

TOWN BOARD MEMBERS PRESENT:

Steven J. Walters	Supervisor
Michael Quinn	Councilman
Cheryl Potter-Juda	Councilwoman

ALSO PRESENT: Catherine A. Rybczynski, Town Clerk; Mary Dosch, Sr. Account Clerk; Walter Rooth III, Town Attorney; Michael Williams, Chief of Police; Gerard Kapsiak, Town Engineer; Sarah desJardins, Planning Consultant; Amy Ziegler, Deputy Supervisor

Supervisor Walters asks that Ms. deJardins comment on the Shaw & Shaw rezoning request.

Ms. desJardins responds that Mr. Reilly gave them a memo outlining what they could do concerning the project. They could approve the project as it is, they could ask the Planning Board to revisit it if there are concerns that haven't been met, they could ask the applicant for additional information, or they could issue a Positive SEQR Declaration for the project.

Ed Bukowski comments that he is the President of the Berkley Square Homeowners Association and Mr. Ziembra is the President of the Berkley Place Homeowners Association. Berkley Place abuts the property on the west side of the property line and Berkley Square abuts the property on the north side of the property line.

Ms. desJardins comments that the Shaw's invited the neighbors to a meeting on Thursday.

Councilman Quinn questions what the Berkley Associations concerns are on the project.

Mr. Ziembra responds that they have a list of concerns. They talked to the builder and both Shaw brothers about it. They told them they are willing to work with them. There have been some changes from when they started. It started out as 46 units and now it is up to 48 units. They have concerns about traffic safety. There is only one entrance and exit out of it. There has been talk of an exit onto South Park. They are concerned about drainage, parking spaces and placement of snow.

Mr. Bukowski comments that he has three major concerns. One is the fact that the plot of land that is being used is about 8 to 15 feet higher than eight of their townhouse units that adjoin the property. They have drainage concerns. The second major concern is privacy. The eight units on the southeast corner of Tisbury would be affected. The third issue is traffic. The people in the southern parts of Berkley like to use the Bayview Road exit, which leads to South Park. There is traffic along Bayview Road all day long because of the High School and related activities.

Don Wiess comments that a letter was coming from the Superintendent of Frontier Central Schools. He is not for or against the rezoning but is concerned about traffic safety. There has been no communication from the Planning Board to the Frontier Central Schools. His concern is that they should be asked for input.

Ms. Desjardins comments that the Planning Department does not notify for rezonings it is the Legal Department and the distance for notification is 500 feet.

Mr. Ziemba comments that they were not notified until late December. The Town told him that there was a computer error and they sent it to the Manager and it should have been sent to the unit owners. All 76 Unit owners are within 500 feet. That was the reason for the delay in response.

Mr. Shaw comments that most of the concerns that the neighbors have raised tonight have been heard before. The concerns will go to the Planning Board after the rezoning is approved. The next step would be to approve the site plans, traffic flow, ingress and egress, aesthetics, additional trees, additional berms, etc. Any development will require a tie in to the storm sewers and sewers on South Park Ave. Currently the zoning status allows some commercial development such a restaurant or a small strip plaza which, in his opinion, would have a more significant impact on traffic flow than this development. They propose to construct a two-lane ingress and egress route roughly adjacent to the Riley Ave. cut-through. The Supervisor has requested, from the State, a traffic study as it relates to a signal at Route 20 and Riley Ave. People who live in Berkley Square exit on Riley to get to Route 20 particularly when they are moving in a westerly direction on Route 20. There is also the round-about on Big Tree if they are heading north to Blasdell. This calls for 4 buildings on 3.4 acres, 12 units per building, all self-contained with laundry units. This is a high-end development and they have proposed to do additional landscaping. Under no circumstances will the folks on Tisbury be able to see the folks in the apartment from their backyard. Under this plan the drainage will be re-routed to South Park which should favorably impact them. Also, with regard to traffic, if there are 48 units there will be around 90 cars. Traffic congestion is less than 5 years ago. Riley Road and the Big Tree round-about have helped along with the school buses not all arriving at the same time. The only way to prevent additional impact is to leave it forever green. They would consider an exit only, right turn onto South Park Avenue. They have canvassed the majority of Berkley homeowners and they are in favor of this, the last thing they want is a fast food chain going in there or a small plaza. Once this property is fully developed the annual Town and School tax bill will be approximately \$105,000 easing the tax burden. They have turned down an office park and a Walgreens in the past in deference to the residential character of the neighborhood.

Councilman Quinn comments that he is inclined to approve this.

Supervisor Walters responds that they can approve it with conditions. There will not be a resolution tonight. They should come to a consensus and come up with ideas for conditions for the project. He doesn't feel that the project warrants a positive declaration, nor a referral back to the Planning Board. He shares some of the residents' concerns but acknowledges the fact that there is a Planning process they still have to go through. The Town Board can strengthen some of the concerns through conditions. He asks Ms. desJardins to put together a resolution to be discussed at the next work session.

Ms. desJardins reports on the Lockwoods rezoning request. They have requested a rezoning of property that was zoned industrial because they want all their property to be zoned correctly. The rezoning request was approved last year, however one of the conditions was that they plant a row of trees between their new parking lot and the home that is in front of the parking lot. It took a while to get them to agree to the type, height and spacing. They finally did and the neighbors are happy but so much time has passed between approving the resolution and the installation of trees that they have to go through the process again.

Supervisor Walters asks if Councilman Quinn and Councilwoman Potter-Juda have had a chance to review the harassment and workplace violence policies. Councilwoman Potter-Juda responds that she would like to review the changes before signing.

Supervisor Walters comments that Mary Eisenhauer was in charge of both the Choices program and the Employee Assistance Program and he would like to know who will be handling it moving forward.

Walt Rooth responds that he has talked to both Councilmen to hire back Mary Eisenhauer for the Choices Program. He has been trying to put together a proposal to find someone for the E.A.P.

Supervisor Walters comments that Karen Kaczmierski has been appointed by the Library Board to fill the term of Martha Salzman who retired from the Board. The Town Board is the appointing authority and has always accepted the recommendations of the Library Board. He would recommend that they pass the late resolution.

Supervisor Walters comments that he has a late resolution for the VFW Post 1419 to conduct their annual "Buddy" poppy campaign in May.

1.

On a motion of Supervisor Walters, seconded by Councilman Quinn, the following resolution was

ADOPTED	Ayes	3	Walters, Quinn, Potter-Juda
	Noes	0	

RESOLVED, that the Town Board move into Executive Session at 6:40 pm on two personnel matters regarding specific employees in specific departments and a matter involving contract negotiations.