

**PUBLIC HEARING AND
REGULAR PLANNING BOARD MEETING
HELD SEPTEMBER 4, 2007**

Present: Michael Chase, Chairman
Gary Bogner
Vincent DelGatto, Jr.
Judy Robinson
Daniel Cianfoni

Absent: None

Others attending: Anne Romeiser, Sue Vienna, Diane Reed Allen, Richard Cirulli, Sharry Cirulli, Kathleen Vienna, Helen Frederick, Debbie Frederick, Joe Pullen, Pat Nicoletta, Frank Gorgonzola, Carol Gorgonzola, John Barry, Josh Allen, Frank Corino, Jeff Liberati, Brian Romeiser, Kim Pezzanghera, Shawn Williams, Allie Liberati, Carl Harris, Angela D'Arduini, Donald Eastman.

Recording: Rita J. Gurewitch, Clerk/Treasurer

Chairman Mike Chase thanked everyone for coming to the Paddocks of the Finger Lakes public hearing and stated that before opening the Public Hearing he would call the regular meeting to order to obtain clarifications from the water (Jeff Liberati) and sewer treatment (Brian Romeiser) departments.

Chairman Chase requested easement clarifications. Mr. Bogner stated that at the last meeting there was some question what the village would require as far as easements for the water lines and the sanitary sewer.

DPW Supervisor Jeff Liberati stated that he met with the Health Department. The meeting was attended by Mr. Pullen and Mr. Barry, Cheryl Robbins (NYS Health Dept), and Mr. Liberati. The plan is seven (7) meters, one for each unit. Billing will be one bill to the property owner, instead of the master meter and a hot box; the village will take dedication of the waterline and hydrants throughout the complex and will be a standard easement. The Health Department agreed with this proposal. The water is all set.

Chairman Chase inquired as to the sewer lines. Will they be private or public?

Mr. Liberati stated that the village will take dedication of the sewer also, from the pump station to our line. The pump station will remain private. The pump station/lift station will be theirs, all maintenance will be theirs, the village will take dedication of the gravity feed line out to State Street, and obviously into the village system from there out. All the individual units will be running to a pump station. Mr. Bogner asked who's responsibility will it be for the installation from the pump station to our system. Mr. Liberati stated they will install to our specifications and with the water line and then take dedication from there. Someone will be on site while the project is going on to see that it will be done to our specs. Mr. Bogner then stated it will be their responsibility to install all water and sewer. Mr. Pullen wanted clarification. It was his understanding that it would be from the property line. Mr. Liberati stated that it was within the property. It wouldn't matter due to being gravity fed.

Chairman Chase stated the new plans and the SEQR were brought to the meeting tonight and have not had time to review it. Another section submitted was on water main requirements and Chairman Chase asked if that was covered to Mr. Liberati's satisfaction and it will be built to specs according to Mr. Liberati. Judy Robinson asked if it was a 20 foot easement. The answer was yes, it is for maintenance, so digging can occur without asking permission.

Chairman Chase called on Brian Romeiser, Chief Operator of the Joint Sewer Treatment Plant to comment on the capacity at the treatment plant. Mr. Romeiser stated that the capacity of the plant is 880,000 gallons/day; right now we are taking an average flow of 500,000 gallons/day, so we have 300,000 excess capacity. However, due to I&I flows, that capacity can disappear in spring time. The disappearing capacity at the present time, we have come to an agreement with the DEC that we have a plan in affect to handle the infiltration and inflow. So, at the present time we can grow by approximately 200 people. Also at the present time, a facility review is being conducted for the treatment plant for possible expansion.

Mr. Bogner asked if the project were to be built tomorrow, the plant will be suitable, Mr. Romeiser stated yes. A question came forth, asking if he said 200 people, Mr. Romeiser corrected his statement saying 200 units. Ms. Robinson asked if that is taking into consideration the apartment buildings proposed in Shortsville. The clerk stated that she received information stating neither of those projects went through. Mr. Romeiser stated the only proposal being considered currently is this one.

Chairman Chase closed the meeting to re-open after the public hearing.

Chairman Chase opened the public hearing at 7:35 pm and stated that each individual we be given three minutes to express their concerns. He stated that there a lot of people present so please adhere to the time limit so as to get all opinions in. Mr. Chase requested that when addressing the board to stand up, state your name and address, whether for, against or undecided on the project and what those reasons may be, also to ask questions if needed. After if time allows we can add more time at the end.

Chairman Chase asked if everyone has signed in. Mr. Chase read from the sign in sheet and addressed each individual.

Anne Romeiser – Her main concern is if the complex will be subsidized housing.

John Barry – They are not subsidized and the reason they won't be is because they have to maintain a higher rent, to make their numbers work. Mr. Barry stated that what it is costing to develop the property, they cannot afford to have them as subsidized housing. They have to maintain a \$725/\$750 per unit plus utilities.

Anne Romeiser – asked if the developer will receive tax break, like a 10 year tax break, anything like that?

Mr. Barry – Its illegal to give tax breaks to residential development.

Sue Vienna – 65 State Street, her back yard.

Mr. Chase asked Ms. Vienna if she had any questions (no response noted on tape)

Diane Reed Allen – She stated that she was on the school board a number of years. She stated that the school use to be attended by 1500 students, now it is down to 900 students. It costs \$15 million dollars to educate these students.

Ms. Robinson asked if Ms. Allan's concern was that there would be an influx of children, that the school system can't take care of more students or there is room for more kids and the money is there.

Ms. Allen: The monies there, more taxes received.

Richard Cirulli: Mr. & Mrs. Cirulli own 149 State Street, and he is part owner of 148 State Street. Mr. Cirulli stated the Planning Board, the Zoning Board and the Village Board should be truthful and forthcoming with all information to all the residents.

Chairman Chase asked Mr. Cirulli if he resided at one of the above mentioned residences. Mr. Cirulli stated no. He resides in Newark.

Mr. Cirulli: He is definitely opposed to this project. He received a letter from the Village Board stating the village's concern with inflow and infiltration. Mr. Cirulli then proceeded to read the letter he received from the village board. His concern is that the letter stated that the sewer treatment plant is nearly reaching its total capacity during wet periods. He also read that 3 out of the last 4 months the peak flow exceeded the total capacity of the plant. It puts both villages in a position that they could face steep fines from the NYS Dept of Environmental Conservation. The letter further states that these fines will be passed on to all village residents in the form of higher sewer rates. Mr. Cirulli stated we will have wet periods. Since it is already beyond capacity and he feels that the line in question is a line that the project will be dumping into. Mr. Cirulli reiterated that this information came from the village, not he. He feels that it certainly wouldn't add more into it to solve the problem and before putting anymore into it, the problem should be corrected. Also, by adding 144 cars onto State Street with the 72 units, and feels if he's not mistaken, he feels there has been a change in the site plans. That it went from nine buildings down to seven. He feels if it has, does that change the zoning setbacks. Do they have to be what they are?

Chairman Chase: We just received new plans from them this evening and haven't had a chance to go over them.

Mr. Cirulli: Stated that maybe they have to go back to the zoning board also.

Mr. Barry: There are 7 buildings with 72 units.

Mr. Cirulli: Were there nine buildings first?

Mr. Barry: Yes.

A discussion followed as to what went before the zoning board. The clerk stated that the seven buildings went before the zoning board. Mr. Barry stated that the seven buildings went before the zoning board.

Mr. Cirulli: He stated that if seven buildings are going up, maybe that ought to be looked at again.

Chairman Chase asked Brian Romeiser, Chief Operator of the Manchester-Shortsville Joint Sewer Treatment Plant, if he would address some of Mr. Cirulli's concerns.

Mr. Romeiser: The line in question that Mr. Cirulli is talking about that has high flow is above where the apartments are proposed to be constructed. The high flow is due to infiltration and inflow and part of our program is he has already experience and some of you have experienced up on State Street, which is a house to house inspection for sump pumps. The next part of our program will be to camera the lines along with smoke testing. As we cure the I&I, those I&I numbers go away. That is not anything in relationship to the amount of flow on a daily average that we can handle. It is on high peak averages. Mr. Cirulli is correct in the fact that if we get too many high peak averages that this village is going to be fined, which is why we have a program with the DEC that we are working with to reduce the infiltration and inflow coming into the system. The high water comes partially from sump pumps, partially from old lines, partially from manholes that leak. Our program has been to update the manholes that leak, which this village has spent at least \$10,000 per year for last 6-8 years in revitalizing manholes. When using cameras in the line cracks are found, even broken lines, which have been replaced. This is a continuous process. Some of the worse lines are above this complex, above the pump station on State Street.

Ms. Frederick: Does it all go to the same place?

Mr. Romeiser: Eventually, it all goes to the same place. The line that is going down State Street and passing the apartment complex is a ten inch line and the line itself is capable of handling more flow. The pump station above that is not. Where it starts from up State Street down to Main Street, but it runs through a pump station first located near 105 State Street. From there it flows by gravity all the way to the main pump station at the plant. That gravity line is more than big enough to handle the flows that are being discussed. The lift station for the upper end of State Street is not. He is referring to Bennett Avenue and the upper end of State Street.

Chairman Chase asked Mr. Barry if the SEQR addressed Mr. Cirulli's traffic concerns. Mr. Pullen stated that it was determined that a maximum calculated would be approximately 50 cars per hour.

Chairman Chase stated that the SEQR was just received tonight along with updated plans and the board has not had a chance to review them.

Ms. Robinson stated that the traffic will be addressed in the SEQR review.

Sharry Cirulli: She has the same concerns as Mr. Cirulli. And voiced concern about others interfering with the three minute limit it takes away time.

Kathy Vienna: 126 State Street. She was curious about the results of the basement check for sump pumps.

Mr. Bogner: That is not pertinent to this project, but you can inquire at the village hall tomorrow to get that information.

Ms. Vienna: If a new plant needs to be built down the road, is that shared between Manchester and Shortsville both? And possibly the town? Then Ms. Vienna asked the clerk to clarify the apartment situation in Shortsville.

Ms. Gurewitch: Shortsville Meadows exists now. Two more were proposed in Shortsville recently were subsidized housing that did not get clearance because HUD already met their allotment for subsidized housing in New York at this time. That is my understanding, so those developments are not going into Shortsville.

Helen Frederick: 77 State Street. Hasn't made up her mind yet. Her concern is adding onto the sewer. She remembered 9 buildings proposed and hadn't heard the 7 before.

Mr. Chase: The original plans had 9 buildings in them, but once the wetlands came into play they had to change their plans to 7 buildings. Due to the wetlands, and changing to 7 buildings, that was when the variance needed to be applied for.

Debbie Frederick: 76 State Street. Stated she had the same concerns as Mr. Cirulli mentioned. That things should be fixed up before we add more. Plus, the 25 foot setback, doesn't agree with that, I really wasn't against this in the beginning, but now I am because they are truly not working with the community, they are taking.

Mr. Bogner: Could you elaborate on that?

Ms. Frederick: The neighbor laws. The New York Neighbor Law Act of 2000 or 2003. Are they doing a SEQR and a SPEDES?

Mr. Chase: The SEQR was handed in the evening.

Ms. Robinson: The SPEDES is with DEC.

Mr. Pullen: SPEDES is done prior to construction. Does not have to be done for site plan approval. It will be done.

Ms. Frederick: Is the Board of Health another agency that is involved because we do have quite an overflow during the rainy season, we are not leaving any room for any other natural setbacks. Inclement weather. There is no room for error. She feels that this is an impossible scenario with no safety clauses in effect.

Mr. Chase asked Mr. Romeiser to add his comments at this time.

Mr. Romeiser: Ms. Frederick is describing buffer zones. Do we have a buffer zone down at the plant and is it large enough to handle the flows? The flows right now in the inclement weather, no the buffer zone is not large enough, it will never be large enough when large quantities of water go into the sewer. However, the DEC has this problem almost every sewer plant in the country. There are a number of plants when they reach a certain amount of overage at that point in time go in under consent order to fix their I&I. We are close to that consent order now, but we have not gone over it in the 23 years that I have been here. Which is why we have the I&I program. If we improve on the I&I program in Manchester, like that of Shortsville, our flows will reduce.

Ms. Frederick: Still doesn't understand why the problem has not been eradicated and would like the planning board to take a real long look at this. Not build on it until it can work with what is present. It will cost a lot of taxpayer dollars to add another plant here. Not that you are, but you'll have to. She feels this community should look out after who is here now, and maybe add businesses instead of more people, who require more services.

Mr. Chase: I going to have to interrupt you.

Ms. Frederick: I just have one more question. What is an EIF?

Ms. Robinson: Environmental Impact Statement. When doing the SEQR and making a decision at the end of the SEQR, whether there is significant, or non significant impacts determines whether or not a full blown environmental impact statement is warranted. The Planning Board will be looking at that.

Ms. Frederick: Is that when the EIF comes in then?

Ms. Robinson: It may not. If the finding of the SEQR is that a finding is of no significant impact, then a full blown environmental impact is not warranted.

A discussion followed concerning SEQR, EIF and environmental assessments.

Chairman Chase apologized to Ms. Frederick, needed to move on to give everyone a chance to speak.

Frank Gorgonzola: The consequence of the whole thing is that the setbacks have been abbreviated from 75 feet to 50 feet. How close is that to my back yard that I have to tolerate somebody that's renting down here and makes too much noise, or is too rowdy? Is there going to be additional policemen, or some law and order?

Mr. Bogner: I am sure that these building are going to be less close that your neighbors are right now.

Mr. Gorgonzola: But not that many. The other thing that is annoying me is, if that pump goes bad, how fast can it be replaced or rebuilt.

Mr. Romeiser: That area is gravity fed and no pumping station. The only pump station in that area is their own pump station.

Mr. Liberati: They have one day capacity on their pump.

Mr. Gorgonzola: Are you an engineer?

Mr. Liberati: I handle the village's sewer. I operate the sewer system in the village.

Mr. Gorgonzola: He just wanted background clarification. I

Mr. Liberati: The pump station in their complex, they own it, it will be up to them to get it repaired as quickly as possible, because it will be their tenants that will be affected and not the village. It will not affect the village because we are on gravity feed and requires no power.

Mr. Gorgonzola to Mr. Romeiser: Do you concur?

Mr. Romeiser: Yes, he's telling the truth. That's how it works.

Mr. Gorgonzola: That's what I want to hear. The consequence is they are going to do something with the roundhouse. Is there any toxicity from the roundhouse that can get into sewer water that we would have to do something about?

Mr. Liberati: Once again, sewer mains, sewer systems, are sealed units; they do not allow infiltration if they are installed and operating properly which we are trying to do throughout the village.

Mr. Gorgonzola: Has anybody ever done any measurement to the toxicity of this water?

Mr. Liberati: What water?

Mr. Gorgonzola: The sewer water.

Mr. Romeiser: Yes, we do toxicity testing. The DEC has done toxicity testing. We do metals analyzing on the wastewater at the treatment plant six times a year.

Mr. Gorgonzola: You know, they are going to tear down the roundhouse someday soon. That will all be going out the same system, isn't it?

Chairman Chase: There is nothing conclusive about the roundhouse.

Mr. Gorgonzola: There are some puddles in there and it's the oxides that are there that will cause the toxicity.

Mr. Romeiser: But it is not going into the sanitary sewer. There is no sanitary sewer in the roundhouse or near the roundhouse.

Mr. Gorgonzola: You know that for sure?

Mr. Romeiser: Yes.

Mr. Gorgonzola: I would like to make a statement. It's nice getting together with your neighbors, which we are here tonight, but the fortunate or unfortunate thing that is occurring, that this thing was approved before we even came into the room.

All board members at this time repeatedly stated that nothing has been approved.

Mr. Gorgonzola: Stated he didn't like it, they were not listening. I don't like 20 feet, twenty five feet vs 75 feet. I got my right to complain about it.

Mr. Bogner: Stated he's not saying he doesn't have that right.

Mr. Gorgonzola: The day will come when all you other people will be in the same situation as this small group is here. I hope you react and speak up and tell us when we're not suppose to being doing whatever we're doing and the consequent is that I am not at all happy at what is happening. Why should I be? I bought that property, you guys usurped it from me, and you're going to make a system out of a sow's ear. It seems that way to me. Then all this will have to be done and re-done. And I don't know where the trustees, you are the trustees

Chairman Chase: We are the Planning Board. I realize there is a lot of terminology, we're just the planning board, zoning is a different board, and the village board is different.

Mr. Gorgonzola: Has there been any monitoring that this going to happen. The consequent is that is there any payola?

Mr. Bogner: Excuse me?

Mr. Gorgonzola: Payola. You get it.

Mr. Bogner: Stated that statement was an insult.

Mr. Gorgonzola: Didn't mean it to be.

Ms. Robinson: It certainly is.

The clerk asks the board to ask for a clarification of what Mr. Gorgonzola is saying.

Mr. Bogner: It's very clear what he is saying.

Ms. Robinson: Stated they are all volunteers.

Mr. Gorgonzola: What do you get out volunteering here?

Ms. Robinson: Participating in the community.

Mr. Gorgonzola: And you don't feel that the wetlands need to be wetlands?

Ms. Robinson: The proposed project avoided the wetlands, that's why they requested the reduced setbacks.

Mr. Gorgonzola: They didn't avoid them, they got them in my back yard.

Mr. Cianfoni: You have to get the facts straight here.

Mr. Gorgonzola: You usurped my property.

Ms. Robinson: This property (land proposed for development) is owned by another person.

Ms. Frederick: Stated he's talking about NY neighbor law act, the 75 feet and that the planning board knows that.

Ms. Robinson: Stated she didn't know.

Ms. Frederick: You have gone against the neighbor law act of 2003 with that 25 foot setback.

Ms. Robinson: We did not. The Zoning Board of Appeals acted on the variance. She told Ms. Frederick she has the wrong board.

Ms. Frederick: Stated it didn't matter.

Mr. Gorgonzola: Stated he didn't know where it's going and he doesn't know where he's going from this point. He stated he's been around for a long time.

At this point the murmurings and side conversations were distracting... Chairman Chase asked that they give Mr. Gorgonzola a chance to finish his statement.

Mr. Gorgonzola: He's been around a long time and he sees a lot of skullduggery. And that skullduggery is happening here and now. You say trust me. He doesn't think he can trust anybody because here is where you can take 25, 35, 50 feet from this guy or say setback, where are we? Who gave you the authority to go ahead and create this monster? He was perfectly happy. He then thanked the board for shattering his happiness.

Mr. Bogner: Asked if he was under the auspices that they are going to take some of his land?

Mr. Gorgonzola: No, you're not taking my land. The thing is, if he had seen what was happening five years ago he would not have settled here. Because its skullduggery, there was never any consideration of the people who are already here, who have the property, who improved it, who cleaned it up, and monitored it, and everything else. Now you guys are saying, I want this property, I want that property, well, not that you're taking my property. You're taking my view, you're taking my back yard, and you're taking my little farm I put together. I have been in the service and everything else, and I going to quit before I cuss. Thank you.

Chairman Chase: Thank you. Next on the list is Carol Gorgonzola.

Mrs. Gorgonzola: She against the proposed apartments and would like to give her 3 minutes to Richard Cirulli.

Mr. Cirulli: He did hear a couple things that were said that maybe were errors. One was that Mr. Liberati that there was no infiltration in the sewer line. A letter was sent to people stating differently.

Mr. Liberati: In new construction. In new construction there should be no infiltration. It's an air tight system pressurized up to up 5 psi. That will not allow infiltration in.

Mr. Cirulli: The wetlands.

Mr. Liberati: That has nothing to do with it. They are putting in a new system. That's what's being talked about. Period.

Mr. Cirulli: No, not period. Because the wetlands are back there. If anyone is familiar with a leach system.

Mr. Liberati: It's not a leach system. It's a sewer.

Mr. Cirulli: The wetlands aren't just right there. Down below there may be cracks, I don't know. In that case we are over capacity.

(Tape in recorder was then turned over)

Mr. Cirulli: He's telling the board that shouldn't add anymore into something than right now because it's at capacity.

Mr. Corino: Lives on State Street. 20 feet was mentioned, is that from the line in or what?

Mr. Bogner: For sewer and water lines, right of ways, would totally be on their property.

Mr. Corino: Right, but would that be from the line in?

Mr. Bogner: Yes.

Mr. Corino: That would bring it right along the edge of the roadway that they are going to build, right?

Ms. Robinson: You would benefit.

Mr. Bogner: He would have to check the plans again. It would be from the property line to the pavement, yes.

At this time the engineers referred to the map for Mr. Corino showing the easements are not in his property.

Mr. Corino: His second question concerns safety for children. He said he heard that they are going to build a sidewalk to the park. What about the safety of going out onto State Street for these kids? Is there going to be a sidewalk there or just walking in the road? On their private land.

Ms. Robinson: We haven't gotten to that part yet.

Mr. Corino: That is what he's interested in. Safety for children in putting a sidewalk from the complex to State Street.

Ms. Robinson to Mr. Barry: Do you have sidewalks in your proposed facility?

Mr. Barry: Not along the road, no.

Ms. Robinson: That will need to be addressed.

Ms. Pozzenghara: 38 State Street. She's worried that already there are water pressure issues if you turn on the water, the water pressure drops so much that you cannot run another water faucet in another part of the house. She wonders if this new system coming in, the water pressure will get even worse. The State Street issue about traffic, she feels there are already people speeding down it. The increase traffic will only add to the difficulty in getting in and out of a driveway. Asked if any new signage will be added. Ex. A Stop sign half way through State Street or something to lower the speed.

Mr. Romeiser: If the water pressure drops, his first question would be how old is the line coming into the house.

Ms. Pozzenghara: She had no idea. It has been there since she moved in. She has never replaced it.

Mr. Romeiser: Usually when you see a water pressure drop, normally it's due to an old service line coming into the house. You actually have to have it dug up and repaired. When people do that, the instant gratification is there because the minute they do that they find they have all kinds of water to run more than one faucet at a time. It may have started as a 3/4 inch line that is now the size of a pencil.

Mr. Cirulli: If she has copper lines coming in, have the village come and make a couple turns on and off with the shut off, because he has experienced that once, where there was nothing wrong with the water coming in, it was at the street shut off valve.

Ms. Williams: 38 State Street. Her concern is traffic on the street. Maybe speed bumps could be used. State Street is very well traveled. Also she questioned how long of a program it is with the DEC to fix the sewer system.

Mr. Romeiser: Right now we are forecasted out to 2012.

Ms. Williams: What happens while that is going on?

Mr. Romeiser: While that is going on we hope to reduce infiltration and inflow. We just reduced Shortsville's from 200 percent when it rains heavy to 31 percent.

Ms. Williams: Is it wise then to go on with this project not knowing what the end result will be, maybe waiting until then?

Mr. Romeiser: If you are asking my opinion, my opinion is that if you continue to work on I&I as a village, now remember, I am operator for both villages, if the village continues to reduce their I&I, this project will not have an awful lot of affect one way or the other. However, if it doesn't continuously work on I&I, this project will have an affect. Every project will have to will have the same issues.

Ms. Williams: How are the people suppose to help?

Mr. Romeiser: The village in this next years period of time will look for more sump pumps, video tape lines locating problems. We have seen homeowners that were asked to remove sump pumps, remove them, inspected the house, and then they were put right back in. We now have that on video tape; at that point we can go to the sewer ordinance and fine them. What we're trying to do nicely, by sending letters, is to get people to take them out and leave them out.

Ms. Robinson: If you need a sump pump in your basement, the alternative is that you keep your sump pump but don't pump it into the sewer line.

Mr. Romeiser: You can pump it into your yard; you can create a variety of different ways of getting rid of storm water. His suggestion is to get it at least 10 feet away from the house so it no longer affects the footers of the house.

Ms. Robinson: So it's not just getting rid of sump pumps, but finding an alternative to put the water in the appropriate place.

Ms. Frederick: So it can go out into the street.

Mr. Romeiser: Actually, if you get it out 10 feet into your yard it will far enough where it won't come back into the basement. It goes toward the street and the street drainage storm sewer picks it up, storm sewer is different from sanitary sewer, storm sewer goes in one area, sanitary goes to the sewer treatment plant.

Ms. Robinson: Most of the storm water drains into the outlet.

Mr. Romeiser: Eventually.

Ms. Robinson: It's not whether they have a sump pump or not, but where to direct the water.

Mr. Romeiser: Correct, its water direction. People need sump pumps in wet areas. There is no doubt about that. Just don't put it down the sanitary sewer.

Ms. Liberati: 35 State Street. Her huge concern is the traffic flow that will be down the street stating that she has a small child. She stated that people speed down the road now. She stated she didn't think it was a good idea putting 72 units in with double the cars. How will the traffic be controlled? She stated she has made no decision if she if for it or against it as yet.

Mr. Barry: We have been studying the traffic. We may add a hundred cars to that area. Not all the apartments will be occupied by two drivers and say 50 cars go one way and 50 go the other way, all different times of the day. Some work day shift, some night shift, first shift, third shift. No difference will be noted in traffic on that street.

The general response was of disbelief.

Ms. Liberati: Feels it's a nice street and doesn't want to look in her back yard and see an apartment complex.

Mr. Barry: Now that was what you really were getting at with the traffic is (not audible).

Ms. Liberati: Yes, she's concerned about that and the apartment complex behind her house.

Mr. Cirulli to Mr. Barry: Inquired as that there will be no visible influx of traffic?

Mr. Barry: They will not be an influx.

Mr. Cirulli: She won't see an influx in traffic?

Mr. Pullen: She will see an influx, but it will not going to be a significant amount.

If was determined that traffic is definitely a concern of those present who verbalized their opinion.

Mr. Harris: 52 State Street. Very much opposed. He lives next door to a 3 apartment house and his experience living next to it has been negative. He said it averaged 15 cars a day in and out, when it was a drug house, it was 25 cars a day, motorcycles, police all over the place, and the traffic on the street will be noticed along with loud mufflers. With 144 cars two trips a day at least plus company, plus UPS, a serviceman, special trucks. A lot of children are on State Street with bicycles, skate boards. He feels sooner or later kids are going to get into the roundhouse, again. They're going to get into it, get hurt, and set fires.

Chairman Chase: Mr. Harris, the roundhouse isn't part of this discussion.

Ms. Frederick: But, it does have to do with it.

Chairman Chase: We are here to talk about the apartment complex.

Ms. D'Arduini: She has two comments. The land where the proposed complex would go was originally zoned industrial. There could have been a huge factory back there. Now, what's the choice? An apartment building or a huge factory. We have to look at it that way. Also, State Street use to be Route 96. Tractor trailer trucks went down there all day long.

General disruption, recording not clear.

Chairman Chase read a letter sent from Phil & Pat D'Arduini of 72 State Street. Dear Chairman: We are unable to attend the meeting tonight of the Manchester Village Planning Board, however, we would like to mention that we do not object to the planned 72 unit apartment complex. We live on State Street, directly across from where the driveway would lead into the complex. In the not too distant future, when we are unable to navigate from the ground to the basement, to the upper floor, we would certainly consider moving to an apartment across the street. We have several friends that feel the same way. However, there is one feature that is disturbing to us. Hopefully it is not too late to think about it, the name could be changed to something more conducive to restfulness. We like horses but we don't want our children to say we live at the Paddocks. Please think about that. Thank you. Respectfully, Philip J. D'Arduini and Patricia D'Arduini.

Chairman Chase: We have allowed everyone present to voice their concerns, now we would like to give everyone here who is involved in the project a chance to speak.

Mr. Nicoletta: Met with Mr. Pullen previously before the final site plans but MRB has not seen them as were submitted this evening. We'll be doing a statement after reviewing those for the next planning board meeting along with SEQR and making a recommendation at that time. We will reserve our comments right now until we see what they have.

Mr. Barry: Would like to thank everyone for coming. He made statements about the project. One, an informational meeting will be at the end of September at the park for more in depth questions. They will have a demonstration and drawings available and walk the land to show people where exactly where everything is going to be. They have been very conscious of everything that has been brought up here, in the planning of this for a very long time. Josh (Allen) and I, our families, are from this community. We grew up here. We are very conscious of the project and understand the concerns. He would like to address many of the concerns at the meeting at the park one on one. He stated what this project will bring a tax base to the community, it will bring kids. A school is in need of students. There is only so much a school population can drop down before you lose your school. We are very conscious of it. We will be fixing the park in conjunction with the Mayor and Trustees; they will re-do the baseball fields. Our plan is to fix that area up to bring kids in to play. Secondly, it was brought up, that the older community will have a place to go. A lot of them have to move out of this community because they can't maintain a house that they have or it's just too large. This will be an alternative to them to stay in their community. This will also have an economic impact on the community. These are not subsidized; these are higher end rates for this area. You will have working people here. People who will have money in their pocket to spend at local businesses. In his opinion, there are a lot of advantages to this complex going in. It will be done very tastefully, with a lot of class. These units are attractive units and the interior design is well thought out and used architectural designs. They don't feel it will be an eyesore to the community. It will turn an area that is somewhat dilapidated into an area they think will be quite attractive. He feels when the decisions are made, it's your community, and passions are fired up, people get emotional, but also think to better the community as well. He understands its in your backyard, understands the concerns, but also think about the school system, the tax base, needed housing, the quality of life here, then make your decision.

Mr. Gorgonzola: He stated he has five full grown trees in his yard. He asked if Mr. Barry could go around them.

Mr. Barry: We can't go in your yard, sir.

Mr. Gorgonzola: One of them is not mine; it's a white pine about 20-25 feet tall.

Mr. Barry: Stated he would talk to Mr. Gorgonzola individually about it and issues he has.

Mr. Gorgonzola: It's on your property. I've looked after it for six years now and the man before looked after it. It's a beautiful tree.

Mr. Barry: He will look at it and would like to be able to accommodate him.

Mr. Gorgonzola: Swing by 75 State Street. And your name is?

Mr. Barry: John Barry

Chairman Chase addressed the room and asked if anyone had anymore question.

Ms. Robinson: When plans to stem the infiltration, are you going through and replacing the pipe? What is the plan?

Mr. Romeiser: The plan is several steps. The cheapest and easiest thing to do for the Village of Manchester is to remove the sump pumps out of sanitary sewer. The second easiest thing to do is line manholes. The old brick manholes, if they are in a water prone area, they leak. When they leak, they cause inflow into the system. We have been lining the manholes for several years now. All the numbers started a greater numbers than they are now. One year he saw a flow of 7.5 million gallons come through the plant. We don't have any of those kinds of flows anymore. They're gone. Our major flows now are down around 1.8 million gallons. Which is a far drop over 30 years. So, are pretty close to having all the manholes lined. The next step would be more videotaping of lines, and checking of laterals. If we can find say a four inch lateral that is broken in a homeowner's yard and is literally draining the whole aquifer through that four inch lateral during rain time, we can easily have the homeowner fix it. It saves taxpayers to have just one homeowner fix a lateral. If it's a mainline as we had on Pratt Road, we actually cut out the main line and put a whole new section in. If it's a crack, we can line the main. Depending on what it is. There are several things going on at the same time with the infiltration study. That is why it takes so many years. The village does not have the man power or the money to try to do it all in one or two years. It would break everyone's bank accounts doing that. On the other hand, he can guarantee, as the years go on, these pipes are 1937 vintage clay type pipes throughout the old system, they are not new pipes. There are issues with these pipes. There will always be issues with these old pipes. We have to take them one at a time and continue on. The sewer plant is 1984.

That plant is better than 20 years old now; it had a 20 year expectancy. That is one of the reasons why we are going with an engineering survey to see what to do with this facility. So at the same time we're looking at the old lines and trying to fix old lines and solve infiltration problems, we also look at the plant. Everybody knows that within any length of time, urban sprawl is coming closer to Manchester. There is no hiding from that fact. It's in Farmington, it's been in Farmington, and the 96 corridor is more and more full. If you are not prepared for it to expand down here, you will get caught in the wringer. You won't have any money and you won't have any plans. If you have half an idea of what is going on, by looking forward in time and try to come up with an idea of how to handle it. That is part of the remediation plan too. So as you look, not only what we have here today and how do we do with what we have with our old materials, and how we repair them, but also, what are we going to do in the future. We are not going to stop the influx of people.

Ms. Robinson: There are issues, they have been being addressed, and this is an ongoing process whether or not there is new development or not.

Mr. Romeiser: Correct.

Ms. Robinson: So there is not a time frame that you can say in two years we will have the whole problem fixed.

Mr. Romeiser: No, I would guess you are looking closer to 2010, 2012. If I fixed in two years, your sewer rents would quadruple.

Ms. Robinson: If we were to wait, and not allow any kind of development at all, until all of this is fixed, there would be no new business, no new restaurants, no apartments.

Mr. Romeiser: Correct. If he stopped now and said there would be no more repairs on infiltration anymore, I can guarantee within two years the DEC would be here saying you are going to fix it anyway. Then we would be put under consent order. Two things happen. One, everything gets repaired in three years, you footing the bill in three years instead of over a period of time. Second, you also get a fine on top of that from the DEC that you have to pay. So now you are not only paying to get the repairs done in three years, you are also paying a fine on top of that that doesn't help the repair job at all.

Ms. Robinson: Thank you.

Ms. Vienna: She can't see where there has been any big influx of people. She sees a lot of houses for sale that people are leaving the area which is unfortunate for us, and as for businesses, I'd like to see more coming in.

Chairman Chase: The floor is still open for additional comments.

Mrs. Gorgonzola: In regard to sump pumps, we do not have a drop of water in our cellar; we went down and took pictures, if there is water from this blacktop in the apartments, who is going to take care of my cellar?

Ms. Robinson: Mr. Cirulli's concerns about the wetland are well founded. However, for storm water management, correct me if I'm wrong here (to Mr. Romeiser), in order for storm water management of a project, it is required that the run off, in with the increase of the impervious areas, which is the road, the rooftops, the sidewalks, the parking lots, the runoff has to be less than or equal to pre-development status. That is a given with every development. It is required. Their plans, which we haven't had a chance to see the revised plans here, but their plans here for storm water management do not out fall to the wetlands. They have holding places where the water will re-percolate into the ground. They are not out falling into the wetland. That's not true?

Mr. Pullen: The project is designed to meet NYS Stage 2 Storm Water regulations and with that we have to have a wet pond. So all our swales now will discharge to a pond and the pond will discharge it into the wetland.

Ms. Robinson: Right, but it will be no more than what was going into it before.

Mr. Pullen: Oh, no.

Ms. Robinson: Right. And that's a requirement. And any development project that has to have a storm water pond, to treat the water before it's discharged, so it doesn't barrel into there, it settles out and is release at a reduced rate. So that the whole idea that that wetland is going to be made larger, or become more saturated, is erroneous.

Anne Romeiser: She didn't answer her question. She was worried about the water coming into her basement.

Mr. Pullen: People on State Street don't have to worry, because the land slopes away from State Street.

Mr. Cirulli: She did say that the wetland wouldn't grow.

Ms. Robinson: They shouldn't become any larger.

Mr. Cirulli: You have to look at some pictures because they have grown considerably over the years. Then you talk sump pumps thrown into the sewer system, we have thirty-five homes up there on the other side of the lift station. The village sent this letter out, not me.

Ms. Robinson: But the storm water won't be going into the (sanitary) sewer system.

Mr. Cirulli: They're (the village) concerned about those thirty-five homes on the other end of that lift station going into the sewer system with sump pumps, they found less than ten. Now we are going to dump 72 units into that same sewer system, where people are going to take showers, run laundry, use the toilets and everything else and its going to be more that those 35 sump pumps. Correct your problem first before you make it worse. You don't have water in your basement and say you're going to throw more in. Then worry about the problem, no you take care of it first. Fix the problem first. You don't add more to it.

Chairman Chase: Are you asking them (the village) to fix the 35 houses that have water in their basement?

Mr. Cirulli: No, I'm saying. This board, the zoning board and the village board should be truthful and forthcoming with everything to the taxpayers of this community.

Chairman Chase: We have Mr. Cirulli, we have.

Minor disruption with Mr. Chase stating that the Planning Board is not the Zoning Board.

Mr. Cirulli: But the Planning Board made a recommendation.

Chairman Chase: Yes, we did. We made a positive recommendation.

(Unable to decipher tape at this time)

Ms. Robinson to Mrs. Gorgonzola: Did your question get answered?

Mrs. Gorgonzola: Not really. Who's going to guarantee, or give another excuse, if the water does come into my cellar?

Ms. Robinson: The water goes the other way. It's flowing away from your house.

Mrs. Gorgonzola: Well, there is water coming across State Street, down by Merrick Ave.

Mr. Bogner: That is a whole different situation. That is a lot lower than where you are.

Ms. Frederick: The question wasn't answered. Now, we are saying you have all this engineering as if all the time this engineering is accurate. Have there never been a time when they are wrong, or the Army Corp of Engineer, have they never built anything that, well, you know, like these dams. So all her question was, it is possible, it doesn't matter how many man made things can be built to protect, but right now, there is no flooding, so after this building that goes on, if flooding comes to her basement, who will cover it. Now there was an instance in Seneca Falls, where a building was going on behind this woman's house. She had no problem with flooding. I don't know the whole circumstances, but after everything was finished she did have water in her basement. So it is plausible, that it is possible, that she could get water in her basement when this is done.

Ms. Robinson: Only if water flows uphill.

Mr. Pullen: The (inaudible) of the land flows north to south. Away from State Street.

Mr. Cirulli: Groundwater?

Mr. Pullen: Surface water.

Mr. Cirulli: You have (ground) water that flows across State Street and goes to Pratt Road.

Mr. Pullen: If you have ground water now our project is not going to change that. Regardless of how many hard surfaces we have, the only thing that the hard surface do on a project is that is makes that water move quicker along the surface. We have so much area, about 13 acres, and when rainfall comes down on 13 acres, that all that can go in the ground.

Ms. Robinson: And you won't be having basements, so you will not be intercepting any ground water or moving it any place different that where it is going now.

Ms. Pullen: Correct.

Mr. Bogner: The ground water we have in this village runs along the top of the dolomite shelf. They are not going to be disturbing the dolomite shelf. So the ground water flow now, whatever it is now, will remain whatever it is long after those apartments

are there, long after everybody in this room is dead. Because that dolomite isn't going anywhere.

Ms. Robinson: Because they are building on top of the ground, they are not building basements; they are not disturbing what's in the ground.

Mr. Cirulli to Mr. Bogner: Are you familiar how big that wetlands was?

Mr. Bogner: I'm familiar with what it was 20 years ago when I moved here. A lot of the problem is poor drainage down by Spancrete and T. Chunko's (West end of State Street) where that swamp originally drained. You go down there now, and it's a trickle that goes through there. When I first moved here that creek use to flow, it doesn't do that anymore. So there in lies the problem, is that down by Spancrete, down in that area, where everything is cat tailed, dammed up, and silted up, that is restricting the flow so when that does it, it spreads it back.

Mr. Cirulli: If that is the case, then they should never have been allowed to dam it up.

Mr. Bogner: It's called nature, it's what happens. Silt fills in and nature takes over. It's called sediment and erosion.

Mr. Cirulli: That's not the case. There use to be a ditch along that north shore to that track that has been filled by Spancrete (Old Castle), with a berm. That's what happened. That wasn't filled by nature.

Chairman Chase: Is there anything else anyone wants to add?

Chairman Chase stated that no action will be taken tonight due to the late submittal of the revised plans so the public hearing will remain open to October 2, 2007. We will address this proposal again at the next planning board meeting October 2, 2007. Chairman Chase thanked everyone for coming this evening and for their input.

REGULAR PLANNING BOARD MEETING SEPTEMBER 04, 2007

Present: Michael Chase, Chairman
Gary Bogner
Vincent DelGatto, Jr.
Judy Robinson
Daniel Cianfoni

Absent: None

Others attending: Pat Nicoletta

Recording: Rita J. Gurewitch, Deputy Clerk/Treasurer

ROCHESTER INSULATED GLASS

MRB Group, village engineers and Costich Engineers, representing Rochester Insulated Glass have continued to address items on the submitted site plans to meet with approval.

The SEQR process and public hearings for this project were completed by the Ontario County Industrial Development Agency, as RIG is seeking funds from that agency. A Public Hearing was held on April 20, 2007 and was published in the Canandaigua Daily Messenger. It was determined that the IDA is the lead agency on this project and the Manchester Planning Board acknowledges the IDA as Lead Agency. A Full Environmental Assessment Form was completed and it was determined that the project will not result in any large and important impact(s) and, therefore, is one which will not have a significant impact on the environment, therefore a negative declaration was prepared. Signed by Michael J. Manikowski, CEO/IDA as responsible officer in Lead Agency and signed by Thomas Harvey, OCPD as preparer. Dated May 31, 2007.

(See attached Resolution of the Ontario Co. Industrial Development Agency)

Ms. Robinson voiced concerns that they have not applied to the Army Corp of Engineers for a permit for the storm water management which drains into the wetlands.

According to Mr. Nicoletta, RIG still needs to verify the extent of the wetlands at that location. They have indicated that they will do a delineation which has not been seen as yet.

Gary Bogner made a motion to accept the SEQR completed by the IDA contingent on the fact that the wetland issues be addressed and taken care of, along with any permits needed, seconded by Vincent DelGatto, voted on and unanimously carried.

Chairman Chase asked if RIG had made the requirements requested at last month's meeting and have they started breaking ground. Mr. Chase asked the clerk to check with Code Enforcement Officer Steve DeHond if a permit was issued and the 10 items were met.

Mr. Bogner made note that the only run-off impervious surface would be the roof; everything else is ballast, so it drains. The only place it doesn't drain is over where the ground is near the dolomite near the wetlands.

RECOMMENDATIONS TO THE ZBA

GREG JOHNSON – 97 STATE STREET

Mr. Johnson submitted an application to put an addition on an accessory building on his property. Village code states accessory buildings cannot be over 200 sq ft. Mr. Johnson is requesting to put a 10' x 10' addition that will not exceed 300 sq ft.

Mr. Bogner noted that the property has more than adequate acreage and that all setbacks are within code.

After a discussion, Vincent DelGatto made a motion to forward a positive recommendation to the Zoning Board to grant Mr. Johnson an area variance, seconded by Gary Bogner, voted on and unanimously carried.

EDWARD & GALE MOTT - 45 NORTH AVENUE

Mr. & Mrs. Mott did not provide enough information in their application to add a building on their property for a recommendation to be sent to the ZBA. Since they have a garage on premises, this building would be an auxiliary building, not a garage. There is no surveyor's map provided or the total land to be occupied. Also need to determine the square footage of said lot with maximum building coverage. Questions also included set backs and right of ways. Neither a positive or negative recommendation was voted on.

The next planning board meeting will be October 02, 2007 at 7:00 pm.

Meeting was adjourned upon motion at 9:30 pm

Respectfully submitted,

Rita J. Gurewitch