

REGULAR BOARD MEETING

JUNE 10, 2010 cont'd

Also Present: R. Uptegrove, D. Swede, J. Hurst, P. Tarbell, G. Sahrle, L. Holz, R. Eliaz, N. Kibler, R. Lavin, D. Nourse, M. Hotchkiss, E. Crawford, B. Bark, M. Barton, J. Baumer

Sup. Gozelski called the meeting to order at 7:04PM.

A motion was made by S. Tarbell, seconded by L. Little to approve the minutes from the 5/12/10 meeting.

Polled: Ayes: Tarbell, Little, Gozelski, Monteleone  
Noes: None Carried

The following bills were audited by Coun. Little and Coun. Tarbell:

|                                      |                    |
|--------------------------------------|--------------------|
| General Fund – Townwide              | \$11,269.75        |
| General Fund – Outside Village       | 99.74              |
| Highway Fund – Townwide              | 20,301.54          |
| Highway Fund – Outside Village       | 5,217.69           |
| Silver Lake Sewer District           | 39,949.37          |
| Gardeau Water District               | 6.16               |
| Silver Lake Institute Water District | 105.84             |
| Silver Lake Lighting District        | 420.08             |
| <b>TOTAL</b>                         | <b>\$77,370.17</b> |

A motion was made by L. Little, seconded by S, Tarbell to approve the vouchers in the amount of \$77,307.17.

Polled: Ayes: Tarbell, Little, Gozelski, Monteleone  
Noes: None Carried

The Board reviewed the Townhouse/Condo Rules/Regulations that were newly developed by the Planning Board.

After much discussion a motion was made by S. Monteleone, seconded by S. Tarbell to approve the final draft of the Townhouse/Condo Rules /Regulations.

Polled: Ayes: Tarbell, Little, Gozelski, Monteleone  
Noes: None Carried

**Final Draft**

**6/8/10**

This final draft includes the incorporation of comments from the County Planning Board Meeting on 6/7/10. The Castile Town Planning Board met on 6/8/10 and has formally approved all revisions.

## **Definitions:**

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### **Condominium**

An apartment house or multiple dwelling unit (not to include single family dwelling units) the apartments or dwelling units of which are individually owned, each owner receiving a deed enabling him to sell, mortgage or exchange his apartment independently of the remaining owners in a multi-dwelling building.

Unit owners have undivided ownership interest in the land and those portions of the building shared in common. Administration and maintenance of common usage areas and facilities must be provided for. (See Covenants/Homeowners Association)

### **Townhouse**

A building or dwelling designed for or occupied by no more than one family and attached to other similar buildings by not more than two common walls extending from the foundation to the roof and providing two direct means of access from the outside. A townhouse is individually owned, an owner receiving a deed enabling him to sell, mortgage

or exchange his dwelling unit independently of the owners of any other dwelling unit attached thereto by a common wall Administration and maintenance of common usage areas and facilities must be provided for. (See Covenants/Homeowners Association)

### **Special Regulations for Townhouse and Condominium Development in the Town of Castile**

In addition to other regulations for townhouses contained in this chapter, the following special regulations shall apply to townhouse and condominium development in the Town of Castile:

Townhouses and condominiums will only be permitted in the LD, R1, R2, and R3, districts of the Town of Castile, provided that it is determined by the Planning Board that all of the requirements of this chapter are maintained, including Special Regulations and Schedules.

### **Site Plan Specifications:**

- A. As part of the supplementary data required for Planning Board review of a proposed townhouse or condominium development, a scaled and dimensioned site plan of the development, a tentative plan showing all side structural elevations of proposed townhouses/condominiums and tentative floor plans of proposed townhouses/condominiums, prepared, stamped or otherwise certified by a licensed architect, shall be submitted to the Planning Board, the townhouse/condominium development shall be in accordance with such approved plan. There shall be no plan segmentation of either the site plan or the NYS-SEQR for a townhouse/condominium development; however phasing of the project is allowed.

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- B. The site plan will be drawn to scale and shall include but not be limited to the location of buildings in relation to property and lot lines; off street parking spaces and bays; curb cuts into existing roadways; patio and service areas, garbage storage and disposal areas; landscaping; walls or fences; public streets; driveways; all outdoor building and parking level lighting; all common facilities; open space and walkways; utilities, showing the same underground. In addition, the lot size, percentage of building ground coverage and open space, the square footage of each townhouse/condominium including patio living area, and density shall be included as data on such plan.
- C. If, after final approval of such plan, a substantial change therein is desired, such request for changes must be filed with the Planning Board, which shall consider each request change pursuant to amendment to an approved plat.  
If alterations of a final plan are determined by the Zoning Officer to be of a nature that is materially different from the original proposal, the Planning Board, at its discretion, may require new plans to be submitted for approval. If such a  
  
resubmission is required, the Planning Board will notify the applicant in writing, including an explanation of the board's decision within thirty days of its determination.
- D. The Planning Board shall determine that the proposed use is compatible with the adjacent properties, and will not adversely affect adjacent neighborhood property values and is consistent with the objectives of the Town's Comprehensive Plan.

E. The site plan will comply with all NYS-SEQR regulations.

## **General Requirements**

### **Utilities and Services**

Each townhouse shall be independently served by separate heating, air- conditioning, sewer, water, electricity, gas or other facility and utility services wherever such utilities and services are provided, and no structure shall be in any way dependent upon such services or utility lines located within another unit or in another townhouse or townhouse site, except as may be installed in public easements. All townhouses/condominiums must be connected to public sewer lines, and all electrical, communication cable and telephone lines in a townhouse/condominium development site shall be placed underground.

Proper and adequate access, as determined by the local Fire District Chief, must be provided for fire-fighting/emergency access purposes and access to service areas

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to provide for garbage/ waste collection, property/building maintenance and for any other necessary services that shall be provided.

### **Minimum Yard/Lot Size/Setbacks**

The minimum front yard setback shall be 35 feet, or in keeping with the dominant neighborhood building line setback along the frontal public right of way/dedicated public street.

Front yard setback refers to the distance between the townhouse or condominium structure and the dedicated public roadway in all districts.

The minimum side setback from all other property lines shall be 20 feet.

Minimum setback from Silver Lake will be 50 feet from the mean high water line when the townhouse or condominium is contiguous to the lakeshore in the LD District.

Each townhouse group or condominium unit must have frontage on a dedicated public street or highway.

**Interior Side Yard Requirement (when placed in groups)**

When townhouses or condominiums are placed in groups there will be no less than 20 feet distance between grouped structures.

**Rear Yard:** No rear yard shall have a depth of less than 35 feet.

Minimum rear yard setback from Silver Lake will be 50 feet from the mean high water line when contiguous to the lakeshore in the LD district.

**Accessory Buildings:**

No accessory buildings will be permitted in a townhouse development.

**Parking:**

A minimum of two off-street parking spaces plus one garage parking space shall be provided for each townhouse or condominium unit. Parking areas are to be paved, graded and drained as to divert surface water accumulation.

There shall be no resident parking of commercial vehicles having a rated capacity of more than  $\frac{3}{4}$  tons.

When townhouses or condominiums are placed in groups, parking will be situated to the interior of the group of buildings.

In addition to the minimum of two off-street parking spaces plus one garage parking space described above, the developer will designate dedicated open space for off-street parking overflow. This will be a minimum of two additional parking spaces per each townhouse or condominium apartment living unit and may consist of a

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separate, reserved, paved area connecting to a public road or space of sufficient size provided on existing driveway aprons.

**Number of Dwelling Units:**

There will be no more than six dwelling units within a single townhouse structure. The maximum length of each townhouse condominium structure is not to exceed 180 feet.

**Maximum Height:**

The maximum height will be 35 feet as measured from the highest point of the peak to the finished grade ground level at front side of building.

**Landscaping/Buffer Strip:**

A detailed landscaping plan and planting schedule shall be included in the site plan and will be prepared and certified by a New York State licensed landscape architect. Plantings shall be installed in accordance with accepted industry practice. If for any reason elements of the landscape plan do not survive, the dead material shall be removed and replaced within one year of the original installation by the owner/developer.

A buffer strip may be required at the request of the Planning Board when the townhouse or condominium borders an adjoining residential area or adjoining area of different primary use or zoning classification.

**Covenants /Homeowners Association:**

Proposed contracts for homeowner's association or condominium ownership will be reviewed by Town attorney. A Homeowners association will be required for all townhouses or multiple family dwellings when individual living units are owned by different person(s).

**Storm Water Management:**

A storm water management plan as well as measures to address runoff during construction is required. Areas to be addressed in the site plan also include retention/detention features and runoff from paved surfaces, roofs and additional parking areas.

**Snow Removal:**

The site plan will include a snow removal plan as well as accommodations for plowed snow and snowmelt runoff.

**Emergency Access Plan:**

Emergency access plans are to be approved in writing by both the Fire District Chief and Town Highway Superintendent in writing.

R. Elias stated that he feels these newly developed zoning laws will protect the neighborhood and neighbors and allows builders to build and eliminates "wobble room". He feels that the Planning Board tried to mirror other communities that allow these types of buildings.

J. Hurst stated that he has been on a lot of boards and this is the finest board he has worked with.

A Public Hearing will be held for the Townhouse/Condo Rules/Regulations on July 8, 2010 at 7PM.

A motion was made by S. Monteleone, seconded by L. Little to approve the supervisors report.

Polled: Ayes: Tarbell, Little, Gozelski, Monteleone  
Noes: None Carried

Sup. Gozelski stated that East Lake Road should be complete anytime and that Weaver Road is scheduled to start milling on 6/21/10, weather permitting.

S. Monteleone spoke to Darryl about ditch erosion problems on Club Road. He also spoke with Soil and Water to look into it, they will have an answer in the next week to 10 days.

L. Little reported that the "Campaign to save the lion" already raised \$440.00 of the \$900.00 needed and that restoration will begin on it soon.

Dep. Sup. D. Nourse submitted his highway report. He stated that they have been doing a lot of ditching, grading, trimming, mowing, stoning and repairs to the Clerks building the last month. He is still trying to get quotes for the roof at the shop and will bring them in for the July meeting for review. He also stated that for the cold in place recycle for 1.4 miles (Swyers Road to Center Road) would cost approximately \$140,000 and for 2.0 miles (from Castile Center Road to Middle Reservation Road) would cost approximately \$170,000.

N. Kibler submitted his water/sewer report. He stated that station 5's motor burned out and that they will be putting in a bigger more efficient pump to replace it. He also stated that Lloyd has been off from work for surgery on his shoulder and will be back on light duty on 6/21/10/

A motion was made by S. Monteleone, seconded by S. Tarbell to approve the following Standard Work Day Schedule.

Polled: Ayes: Tarbell, Little, Gozelski, Monteleone  
Noes: None Carried

BE IT RESOLVED, that the Town of Castile Board be and hereby establishes the following as a **standard work** day for employees for the purpose of determining days worked reportable to the New York State and Local Employees' Retirement System:

Town Supervisor

Six hour standard work day

Town Board

Six hour standard work day

Public Works Maintenance Supervisor

Eight hour standard work day

Highway Superintendent

Eight hour standard work day

Deputy Highway Superintendent

Eight hour standard work day

MEO (Machine Equipment Operator)

Eight hour standard work day

Laborer Part Time

Six hour standard work day

Seasonal Laborer

Six hour standard work day

Town Clerk

Six hour standard work day

Registrar of Vital Statistics

Six hour standard work day

Deputy Town Clerk

Six hour standard work day

Tax Collector

Six hour standard work day

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Town Justice

Six hour standard work day

Justice Clerk

Six hour standard work day

Assessor

Six hour standard work day

Assessor Clerk

Six hour standard work day

Zoning Officer

Six hour standard work day

Zoning Officer Secretary

Six hour standard work day

Historian

Six hour standard work day

Town Attorney

Six hour standard work day

Cleaner

Six hour standard work day



