and Erie County regarding the sewer issue, they have done this. Mr. Cardillo hopes that this is enough to have a Negative Declaration recommended.

Paul Shear refers to the TEQR Committee minutes for the March 17, 2008 meeting and reads, "Jim Callahan said, historically, the Town has received letters from Sewer District #5 and the Town of Amherst identifying that capacity exists." Mr. Shear thinks it appropriate to proceed in the same manner with this project. Mr. Cardillo asked Mr. Callahan to comment on proceeding without said letter(s) in hand. Mr. Callahan believes some projects have proceeded but this is a highly sensitive area and recently the Town has requested the letters. He notes that there is a separate applicant who has the letters and is asking if the project for 8230 County Road has letters.

Chairman Balling has reviewed photos of the parcel and does not see any stump dumping at the site.

A letter was received from the NYS Office of Parks, Recreation and Historic Preservation dated March 6, 2008 asking the applicant for more information; another letter was received April 21, 2008. A letter from NYS DOT dated March 25, 2008 was also received. All letters are on file. The letters identify that each agency has not identified any significant impacts.

ACTION:

Motion by Chairman Balling, seconded by Lisa Bertino-Beaser, to **table** agenda item 3c pending receipt of written confirmation of Erie County Sewer District #5 that capacity exists with mitigation and a letter from the Town of Amherst stating that capacity exists with mitigation.

ON THE QUESTION:

Mr. Cardillo has an e-mail from Mr. Armstrong of the Town of Amherst indicating sewer capacity exists. Chairman Balling said this will suffice.

Matthew Balling	Aye	Richard McNamara	Aye
John Moulin	Aye	Paul Shear	Aye
Lisa Bertino-Beaser	Aye	Jonathan Hickey	Aye

MOTION CARRIED.

Item 3d- Doodle Bugs/Office Park, 8574 Sheridan Drive (coordinated review initiated by Town Board on 2/27/08)

DISCUSSION:

Jim Callahan explains the property is located on the north side of Sheridan Drive, west of Meadow Brook. It is a proposed childcare and office park and was introduced to TEQR February 2, 2008 and sent out for coordinated review and comment. The comment period has been completed; several correspondences have been received from involved agencies with responses from the applicant.

Robert Blood, of Lauer Manguso Architects, is present and representing the applicant. Lisa Beaser prepared a draft Part 2 and 3 on the project; the applicant has a copy. The potentially large impacts are as follows: 1.) The proposed action will result in a physical change to the project site. There is construction on slopes of 15% greater; this can be mitigated by a project change. There is construction on land where the depth of the water table is less than three (3) feet; this can be mitigated by a project changes. The construction will continue for more than one (1) year or involve more than one (1) phase or stage; this can not be mitigated by a project change. 3.) A small to moderate impact is the developable area of the site contains a protected water body; the tributary to Gott Creek is identified on the property; this can be mitigated by a project change. 4.) The proposed action will affect a non-protected existing or new body of water; this is a potentially large impact as a stream runs intermittently through the property and feeds ponds on adjacent golf course property. The ponds have aesthetic and financial value to the golf course. 5.) The proposed action will affect surface or

groundwater quality or quantity; this will require a discharge permit. It is a potentially large impact and can be mitigated by a project change. 6.) The proposed action will alter drainage flow or patterns or surface water runoff; it is incompatible with existing drainage patterns and can be mitigated by a project change. 15.) There will be an effect to existing transportation systems; this is a small to moderate impact that can be mitigated by a project change. Traffic entering and exiting busy portion of Sheridan Drive. 20.) There is likely to be public controversy related to potential adverse environment impacts. Ms. Beaser goes on to read the Part 3 which includes details on the potentially large impacts listed in Part 2, a copy of this is on file.

ACTION:

Motion by Chairman Balling, seconded by John Moulin, to **forward** the Part 2 and 3 as written subject to one correction to item 7 in the Part 3; the correction is to replace 50” with 50’.

Matthew Balling	Aye	Richard McNamara	Aye
John Moulin	Aye	Paul Shear	Aye
Lisa Bertino-Beaser	Aye	Jonathan Hickey	Aye

MOTION CARRIED.

ACTION:

Motion by Paul Shear, seconded by Jonathan Hickey, to **recommend** the Town Board issue a Negative Declaration.

Matthew Balling	Aye	Richard McNamara	Aye
John Moulin	Aye	Paul Shear	Aye
Lisa Bertino-Beaser	Aye	Jonathan Hickey	Aye

MOTION CARRIED.

Item 3e-Rockledge Professional Office Park, 8175 Sheridan Drive (coordinated review initiated by Town Board on 2/27/08)

DISCUSSION:

Jim Callahan provides the history on the project. It is located on the south side of Sheridan Drive, east of entrance to the Eastern Hills Mall. The proposed office park was introduced to TEQR February 2, 2008 and sent out for coordinated review; the comment period is complete. Several correspondences have been received with responses from the applicant.

Steve Kieffer, project owner and Mark Dean, with Dean Sutton Architects, are both present.

Jonathan Hickey prepared a Part 2 and 3 for this project. There are a few potentially large impacts; they can all be mitigated by a project change. The first notes that construction will continue for more than one (1) year. The proposed action will affect surface or groundwater quality or quantity and will require a discharge permit. Mr. Hickey reads the Part 3 comment that refers to the discharge permit: In accordance with NYS Environmental Conservation Law, a State Pollutant Discharge Elimination System (SPDES) is required where treated wastewater discharge to groundwater is greater

than 1000 gallons per day (surface liquid waste disposal, sewage, is 1200 gpd). Private septic proposed. This impact can be mitigated and proper compliance made by obtaining proper permits and/or plan approvals from NYSDEC and Erie County Health Dept., depending on volume of final proposed discharge. Appropriate storm water calculations will also need to be submitted. Mr. Hickey refers back to the Part 2 saying the proposed action is incompatible with existing drainage patterns. A tree survey is required with respect to the front 40' and 45' greenbelt. Coordinate with the Landscape Committee to guarantee all trees required to be saved are saved. There is an impact to an archeological site or fossil bed located within the project site. There is an alteration of present patterns of movement of people and/or goods; NYS DOT requests a detailed site plan showing driveways opposite and adjacent to project and details of driveway on Sheridan Drive. Mr. Keiffer said the site plan has been updated. Chairman Balling refers to the letter from NYS DOT dated March 24, 2008 advising a detailed site plan of the driveways needs to be submitted. Stormwater calculations and a drainage plan need to be submitted as well. Chairman Balling is not sure if the NYS DOT wants this information before they submit comments. Jim Callahan said, historically, the information is provided with the work permit, which is later in the process.

Jonathan Hickey clarifies that questions 11, 16, 18 and 19 on the Part 2 are small to moderate impacts, if any; the form is changed to reflect this.

ACTION:

Motion by Paul Shear, seconded by Richard McNamara, to **accept** the EAF Part 2 and 3 with the changes made to questions 11, 16, 18 and 19 of Part 2 as discussed.

Matthew Balling	Aye	Richard McNamara	Aye
John Moulin	Aye	Paul Shear	Aye
Lisa Bertino-Beaser	Aye	Jonathan Hickey	Aye

MOTION CARRIED.

Motion by Chairman Balling, seconded by John Moulin, to **recommend** a Negative Declaration be issued by the Town Board.

ON THE QUESTION:

Paul Shear asked for clarification on the archeological significance of the site. Chairman Balling refers to a letter from NYS OPRHP received in the Planning and Zoning office on March 17, 2008. This letter indicates that a determination of impact/effect will be provided only after all documentation requirements noted on any enclosures have been met. There has been no correspondence since this communication.

Motion amended by Chairman Balling, second amended by John Moulin, to **recommend** a Negative Declaration be issued by the Town Board contingent upon the applicant and the Town's Planning and Zoning office following up on the determination of the archeological impact.

Matthew Balling	Aye	Richard McNamara	Aye
John Moulin	Aye	Paul Shear	Aye
Lisa Bertino-Beaser	Aye	Jonathan Hickey	Aye

MOTION CARRIED.

Item 3f- Shadow Woods Open Space Design Subdivision, Goodrich Road (coordinated review initiated at 3/26/08 Town Board meeting)

DISCUSSION:

Jim Callahan provides the history on the project. It is located on the west of Goodrich Road, north of Keller Road. Coordinated review was initiated by the Town Board on March 26, 2008; the project is still within the 30 day comment period.

Peter Sorgi, of Hopkins, Garas and Sorgi, is representing the applicant. Chairman Balling said at the previous TEQR meeting the Committee was unsure of the traffic scope as the Town is still deliberating the issue on the Goodrich Road corridor. He asked that the applicant provide the traffic figures as soon as possible.

Mr. Sorgi explains that the road has been altered to reduce the impact to the actual wetland areas impeding on the 100' buffer. He will be applying for a joint permit from the Army Corp and the DEC. Chairman Balling asked if the applicant would consider setting lot 60 aside for the Town to use as a future access point. Mr. Sorgi believes the density determination has already gone through; there has been reduction in the lots from the onset of the project but he will discuss it further with the applicant. Mr. Sorgi wants to make sure there is no issue of segmentation with the proposal. Chairman Balling said if the TEQR Committee thought there was a segmentation issue they would have discussed it before they solicited Lead Agency Status. Town Attorney Steven Bengart said it is his opinion that there is no issue of segmentation involved in this proposal.

The project remains tabled.

Item 4- Miscellaneous

Chairman Balling said there is a Joint Town Board/Planning Board Meeting on April 30, 2008.

Item 5- Next Meeting Date

The next meeting date is May 19, 2008.

Meeting adjourned at 9:05 p.m.

Carolyn Delgato
Senior Clerk Typist