

TOWN OF CLARKSON
TOWN BOARD MEETING
July 23, 2014

The Town Board of the Town of Clarkson held their regular meeting on Wednesday, July 23, 2014 at the Clarkson Courthouse, 3655 Lake Road, Clarkson, NY at 6:00 PM.

PRESENT:

Paul Kimball	Supervisor
Allan Hoy	Councilperson
Christa Filipowicz	Councilperson
Patrick Didas	Councilperson
Jackie Smith	Councilperson
Sharon Mattison	Town Clerk
Robert Viscardi	Highway Supt.
Richard Olson	Attorney for the Town

ALSO:

Kristin Coon	Ass't to Supervisor
** Christopher Lyon	Assessor
Chad Fabry	Building Insp/Code Enf.

**excused

Supervisor Kimball opened the meeting, and Sharon Mattison, Town Clerk led all those present in the Pledge of Allegiance. A moment of silence was observed for those serving in the military.

OPEN FORUM

Michael Bove of Monroe Ambulance reported that Strong West is scheduled to open its Emergency Department on either July 28th or August 4th. They have elected to contract with Monroe Ambulance; therefore, a third ambulance will be stationed in Brockport. He added that the new Emergency Department will have three observation beds and that a physician will be on-site 24/7. He stated that per New York State Department of Health laws, Strong West will be considered an Article 29 facility, an emergency department minus inpatient beds.

PUBLIC HEARING TO CONSIDER REZONING; APPLICATION OF ALANTIC FUNDING AND REAL ESTATE, LLC

Supervisor Kimball opened the public hearing at 6:05 P.M.

Town Clerk S. Mattison read the legal notice. Supervisor Kimball read the applicant's letter of intent. Attorney for the Town, Richard Olson stated that this public hearing is for zoning of the parcel. If the incentive zoning is approved, the project will then be subject to site plan review by the Planning Board. This is the first time that the Town of Clarkson has considered incentive zoning. To make a determination the Town Board needs to consider input from the public, impact on the environment, comments from other government agencies, including Monroe County Planning, NYS and Monroe County Department of Transportation. A traffic study has been performed by Frank Dolan of Bergmann Associates who was present to answer traffic related questions. The Town of Clarkson's Conservation Board has completed a preliminary review. Attorney Olson elaborated further on the concept of incentive zoning. He also mentioned that all documentation received thus far on this proposed development has been posted on the Town website for public review. Al Spaziano, Manager of Alantic Funding and Real Estate, provided a detailed description of the proposed development, including the diverse designs to be utilized. He also explained the different phases of the project. Mike Tremiti, CFO of Morgan Management LLC and Chris Centola of Costich Engineering were present to answer questions related to the project. A lengthy question and answer session followed.

Q: James Duprey, President of Maple Ridge mobile home park, 7 Alice Lane questioned whether or not a fence would be built separating the two properties so that residents of the new project would not be able to wander into the mobile home park.

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A: Mr. Spaziano explained the location of the various buildings. There is a hedgerow in place now that will remain. There are no plans for a fence at the present time. C. Centola added that if there is a trespassing issue in the future, the addition of a fence may be considered.

Q: Susan Alexander of 3746 Sweden Walker Road questioned the entrance location.

A: Mr. Spaziano answered that there is no entrance off 260.

Q: Sue Melton of 13 Amenity Drive is concerned about the increase of traffic coming onto East Avenue and questioned whether or not a traffic light will be installed. She also questioned the need for additional apartments in the area. Will there be buses to transport residents to places like Wegmans?

A: A. Spaziano replied that the apartments in question on West Avenue are assisted living. He added that according to a market study that was performed of the area, there is a need for additional apartments. He explained the different turn lanes coming out onto East Avenue, namely a right turn lane, a staging lane to turn left, and a right lane in. There will be small buses available for transportation.

Q: Jim Melton of 13 Amenity Drive had questions about the tax situation, flood control and the increased traffic issues.

A: P. Kimball explained that a retention pond will have to be created for the creek, which is a Class C creek. There will be 370 units with an estimated assessed value of \$20 million. The property owner would be responsible for the taxes. The property owner would also have to maintain the road, sidewalks, water and sewer, so there would be no demand on Town services.

Q: John Lemke of 93 Gallup Road asked if the Town Board does not grant the incentive zoning will the project go forward.

A: P. Kimball said the project could not go forward without the incentive zoning because of the zoning requirements.

Q: Harold Mundy of 85 Mission Hill Drive questioned whether the same tax rate applies to the developer as other homeowners.

A: P. Kimball replied that from a Town perspective, they will receive a tax incentive. In return for that, the \$375,000 check that we would receive is the equivalent to offset the taxes. We would basically receive \$375,000 of property tax up front and at the end of ten years; the property would be fully taxable. So, from a town perspective, we are not losing anything.

Q: Tom Trapp of 36 Sugar Tree Circle inquired if the Bergmann Assoc. traffic study was available to the public.

A: P. Kimball replied that it is; it is currently on the Town website.

Q: S. Melton asked who will be responsible for ensuring that the developer maintains the property.

A: P. Kimball replied the Town Building Inspector/Code Enforcement Officer, Chad Fabry. C. Fabry explained that this project would fall under the same scrutiny as any other property in town. They have to maintain a certain standard for property maintenance and as mandated by NYS property maintenance code and Clarkson Town Code. P. Kimball gave an example of Wellington Woods originally built in 1978, which has been updated. The owners have to do improvements if they want to attract tenants.

Q: Jerry McAllister of 3318 Lake Road asked if the developer would provide the Town \$375,000 annually.

A: P. Kimball said the \$375,000 is a one-time, upfront payment, equivalent to ten years of property taxes.

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Q: Norm Minch of 10 Stag Creek Trail had concerns about traffic control, particularly when turning left onto Sweden Walker Road while traveling west on Ridge Road.

A: F. Dolan of Berman Associates initially gave a brief summary of his credentials. He went on to explain that the traffic study was performed in April, when all schools were in session. Actual traffic counts were performed for 3-hour time slots both in the morning and again in the afternoon at peak traffic times. P. Kimball added that NYS controls both Sweden Walker Road and Ridge Road and they will be reviewing traffic control and giving their recommendations and/or requirements.

Q: Diana Niedermeier of 3810 Sweden Walker Road is very anxious about the increased traffic. Additionally she asked if there was a limit on the number of people living in each unit. She questioned the need for commercial space on Ridge Road and whether or not the Town of Sweden will have any input on this project.

A: A. Spaziano said the rental applications require a list of all persons to live in each unit.

Q: Larry Foote of 120 Cassidy Way questioned whether or not the church and/or the abandoned Garland were part of this project.

A: A. Spaziano answered no.

Q: J. Melton commented that this area cannot accommodate any further traffic. This project is not a hamlet-style and is much too large for the community. He also questioned the tax situation and would prefer the Town look for something that falls under the existing zoning that would provide a better tax base and more jobs for Clarkson.

A: Mr. Spaziano explained that in the first two years, while the property is under construction, they would be paying on the land only. When buildings are up and stable, 24 months from the first building permit, the property is fully assessed and we pay 50% of the that assessment and in year three. For ten more years this amount goes up 5% per year until it reaches 100%. So the tax burden grows on the property by the year.

Q: Kirk Golden of 47 Tearose Meadow Lane asked if the school district would be required to sign off on the incentive zoning.

Q: What would the tax incentives be for the school district?

A: P. Kimball explained that just what is being proposed and asked for: At the end of two years of construction it would be assessed at 50%. At the end of two years, since this is a \$20 million project, the assessment would start at \$10 million. The full rate for the Town of Clarkson is roughly about \$35/\$1,000, so the total taxes in that third year would be \$35/\$1,000 times \$10 million. That is what the actual tax would be. This would grow by 5% every year until at the end of ten years it reaches 100%. NYS property code says any commercial development is allowed to be assessed at 50% and grow by 5% per year. So this is similar to what is available to other businesses.

Q: J. Lemke asked if Alantic Funding should go bankrupt in five years, who would maintain the property in regards to the roads, sewers, water, etc.

A: Mr. Spaziano said the bank would take over and would probably sell. Another developer would come in. He added that with the financing of these new properties, there are huge reserves kept by the banks so that everything stays in good shape. The bank holds a percentage monthly in an escrow account. You have to put constant improvements into these properties. M. Tremity, of Morgan Management, added that this is a strictly regimented operation and commented on the various successful projects by Morgan Management. If you don't maintain the property, people will not want to live there.

Q: H. Mundy stated that he had lived in the Town of Sweden where Mr. Spaziano was involved in a similar project that failed and left Sweden in a predicament. What is Clarkson doing to protect itself from a similar situation?

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A: Mr. Spaziano pointed out that he was just the landowner in that project. His partner, who was the developer, passed away in the middle of that project. Attorney Olson remarked that this project was somewhat unique because of the incentive zoning. If the Town wishes to approve this, after all the facts are available, they would enter into a detailed written agreement with the developer. Phasing of the project would be very important so that if something does stop, the Town is not left with a total project that is incomplete. We would make sure to obtain financial protection in the form of a Letter of Credit so that if the project was stopped, it would be finished to a stage where it wouldn't become a concern. P. Kimball gave an example: In Mission Hill, the developer posted a Letter of Credit guaranteeing that the roads, water, sewer and sidewalks for each different phase would be completed. On the advice/recommendation of the town engineer, when they meet his requirements, funds get released to the developer.

Q: J. Lemke asked Mr. Spaziano how many companies he had been a major owner of have gone bankrupt.

A: Mr. Spaziano answered none.

Q: Mark Whitehair of 3816 Sweden Walker Road questioned that the maximum number of people allowed in each apartment? What is the rent?

A: Mr. Spaziano answered 4 people. Rent is \$1.05/square foot, ranging between \$900 and \$1,300 per month. Demographic studies reveal that the area can support this.

Q: S. Alexander asked how much the duplexes were selling for and whether it would it be possible for seniors or other residents on public assistance to rent these units?

A: Mr. Spaziano replied that these are rental units only, approximately 1,330 square feet in size. This is not affordable housing for those living on assistance.

Q: Ruby Skellen of 40 Alice Lane wants to know if the developer would be targeting college students.

A: Mr. Spaziano said no.

Q: J. Lemke asked for an explanation of the fines incurred by Alantic Funding in regards to a project in the Town of Gates?

A: Mr. Spaziano said this was for EPA, stormwater. This occurred at a time with heavy flood rains. Water prevention systems were in place, but there was unpreventable flash flooding. Since then further enhancements have been made and the project is still going forward.

Q: J. Melton inquired about the commercial potential on Ridge Road, including size and type of retail space is being considered. What if there are no takers on this retail space? Is this 100% rental property.

A: Mr. Spaziano answered that there are two buildings, a total of 10,000 sq. feet. This could be reduced down to be an office, could be done in phases, and ultimately could be apartments if need be. Yes, it is rental property.

Q: K. Golden inquired about the name of the creek on the property.

A: Highway Supt. Viscardi stated that it is known as Brockport Creek.

Q: J. Duprey questioned the exit coming onto Ridge Road.

A: Mr. Spaziano said it will be next to the further piece of property to the west of the mobile home park.

Q: J. Lemke questioned whether or not COMIDA money would be involved in this project? What are the benefits from COMIDA approval?

A: Mr. Spaziano replied that they are asking for COMIDA approval. A benefit would be no sales tax for the property.

Comment: D. Neidermeier questioned how we would be able to fill two buildings of commercial property. She wants to live in the country, not a town.

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Comment: J. Melton remarked that from the comments this evening, it appears that the Board is ready to move forward with this project. He does not feel this is a hamlet style project.

Q: Pete Head of 321 Gilmore Road, asked what are the long-term plans for extending Route 531?

A: P. Kimball basically did a fair amount of design and looked at several different routes. The project is now sitting in "limbo."

Q: D. Neidemeier asked if Sweden has any input into this development.

A: P. Kimball answered no. Councilperson Filipowicz remarked that the Town of Sweden is notified of our public hearings. Attorney Olson added that a legal notice is published in the Hamlin Herald announcing all public hearings.

Q: J. Lemke wondered if the public hearing could be left open. Many residents are on vacation during the summer and that the 6 o'clock meeting time is too early to allow working people to attend.

A: Attorney Olson commented that there is no perfect time to hold these meetings.

Councilperson Didas announced that he is opposed to this incentive zoning proposal. Councilperson Filipowicz echoed the same sentiments. She added that she chaired the Comprehensive Plan Committee who developed the hamlet concept and this is not what the group had in mind.

Supervisor Kimball asked if anyone had any other questions or comments. No one spoke. Supervisor Kimball closed the public hearing for this evening at 7:18 P.M.

***see attached legal notice and applicant's letter of intent at end of minutes**

PUBLIC HEARING TO CONSIDER FRANCHISE AGREEMENT WITH TIME WARNER CABLE NORTHEAST LLC

Supervisor Kimball opened the public hearing at 7:20 P.M.

No one spoke. Attorney for the Town, Richard Olson gave a brief overview of the agreement. Supervisor Kimball closed the public hearing at 7:23 P.M.

MOTION AUTHORIZING THE SUPERVISOR TO SIGN TIME WARNER CABLE NORTHEAST LLC AGREEMENT

Motion by Councilperson Didas

Seconded by Councilperson Hoy

Authorizing Supervisor Kimball to sign franchise agreement with Time Warner Cable Northeast LLC to provide cable television services.

Unanimously carried

RESOLUTION REQUIRING CUTTING OF GRASS; 3770 LAKE ROAD

PRESENT: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Smith

ABSENT: None

Introduced by: Councilperson Smith

Seconded by: Councilperson Didas

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **3770 Lake Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

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Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

Now, therefore, be it resolved:

Section 1. That the Building Inspector is directed to mail and post the notice as set forth in Local Law #2-2009;

Section 2. That if the condition is not remedied within ten (10) days of the notice, the Building Inspector shall notify the Highway Superintendent who is directed to take appropriate action to remedy the condition;

Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Smith

NAYS: None

RESOLUTION REQUIRING CUTTING OF GRASS; 288 LAWRENCE ROAD

PRESENT: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Smith

ABSENT: None

Introduced by: Councilperson Smith

Seconded by: Councilperson Didas

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **288 Lawrence Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

NOW, THEREFORE, BE IT RESOLVED:

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Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Smith

NAYS: None

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RESOLUTION REQUIRING CUTTING OF GRASS; 3250 LAKE ROAD

PRESENT: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Smith

ABSENT: None

Introduced by: Councilperson Smith

Seconded by: Councilperson Didas

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **3250 Lake Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

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Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons Hoy, Filipowicz, Didas and Smith

NAYS: None

RESOLUTION REQUIRING CUTTING OF GRASS; 8470 RIDGE ROAD

PRESENT: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas, Smith

ABSENT: None

Introduced by: Councilperson Smith

Seconded by: Councilperson Didas

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **8470 Ridge Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

Now, therefore, be it resolved:

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07.23.14

Section 2. That if the condition is not remedied within ten (10) days of the notice, the Building Inspector shall notify the Highway Superintendent who is directed to take appropriate action to remedy the condition;

Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Smith

NAYS: None

RESOLUTION REQUIRING CUTTING OF GRASS; 8162 RIDGE ROAD

PRESENT: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Smith

ABSENT: None

Introduced by: Councilperson Smith

Seconded by: Councilperson Didas

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **8162 Ridge Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

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Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Smith

NAYS: None

RESOLUTION REQUIRING CUTTING OF GRASS; 334 GILMORE ROAD

PRESENT: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas, and Smith

ABSENT: None

Introduced by: Councilperson Smith

Seconded by: Councilperson Didas

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **334 Gilmore Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

07.23.14

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

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Section 3. That this resolution shall take effect immediately.

VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Smith

NAYS: None

RESOLUTION REQUIRING CUTTING OF GRASS; 2575 LAKE ROAD

PRESENT: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas, and Smith

ABSENT: None

Introduced by: Councilperson Smith

Seconded by: Councilperson Didas

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **2575 Lake Road, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

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VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Smith

NAYS: None

07.23.14

RESOLUTION REQUIRING CUTTING OF GRASS; 11 LARRIGAN CROSSING

PRESENT: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Smith

ABSENT: None

Introduced by: Councilperson Smith

Seconded by: Councilperson Didas

Whereas, the Town Board has received a report from Chad Fabry, Building Inspector that property at **11 Larrigan Crossing, Clarkson, NY** has an unhealthful and dangerous condition, to wit high grass and weeds; and

Whereas, the Town Board has reviewed this report and determined that the allegations contained therein are accurate; and

Whereas, pursuant to Local Law #2-2009, "Removal of Brush, Grass, Rubbish or Weeds and Spraying of Poisonous Shrubs or Weeds Law of the Town of Clarkson" this board may direct the property owner to remedy this condition and if such condition is not remedied within ten (10) days, have the condition remedied by the Town with the cost thereof to be assessed to the property;

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VOTE OF THE BOARD

AYES: Supervisor Kimball, Councilpersons, Hoy, Filipowicz, Didas and Smith

NAYS: None

EAST AVENUE SEWER EXTENSION

This proposal began with one homeowner requesting to make a connection. Supervisor Kimball recommended that we notify the five homeowners involved and invite them to attend the first meeting in September. Board members concurred.

TOWN CLERK REPORTS

S. Mattison reported that a new hamlet sign has been ordered for Ridge Road and should be received within the next 6 weeks. She noted that our insurance paid for part of this sign replacement. Credit card services should be available at the Town Hall within the next two weeks.

BUILDING INSPECTOR REPORTS

C. Fabry reported that a couple of new builds are underway and the Autumn Woods project is extremely busy. He commented that there has been a lot of interest in the properties located at the four-corners of Sweden Walker Road and Ridge Road.

ASSESSOR REPORTS

C. Lyon was excused.

HIGHWAY SUPT. REPORTS

B. Viscardi reported that the department is busy with County work.

07.23.14

MOTION APPROVING MERIT INCREASE-ROBERT FARRELL

Motion by Councilperson Filipowicz

Seconded by Councilperson Smith

To approve a merit increase for Robert Farrell from MEO step 8 to step 10 at \$19.40/hr effective July 14, 2014.

Unanimously carried

MINUTES

Motion by Councilperson Smith

Seconded by Councilperson Didas

To approve July 8, 2014 minutes.

Unanimously carried

AUDIT—7-02-2014

Motion by Councilperson Hoy

Seconded by Councilperson Didas

To authorize payment of audit 7-02-2014 to include the following:

Vouchers 20140580-20140612; Total \$31,091.07; Gen. \$11,310.60; Hwy. \$19,632.66;

SW (Craig Hill Dr.) \$32.00; SS \$115.81

For distribution checks from 25264 - 25306

Unanimously carried

MOTION TO ADJOURN

Motion to adjourn at 7:30 P.M. by Councilperson Hoy

Seconded by Councilperson Smith

Unanimously carried

Respectfully submitted,

Sharon S. Mattison

Town Clerk

Approved 08-12-2014

**LEGAL NOTICE
TOWN OF CLARKSON
PUBLIC HEARING
PROPOSED REZONING**

Please take notice that pursuant to the Clarkson Code and the Town Law of the State of New York, the Town Board of the Town of Clarkson will hold a PUBLIC HEARING at the Town Courthouse, 3655 Lake Road, Clarkson, New York, at 6:00 P.M. on July 23, 2014 to consider the application of **ALANTIC FUNDING AND REAL ESTATE, LLC**, PO Box 26350, Rochester, New York to rezone the following parcel of land from **HIGHWAY COMMERCIAL (HC)** and **SUBURBAN RESIDENTIAL (RS-20)** to **INCENTIVE ZONING** to allow for the development of the following:

1. 18 Duplex Homes each with 2 bedrooms and 2 bathrooms;
2. 4 - 16 Unit 2 Story Apartment buildings with each apartment having 2 bedrooms and 2 bathrooms;
3. 5 - 26 Unit 3 Story Apartment buildings with each apartment having 2 bedrooms and 2 bathrooms;
4. An 89 Unit Independent Senior Living Senior Facility for seniors 55 years of age and older. This to include garages for some residents and a community room;
5. A Community Center with a business center for Internet and computer access, a fitness facility, lounge space with a fireplace and flat screen television, gaming tables, kitchenette and a pool for the use of all of the residents in the development.
6. Mixed retail space on Ridge Road using the streetscape designs called for in the Hamlet description of the Clarkson Comprehensive Plan;

THE DESCRIPTION OF THE PROPERTY IS ATTACHED HERETO AS EXHIBIT A

Tax Account Numbers: 069.02-1-1.1, 069.02-1-1.21, 069.02-1-1.23, 069.02-1-1.22 (part)

Address: West side of Sweden Walker Road, south of Ridge Road (State Route 104) and north of East Avenue.

All interested parties will be given the opportunity to be heard.

Dated: July 8, 2014

By Order of the Clarkson Town Board

Sharon S. Mattison
Clarkson Town Clerk

Brook Field at Clarkson

May 1, 2014

Town of Clarkson
3710 Lake Road
P.O. Box 858
Clarkson, NY 14430

**RE: Application for Incentive Zoning for “Brook Field at Clarkson”
Project
Letter of Intent for Applicant: Alantic Funding & Real Estate LLC**

On behalf of the proposed housing project to be known as “Brook Field at Clarkson” we would like to request and propose the following items to the Town of Clarkson:

- I. We propose to pay the Town of Clarkson for Incentive Zoning and Tax Program with COMIDA in the amount of Three Hundred Seventy Five Thousand Dollars (\$375,000.00), after the project is fully approved by all government agencies prior to construction Building Permits being issued.

- II. We are requesting these incentives to help build a modern mixed-use Hamlet project that will provide support for today’s lifestyles with up to date energy efficient homes. Included in this modern luxury design we wish to feature:
 - Duplex Homes consisting of 2 bedrooms and 2 bathrooms along with two-car garages.
 - Apartment Homes consisting of 2 bedrooms and 2 bathrooms with garages attached or separate from the unit upon tenant’s choice.
 - An Independent Living Senior Facility that will provide housing to seniors at the age of 55 and over. This building will also feature garage spaces for interested tenants as well as a warm and inviting Community Room for residents to gather.
 - A brand new Community Center building will go up which will offer a business center with internet and computer access, fitness facility for men and women, lounge space with fireplace and flat screen television, gaming tables, kitchenette and finished off with a tranquil pool oasis outdoors to be used exclusively for all Brook Field residents.
 - Development of Mixed Retail and Office Space with apartments on Ridge Road will help recreate new sleek

streetscapes for this location that will help bring other new development and attention to the surrounding area.

Our goal is to create and develop this project with different types of uses that will diversify the tenant base for good marketing and project stabilization and also will provide future growth to this area. Today, this vacant farm land could not economically be developed for Residential R-20 zoning and many other close by projects that are listed for sale have moved extremely slow to be built out and still have a large inventory of land and building lots available. The land features of this parcel in particular are hindered by long NYS Highway frontage and surrounding features such as a mobile home park and old retail structures.

We have investigated existing utilities and services to the proposed project. We have spoken to the Town engineer and he has stated that the existing sanitary sewer has capacity for the project.

There is an existing 6" water line that is located in the west side of the R.O.W. of Sweden Walker Road that should meet the required flows and pressures of the project, as well as provide fire protection. The project will be served by private waste hauling and street maintenance/plowing. Existing services, including police and fire are adequate to provide service to the proposed project.

In closing, we believe this project creates many economic benefits to the Town of Clarkson such as having Recreation Fees of approximately One Hundred Seventy-Five Thousand Dollars (\$175,000.00) towards Town parks along with building permit fees, redevelopment of vacant land to promote and stabilize the mixed use project, all service and maintenance will be performed privately taking the burden of roadways, utilities, storm water and sanitary sewers off of the Town, and lastly the tax base being created after the project is fully developed will be approximately Twenty Million Dollars (\$20,000,000.00) which will all be privately funded.

We hope to refresh and develop this location of Clarkson and believe it will be a project that the Town and developers will be proud of.

Thank you,

Al Spaziano
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**Revised as of July 21, 2014