

Planning Board Members: Steve Cullum, Chairman
Kevin Marks
Patti Brandes
David Domina
Mark Smith, Co-Chairman

Agenda

1. **Call to Order:** Chairman Steve Cullum called the Thursday, December 8, 2022 Village of Scottsville Planning Board meeting to order at pm.
2. **Pledge of Allegiance**
3. **Roll Call:**
4. **Approval of Minutes:**
Motion: made by and seconded by to approve the minutes of the Thursday, November 10, 2022 Planning Board Meeting as submitted.
Vote: Carries (-)
Steve Cullum Patti Brandes
Kevin Marks David Domina
Mark Smith

**LEGAL NOTICE
VILLAGE OF SCOTTSVILLE**

At pm Chairman Cullum reopened the October 13, 2022 public hearing to consider granting a special use permit for 39 Main Street, Scottsville, NY contingent on the receipt of a complete application including a site plan and SEQRA Review.

Discussion:

Public Hearing closed at

Motion: made by and seconded by to grant the special use permit for 39 Main Street, Scottsville, NY.
Vote: Carries (-)
Steve Cullum Patti Brandes
Kevin Marks David Domina
Mark Smith

5. **New Business**

6. **Old Business**

7. **Adjournment:**

Motion: made by

Vote: *Carries (-)*

Steve Cullum

Kevin Marks

Mark Smith

and seconded by

Patti Brandes

David Domina

to adjourn the meeting at

pm.

Village of Scottsville Planning Board Meeting
 Thursday November 10, 2022 at 7:00 pm
 Wheatland Municipal Building
 22 Main Street
 UNAPPROVED Meeting Minutes

1. **Call to Order:** Chairman Steve Cullum called the Thursday, November 10, 2022 Village of Scottsville Planning Board meeting to order at 7:33pm.

Pledge of Allegiance

Roll Call:

Steve Cullum
 Kevin Marks
 David Domina
 Mark Smith

Absent: Patti Brandes

Also Present: Andy Fraser, Deputy Mayor
 Emily Clarke, Deputy Clerk
 Anne Hartman, Village Clerk
 Bob Hatch, Fire District Engineer

Attorney: John Mancuso

2. **Approval of Minutes:**

Motion: made by Kevin Marks and seconded by David Domina to approve the minutes of the Thursday, October 13, 2022 Planning Board Meeting as submitted.

Vote: Carries (4 -0)

Steve Cullum *AYE*

Patti Brandes *ABSENT*

Kevin Marks *AYE*

David Domina *AYE*

Mark Smith *AYE*

LEGAL NOTICE VILLAGE OF SCOTTSVILLE

At 7:34pm Chairman Cullum reopened the October 13, 2022 public hearing to consider granting a special use permit for 39 Main Street, Scottsville, NY contingent on the receipt of a complete application including a site plan and SEQRA Review.

Discussion:

No Discussion.

Public Hearing closed at 7:35pm.

Motion: made by Steve Cullum and seconded by David Domina to close the public hearing to consider granting a special use permit for 39 Main Street, Scottsville, NY.

Vote: *Carries (4-0)*Steve Cullum *AYE*Kevin Marks *AYE*Mark Smith *AYE*Patti Brandes *ABSENT*David Domina *AYE***Table the Public Hearing**

Motion: made by Kevin Marks and seconded by Mark Smith to table the public hearing to consider granting a special use permit for 39 Main Street, Scottsville, NY to December 8, 2022.

Vote: *Carries (4-0)*Steve Cullum *AYE*Kevin Marks *AYE*Mark Smith *AYE*Patti Brandes *ABSENT*David Domina *AYE*

Village of Scottsville NOTICE OF PUBLIC HEARING

Public Hearing for subdivision of property as outline in chapter 145 of the code of the Village of Scottsville

At 7:38pm Chairman Cullum reopened the September 8, 2022 public hearing regarding an application for subdivision approval regarding property located at 385 Scottsville-Mumford Road by the Wheatland-Scottsville Joint Fire District and owned by the Village of Scottsville. Subdivision review to be done in accordance with the requirements of Chapter 145 of the Code of the Village of Scottsville.

Discussion:

Bob Hatch, Schultz Associates: Understands that the Board of Trustees met with the Fire District to iron out details, at this point we are still on hold.

Trustee Fraser: Those details should not hold up the subdivision, the discussion to continue is about the ballfield.

Attorney Mancuso: Remove the condition that dealt with the parking, this is a preliminary approval, the Board and myself are comfortable with approving this preliminary subdivision and iron out those conditions and easements when the final approval is given.

RESOLUTION

APPLICATION by Wheatland-Scottsville Joint Fire District (the “Fire District”) for the subdivision of an 8.843-acre portion of real property owned by the Village of Scottsville (the “Village”) located at 385 Scottsville Mumford Road in the Village (Tax Parcel No. 199.16-1-1.11) containing an existing fire station.

WHEREAS, the Village of Scottsville Planning Board (the “Planning Board”) has examined an application by the First District requesting subdivision approval with respect

to an 8.843-acre portion of real property owned by the Village located at 385 Scottsville Mumford Road in the Village (Tax Parcel No. 199.16-1-1.11); and

WHEREAS, the Planning Board has examined the application, maps, and other materials filed with the application, and all comments and reports from Village professional staff, the public, and other interested and involved agencies associated with the application; and

WHEREAS, on September 8, 2022 and continued on October 13, 2022, the Planning Board held a public hearing on the application, and notice was posted as required by law; and

WHEREAS, the Village Board of Trustees has previously undertaken a coordinated review and issued a Negative Declaration with respect to the proposed action pursuant to the New York State Environmental Quality Review Act.

NOW, THEREFORE, BE IT RESOLVED, that the Planning Board grants preliminary subdivision approval to the Fire District to subdivide an 8.843-acre portion of real property owned by the Village located at 385 Scottsville Mumford Road in the Village (Tax Parcel No. 199.16-1-1.11) as shown on the plat of Lot 1 titled "WHEATLAND-SCOTTSVILLE JOINT FIRE DISTRICT SUBDIVISION" prepared by Schultz Associates Engineers & Land Surveyors, P.C. dated November 6, 2021 and revised October 11, 2022 (Project No. 21.125); and

BE IT FURTHER RESOLVED, that the following conditions are hereby imposed upon preliminary subdivision approval:

1. The Fire District shall comply with all comments of the Monroe County Planning Department.
2. The Fire District shall comply will all comments of the Village's engineer dated September 1, 2022.
3. The approval is subject to final approval by the Village's engineer.
4. The Fire District shall comply with all applicable local, state, and federal laws.
5. The Village Board of Trustees shall approve the form and location of the proposed sanitary sewer easement.
6. The Village Board of Trustees shall approve the form and location of the proposed access and utility easement.

Motion: made by Steve Cullum and seconded by Mark Smith to adopt the resolution as proposed by the Village Attorney for preliminary subdivision approval.

Vote: *Carries (4-0)*
Steve Cullum *AYE*

Patti Brandes *ABSENT*

Kevin Marks *AYE*
Mark Smith *AYE*

David Domina *AYE*

Fire Marshall Report:

Building Inspector:

- Temporary Certificate of Occupancy issued to the warehouse addition located at CooperVision. Currently being used for temporary storage while the interior portion is completed.
- Certificate of Appropriateness issued by the HB for a shed located at 32 Rochester Street.

Fire Marshal:

- 34 Scottsville West Henrietta Rd- Tenants in part of the home displaced by a bedroom Fire. Apt 1 has been posted for no occupancy. Can only be occupied for removal of belongings and cleanup from 9am- 5pm only. Owner of home working with insurance company.

Code:

- Look for 67 Rochester Street to begin cleaning up the property, new tenants moving in possibly soon. They are aware what needs to be cleaned.
- Complaints about the noise level at Heany

7. **New Business**

No new business.

8. **Old Business**

No old business

9. **Adjournment:**

Motion: made by David Domina and seconded by Steve Cullum to adjourn the meeting at 7:52pm.

Vote: Carries (4-0)

Steve Cullum *AYE*

Kevin Marks *AYE*

Mark Smith *AYE*

Patti Brandes *ABSENT*

David Domina *AYE*

Respectfully submitted by,

A handwritten signature in black ink that reads "Emily Clarke". The signature is written in a cursive, flowing style.

Emily Clarke, Deputy Clerk



Department of Planning & Development
Monroe County, New York

Adam J. Bello
County Executive

Ana J. Liss
Director

To: Village of Scottsville Planning Board, Zoning Board

From: Yixuan Lin, Planner 2 *yl*

Date: November 21, 2022

Subject: Bears Playgrounds
 39 Main St, Scottsville 14546
 Applications are for a use variance and design review approval for manufacturing, distribution and sales of playground equipment.
 MCDP&D Response to Development Review Referral (SV22002)

Review Authority and Response:

General Municipal Law: Section 239-m (Zoning)
 Approval Modification Disapproval Comment No Comment
 Section 239-n (Subdivision)
 Approval Modification Disapproval Comment No Comment

County Charter: Section C5-4.A (Airport)
 Approval Approval with Conditions Disapproval
 Section C5-4.C (Advisory Review)
 Comment No Comment

Previously Reviewed by MCD&P (if yes, previous referral response applies to this referral):

Yes No

Referred to the Development Review Committee (DRC) (If yes, DRC Project Review Report attached):

Yes No

MCDP&D Comments:

1. According to the Flood Boundary and Floodway Map published by the Federal Emergency Management Agency this site may be located within the federal flood insurance program's 100-year floodplain boundary. The municipality's permit administrator should be satisfied that the proposed development will meet the requirements of the National Flood Insurance Program in order for the municipality to maintain eligibility in the program and for the applicant to obtain flood insurance.
2. The subject parcel is within 500 feet of the Town of Wheatland's municipal boundary. The clerk of the board should provide written notice to the neighboring municipality in accordance with General Municipal Law 239-nn.
3. Applicants are encouraged to contact other County Departments and non-county agencies to ensure all permitting requirements for this project have been satisfied.
4. According to the New York State Department of Environmental Conservation (NYS DEC) and the United States Geological Survey National Hydrography Dataset (USGS NHD) it appears a portion of a stream is located on the subject property. Streambanks, sometimes called riparian zones or stream corridors, are the link between land and water, and the health of streams depends in large part on the condition of the streamside. Research has shown that naturally vegetated corridors along streams provide numerous benefits essential for human health and welfare. Healthy stream corridors can reduce flooding downstream; trap sediment; remove dissolved contaminants; provide shade; contribute leaf matter (important for insect food and fish habitat); provide wildlife habitat; offer recreational opportunities; and

increase aesthetic value and desirability of a property.

In order to protect the stream corridor, mitigate potential flood impacts on downstream properties and prevent contaminants from entering the stream consider the following:

- Maintain a healthy, vegetated streamside buffer by preserving trees and shrubs along the stream edge.
 - Limit tree cutting to removal of large branches that fall into the stream and divert streamflow and cause erosion.
 - Minimize channelized storm flows through the streamside buffer to filter contaminants and reduce erosion.
 - Reduce impervious areas near the streamside and, where necessary, use stone or brick instead of pavement and concrete for driveways and walkways.
 - Exclude vehicles, livestock, or excessive pedestrian traffic.
 - Reduce or eliminate buffer area exposure to fertilizer, herbicides, pesticide, animal waste, household and automotive chemicals, trash, debris, and piles of leaf litter.
 - Maintain septic systems.
5. New York State Law has specific legal requirements for granting a use variance that can be found in *§267-b of the New York State Town Law, §7-712-b of the Village Law, or §81-b of the General City Law* and should be reviewed in preparation for hearing an application for a use variance.
6. Article 25AA of the New York State Agriculture and Markets Law, titled Agricultural Districts, provides counties with the opportunity to create agricultural districts for the purpose of protecting and promoting the agriculture industry. This project occurs adjacent to Monroe County's Western Agricultural District.

According to our review of recent aerial photographs and the agricultural district maps, this project occurs within 500 feet of land in agricultural production in Monroe County's Western Agricultural District; therefore, an Agricultural Data Statement may need to be submitted for this project as required in Section 283-a of Town Law and Article 25AA of the New York State Agriculture and Markets Law. A Monroe County Agricultural Data Statement form can be found at www2.monroecounty.gov/files/planning/farm-AgriculturalDataStatement.pdf. If an agricultural data Statement form is necessary, the clerk of the board should mail a written notice of the application to the owners listed on the Agricultural Data Statement.

Development of this property should be designed so that it does not alter existing drainage facilities used by adjacent parcels. If the land is being farmed, the applicant is encouraged to contact the adjacent farmer and the Monroe County Farmland and Agriculture Protection Board to discuss the proposed development. For further information regarding the Monroe County Farmland and Agriculture Protection Board and the Monroe County Agricultural and Farmland Protection Plan, the applicant should contact: Bob King, Senior Agriculture Specialist, (585) 292-2065

7. According to the New York State Department of Environmental Conservation (NYS DEC) classification of fresh surface waters the segment of 821-64 located on this site is a protected waterway. The Protection of Waters Program regulates the following activities: disturbance of the bed or banks of a protected stream or other watercourse, construction and maintenance of dams, excavation and/or filling in navigable waters, and construction of docks and other moorings. Any disturbance of the streambed or banks may require an Article 15 Permit from the DEC. For additional information regarding the need for a permit, the applicant should contact: NYS DEC Permit Administrator, (585) 226-5400
8. According to the National Wetland Inventory (NWI) maps prepared by the United States Department of Interior, this site appears to contain a portion of a federal wetland that is classified as R2UBH. Although a buffer area is not required, it is beneficial to the wetland if a natural buffer of 100 feet is left around it. In addition, please note that, while the NWI maps are based upon aerial photography and not field data, they are a strong indicator that wetlands regulated by the U.S. Army Corps of Engineers (Corps) may exist on your project site. Final verification of the location of federal wetlands can only be determined through an on-site delineation. The applicant may need to obtain a permit from the Corps. For further information regarding the need for a permit, the applicant should contact: Steven V Metivier, (716) 879-4314

If you have any questions regarding this review, please contact me at 585-753-2026 or YixuanLin@monroecounty.gov.

xc: Development Review Committee
Marcye Bears, Bears Playground
Village of Scottsville
Bob King, Agriculture and Life Sciences Institute
Monroe County Planning & Development
New York State Department of Environmental Conservation
Steven V Metivier, United States Army Corps of Engineers

Subject: Attachment to File SV22002
Bears Playgrounds
39 Main St, Scottsville 14546

The Monroe County Development Review Committee (DRC) has reviewed the subject application and have the following comments that need to be addressed prior to submission of final plans for approval.

Monroe County Department of Health (MCDOH), Contact Brett Gobe (585-753-5459) with questions.

1. Plan Approval by the Monroe County Department of Public Health NOT required.

Monroe County Department of Transportation (MCDOT), Contact John Raymond (753-7711) with questions.

1. The Monroe County Geodetic Survey Monumentation Network provides the framework for all positioning activities (latitude, longitude, elevation) in Monroe County. In order to preserve geodetic survey monuments, the location of monuments in the vicinity of the project should be evaluated. It is the responsibility of the Developer to see if a monument is in or near the work area by utilizing the [Monroe County GIS Interactive Map Gallery GPS Base Stations & Survey Monuments map](#); plotting the location of any monuments within the proposed construction area and by e-mailing full site plans and a request for review to the County Surveyor, at gregorybly@monroecounty.gov. A security deposit and a survey monument monitoring report may be required to protect any monumentation located in or near the work area. Contact Gregory D. Bly, PLS, at (585) 753-1156 if you have questions.

Monroe County Department of Environmental Services (MCDES), Division of Pure Waters, Contact Richard Bianchi (753-7614) with questions.

1. No Comment

New York State Department of Transportation (NYSDOT), Contact Zachary Starke (272-3472) with questions.

1. No Comment