

MINUTES OF THE MEETING OF THE BOARD OF TRUSTEES OF THE VILLAGE OF MEDINA HELD ON MONDAY, SEPTEMBER 25, 2017 AT 7:00 P.M. IN THE TOWN OF SHELBY TOWN HALL.

Present: Mayor Michael Sidari

Trustees Owen Toale, Todd Bensley, Marguerite Sherman, Timothy Elliott

Fire Chief Thomas Lupo, Police Chief Chad Kenward, DPW Supt. Joseph Perry, Code Enforcement Officer Martin Busch

Attorney Matthew Brooks

Mayor Sidari called the meeting to order with the Pledge of Allegiance to the flag.

The Mayor opened the first public hearing on the proposed Central Business District Overlay. The Orleans County Planning Board has proposed an expansion of the Central Business District to include the area on West Avenue between Lee Place and the Walsh Hotel. Several interested persons appeared to speak.

Jim Tuttle asked if this would change the tax rate for this area. Code Officer Busch responded no. Jan Nudd asked why this particular section was chosen. Busch said that this area was easily walkable. Paul Marchesi questioned if there were any restrictions. Busch replied this would prohibit higher-impact retail, such as gas stations and drive-thru businesses. Trustee Sherman clarified that this area was not part of the Historic Preservation District, but that the same standards would apply.

The Mayor closed the Public Hearing at 7:15 p.m.

Mayor Sidari opened the second Public Hearing on the proposed Planned Residential Development District. The Orleans County Planning Board has proposed a change to the Zoning Law to include a "floating" classification to be applied for a specific development.

No interested persons appeared to speak and the Mayor closed the Public Hearing at 7:20 p.m.

The Mayor advised the Board that Wendel had submitted a proposal for GPS mapping system. A representative will attend the workshop session on October 10 to provide a demonstration.

Mayor Sidari reported that a Restore NY Grant is available through the Genesee Transportation Council to develop transportation routes, possibly along the Maple Ridge Corridor. He will ask Wendel to attend a workshop and provide additional information.

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The Mayor also reported that he had one quote from Halstead for a new furnace and air conditioning unit for the third floor of the Village Hall building. He asked Code Officer Busch to obtain another quote.

A motion was made by Trustee Toale and seconded by Trustee Elliott. A Public Hearing is scheduled for Monday, October 23, 2017 at 7:00 p.m. regarding the proposed addition to Chapter 236 Vehicles and Traffic, Article II Traffic Regulations.

All ayes
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. The bills as presented are authorized for payment.

All ayes
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Sherman. Brett Goheen is appointed to a permanent position as Sewage Treatment Plant Operator at a salary of \$25.66 per hour, with a probationary period of eight weeks.

All ayes
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Sherman. The Medina Business Association is authorized to conduct the annual Beggar's Night parade event on Friday, October 27 from 5:30 p.m. to 7:00 p.m. with assistance for traffic control from the Police Department.

All ayes
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Sherman. Halloween hours for trick-or-treating is established for Tuesday, October 31, between the hours of 5:30 p.m. and 7:30 p.m., with visits to houses with porch lights on only.

All ayes
Motion carried.

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A motion was made by Trustee Bensley and seconded by Trustee Elliott. The Mayor is authorized to sign two New Position Duty Statements for Firefighter positions in accordance with the Assistance to Firefighter's Grant.

All ayes
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Bensley. Bonadio & Co. is authorized to conduct the annual audit of the 2016-17 financial statements at a fee of \$13,000.

All ayes
Motion carried.

A motion was made by Trustee Elliott and seconded by Trustee Toale. The Mayor is authorized to sign a memorandum of agreement with the Town of Shelby for the exchange of surplus equipment, specifically a Village owned generator and a Town owned lawn mower.

All ayes
Motion carried.

A motion was made by Trustee Toale and seconded by Trustee Elliott. The following Local Law #6 amending the Zoning Law is hereby adopted.

Central Business District Overlay

- A. Purpose. The purpose of the CBDO Central Business District Overlay is to create a contiguous, walkable expansion of the existing CBD through identified uses of principally low-impact retail and personal service businesses while preserving the municipality's historic character and the integrity of the neighborhood through adaptive reuse of existing structures to serve the needs of area residents.
- B. Permitted uses.
- (1) Retail sales establishments, including, but not limited to, the following:
 - a) Stores selling groceries, meats, baked goods, and other such food items.
 - b) Drug stores.
 - c) Stationary, tobacco, newspaper and confectionary stores.
 - d) Clothing, millinery and shoe stores.
 - e) General merchandise and variety stores and specialty shops.
 - f) Frame shops

- (2) Personal service establishments, including, but not limited to, the following:
 - a) Barbershops, beauty shops and spas.
 - b) Shoe repair and fix-it/tailor shops.

- (3) Hospitality businesses, including but not limited, to the following:
 - a) Boutique hotels.
 - b) Cafes, coffee shops, and ice cream parlors.

- (4) Businesses and professional offices, including, but not limited to, the following:
 - a) Physician, dentist, chiropractor offices.
 - b) Travel agency offices.
 - c) Accounting and tax return preparation offices.
 - d) Attorney offices
 - e) Architects, engineers and consultants offices.

- (5) Places of worship.

- (6) Libraries.

- (7) Other business uses, which in the opinion of the Zoning Board of Appeals, are similar in nature and scale to those permitted above.

C. Permitted accessory uses.

- (1) Off street parking, loading and unloading facilities, signs, fences and landscaping subject to the provisions of this chapter and other applicable regulations of the Village of Medina.

- (2) Private garages and storage buildings which are necessary to store any vehicles, equipment or materials on the premises which are used in conjunction with a permitted business use.

- (3) Other accessory business uses which, in the opinion of the Zoning Board of Appeals, are similar in nature and scale to those permitted above. Accessory furnace buildings are prohibited.

D. Other provisions and requirements.

- (1) Setback and other dimensional requirements shall be those of the underlying zoning district.

- (2) Buffer strip. Structures used for a commercial purpose shall provide a natural buffer strip to be perpetually maintained so as to provide visual screening and separation between commercial and residential uses.
- (3) Refuse containers. Commercial uses shall provide a commercial-type refuse container on site. Such containers shall be placed on concrete or stone areas, visually screened, and shall provide rodent control.
- (4) Off-street parking, loading and unloading facilities shall be subject to the provisions of Section: 254-40 and 254-41 of this chapter.
- (5) Signs shall be subject to the requirements of Article VI Section 254-39 of this chapter.

Certificate of Appropriateness required. No person shall carry out any exterior alteration, restoration, reconstruction, demolition, new construction, painting or moving of a landmark, building or property within the Central Business District Overlay, nor shall any person make any material change in the appearance of such property, its light fixtures, signs, sidewalks, fences, steps, paving or other elements visible from a public street or alley which affect the appearance and cohesiveness of the Overlay or designated landmark without first obtaining a certificate of appropriateness from the Village of Medina Planning Board.

Criteria for approval of Certificate of Appropriateness shall be the same as that required for the HPD - Historic Preservation District.

The application procedure for a Certificate of Appropriateness in the Central Business Overlay District shall be the same as that required for the HPD - Historic Preservation District.

All ayes
Motion carried.

A motion was made by Trustee Bensley and seconded by Trustee Elliott. Local Law #7 Planned Residential Development District, amending the Zoning Law is hereby adopted.

254-32. PRD Planned Residential Development District

- A. Purpose.** The purpose of the PRD Planned Residential Development District is to accommodate in appropriate locations in the Village multifamily, two-family and compact single family

residential dwellings intermixed in new residential developments that are innovatively designed and laid out and to accommodate development and to repurpose existing structures for new residential uses.

B. Location. The Village Board of Trustees may approve rezoning to PRD Planned Residential District a parcel or group of parcels located in the AR Agricultural Residential and the R-1 Single-Family Residential Districts.

C. Petition for rezoning.

(1) Petition. The owners of the subject property, or their duly appointed representatives, shall petition the Village Board of Trustees for rezoning of the subject property(ies) to PRD Planned Residential Development District by submitting five (5) copies of such petition to the Zoning Enforcement Officer. The petition shall be accompanied by a preliminary site plan prepared in accord with Article X of this chapter.

(2) Referral to the Village Planning Board. Upon receipt of the five (5) copies of a complete petition and preliminary site plan, such petition and preliminary site plan shall be referred to the Village Planning Board for review and recommendation in accordance with the provisions of Section 254-10 of this chapter.

(3) Village Planning Board recommendation. The Village Planning Board may, in its report to the Village Board of Trustees, recommend approval, conditional approval or disapproval of the rezoning and establishment of the PRD Planned Residential Development District.

(a) Recommendation for approval. If the recommendation of the Village Planning Board is for approval, The Village Planning Board shall state therein how the proposed zoning amendment and development complies with the intent and objectives of the Village's Comprehensive Plan and whether or not adequate utility facilities and services exist or are proposed to be constructed to serve the proposed development.

(b) Recommendation for conditional approval. If the Village Planning Board recommends conditional approval contingent on certain conditions being met to protect the public health, safety, welfare and environment and to carry out the intent of the Comprehensive Plan, the Village Planning Board shall enumerate said conditions in its recommendation.

(c) Recommendation for denial. If the village Planning Board recommends denial, such report shall state clearly the reason(s) for such recommendation and, if appropriate, identify what modifications the petitioner could make to the proposed development project for the Village Planning Board to issue a report recommending approval.

D. Enactment of zoning amendment. After complying with the public hearing requirements, the State Environmental Quality Review (SEQR) regulation requirements and referral of the proposal to the county Planning Board, if required as set forth in Section 254-96 of Article VIII of this chapter, the Village Board of Trustees may enact a local law to approve the rezoning of the subject property(ies) conditioned on the subsequent final site plan approval by the Village Planning Board.

E. Permitted principal uses-new construction.

- (1) Multi-family structures consisting of townhouses, apartments, garden apartments or similar residential uses. All types of ownership arrangements may be permitted, including condominium or other ownership structures that involve both private and common ownership of land, structures and interior space.
- (2) Compact single-family dwellings.
- (3) Compact two-family dwellings.

F. General requirements.

- (1) Density of development.
 - (a) The permitted maximum residential density for multi-family dwellings shall not exceed eight (8) dwelling units per acre.
 - (b) The Planning Board may approve a site plan for a portion of the total planned residential development which includes areas of higher residential density than the permitted maximum, provided that the overall density for the entire parcel would not be increased beyond the specified maximum.
- (2) Minimum and maximum parcel size. The minimum parcel size for a planned residential development shall be five contiguous acres, the maximum size shall be fifty (50) contiguous acres.
- (3) Frontage. The property must contain at least sixty-six (66) feet of road frontage.
- (4) Services and utilities.
 - (a) The property shall be served by or proposed to be served by both public water and public sewer services. All sewage and water facilities shall comply with all applicable state, county

and Village standards and shall be approved by the same prior to the issuance of a building permit.

- (b) All utilities (sewer, water, electric, natural gas, cable television etc.) shall be provided to the dwellings below grade (underground).
- (5) Landscaping and buffer areas. There shall be provided proper landscaping for screening from adjacent properties and public streets and roads.
- (6) Maintenance of common areas. Where land, structures or interior space is proposed to be owned in common by the owners of the individual residences, adequate provisions shall be made in advance of site plan approval for the continued maintenance of such common areas. All required legal agreements and approvals shall be in place before final site plan approval.

G. Requirements and specifications for multi-family dwellings.

- (1) Setbacks.

	Front Yard (from ROW)	Side Yard	Rear Yard
Principal buildings	30 feet	15 feet	30 feet
Accessory buildings	30 feet	10 feet	10 feet

NOTE:

Every multi-family building shall have a minimum setback of 30 feet from every access road, internal road and parking area.

- (2) Maximum building height shall be thirty-five (35') feet and two and one-half (2¹/₂) stories.
- (3) Minimum distance between multifamily buildings shall be fifty (50') feet.
- (4) Apartment buildings shall contain no more than eight (8) dwelling units.
- (5) Townhouse buildings shall contain no more than six (6) dwelling units.

- (6) Minimum habitable floor area requirements:

- (a) Townhouse dwelling unit:

- 1. One or two bedrooms: 850 square feet.
- 2. Three or more bedrooms: 1,000 Square feet.

- (b) Apartment dwelling unit:

1. Efficiency: 550 square feet.
2. One or two bedrooms: 750 square feet.
3. Three or more bedrooms: 1,000 square feet.

(7) Unit distribution.

- (a) No more than 30% of the dwellings in a multifamily development shall be efficiency units.
- (b) No more than 20% of the dwelling units in a multifamily development shall be three or more bedroom units.

(8) Recreation and open space. One area equal to a minimum of 20% of the total lot area of the multifamily development shall be designated as a recreational area to be used in common by all residents of the multifamily development. Such recreational area shall be in addition to the required setbacks, parking areas, streets, roads and rights-of-ways as otherwise required by this chapter.

(9) Access.

- (a) Access to the development shall be through a sixty-six (66') foot wide right-of-way dedicated to the Village of Medina or a sixty-six (66') foot wide portion of the multifamily parcel leading to a public road.
- (b) The access road and any internal roads shall be constructed to the standards for dedicated roads in the Village of Medina. Pavement shall be twenty (20') feet wide for both the access road and all internal roads in the development.

(10) Every exterior wall of a townhouse building must be constructed with two lateral offsets of at least two feet, with each offset no closer than twenty (20') feet to the end of the building.

(11) All stairways to the second story must be located internally within the building and not exposed to ambient weather conditions.

(12) Each dwelling unit must have a storage area within the unit or in the same building of at least forty (40) square feet and not less than four feet wide at the smallest dimension.

(13) Space shall be provided for safe and sanitary storage of solid waste and refuse. It shall be screened from view of the residents of the buildings on the parcel and from adjoining parcels, but easily accessible to residents of the buildings.

H. Requirements and specifications for single-family and two-family residential dwellings.

(1) Size of house lot, dwelling and required setbacks:

(a) Minimum lot size:

1. For a single-family dwelling: 7,200 square feet.
2. For a two-family dwelling: 10,000 square feet.

(b) Minimum lot width: 60 feet.

(c) Minimum depth of lot: 80 feet.

(d) Maximum lot coverage by a dwelling and all appurtenant structures shall not exceed 25% of the lot area.

(e) The minimum floor area of a dwelling, exclusive of any accessory structure, shall be 575 square feet.

(f) Front yard setback: 20 feet (from the right-of-way line).

(g) Side yard setback: 12 feet.

(h) Rear yard setback: 15 feet.

(i) Setback from adjacent zoning district boundaries: 60 feet.

(2) Streets, roads, parking and drainage.

(a) All access roads to the compact single-family residential development shall have a pavement width of at least twenty (20) feet, with five (5) foot shoulders on each side.

(b) All internal streets shall have a pavement width of at least twenty (20) feet, with two (2) foot shoulders on each side. All streets and roads shall be paved with blacktop or equivalent. All streets and roads shall be properly maintained.

(c) Each house lot shall have provided an off-street parking area of at least 400 square feet paved with blacktop. In addition, there shall be provided a paved common parking area for the parking of guests and accessory vehicles.

- (d) No unlicensed or unregistered motor vehicles, recreational vehicles, sport vehicles or parts thereof, junk of any nature or description shall be parked or stored outdoors within the development.
- (e) There shall be adequate drainage to handle runoff of storm waters from streets, roads and lots. Such drainage shall not adversely affect adjacent land owners. All drainage plans shall be prepared by a licensed engineer.
- (3) Recreation areas and open space. There shall be provided designated recreational areas of at least two hundred (200) square feet for each house lot, and in no event, less than five thousand (5,000) square feet. Such recreational areas shall not include required yards, roads, streets or parking areas.
- (4) Accessory buildings. Each house lot shall have one accessory building, which may be preconstructed, not exceeding one hundred (100) square feet. Each accessory building shall be anchored down to a permanent foundation and shall be located no closer than ten (10) feet to the side or rear lot lines and to the rear of the front building line of the principal structure.
- (5) Flooding. No house lot shall occupy an area that is subject to periodic flooding from water from flows from any adjacent streams, waterways, drainage swales, or drainage areas and no lot shall be designed so as to collect or hold standing waters.
- (6) One service structure is permitted for each development. The uses proposed for such structure shall be specified in the application for rezoning and approved by the Village Board of Trustees. Such structure shall be intended primarily to serve residents of the compact residential development. The parking, setback requirements etc. shall conform to the requirements specified in this chapter for the particular use.

I. Permitted principal uses — existing buildings.

- (1) Conversion of existing structures to multi-family structures. All types of ownership arrangements may be permitted, including condominium or other ownership structures that involve both private and common ownership of land, structures and interior space.

J. General requirements.

(1) Services and utilities.

- (a) The property shall be served by or proposed to be served by both public water and public sewer services. All water and sewage facilities shall comply with all applicable state, county and Village standards and shall be approved by the same prior to the issuance of a building permit

(b) All utilities (water, sewer, electric, natural gas, cable television etc.) shall be provided to the development below grade (underground) wherever possible.

(2) Landscaping and buffer areas. If necessary as determined by the Village of Medina Planning Board there shall be provided proper landscaping for screening from adjacent properties and public streets and roads.

(3) Maintenance and common areas. Where land, structures or interior space is proposed to be owned in common by the owners of the individual residences, adequate provisions shall be made in advance of site plan approval for the continued maintenance of such common areas. All required legal agreements and approvals shall be in place before final site plan approval.

(4) Requirements and specifications for dwelling units.

(a) Minimum habitable floor area requirements for townhouse dwelling units.

[1] One or two bedroom units: eight hundred fifty (850) square feet.

[2] Three or more bedroom units: one thousand (1,000) square feet.

(b) Minimum floor area requirements for apartment dwelling units.

[1] Efficiency units: five hundred (550) square feet.

[2] One or two bedroom units: seven hundred fifty (750) square feet.

[3] Three or more bedroom units: one thousand (1,000) square feet.

(5) Unit distribution.

(a) No more than 30% of the dwelling units in a multifamily development shall be efficiency units.

(b) No more than 20% of the dwelling units in a multifamily development shall be three or more bedroom units.

(6) Recreation and open space. One exterior area of the development shall be designated as a recreation area to be used in common by all residents of the multifamily development. Such recreation area shall be in addition to required parking areas.

(7) All stairways to upper stories must be located internally within the building and not exposed to ambient weather conditions.

- (8) Each dwelling unit must have a storage area within the unit or in the same building of at least forty (40) square feet and not less than four (4) feet wide at the smallest dimension.
- (9) Space shall be provided for safe and sanitary storage of solid waste and refuse. It shall be screened from view of the residents of the building on the parcel and from adjoining parcels, but easily accessible to residents of the building.
- (10) All internal streets and drives shall have a pavement width of at least twenty (20) feet, with two (2) foot shoulders on each side. All streets and drives shall be paved with asphalt or equivalent. Streets and drives shall be properly maintained.
- (11) No unlicensed or unregistered motor vehicles, recreational vehicles, sport vehicles or parts thereof, junk of any nature or description shall be parked or stored outdoors within the development.
- (12) There shall be adequate drainage to accommodate runoff of storm waters from streets, drives and parking lots. Such drainage shall not adversely affect adjacent land owners. All drainage plans shall be prepared by a licensed engineer.
- (13) One service structure is permitted for each development. The uses proposed for such structure shall be specified in the site plan application.

Trustee Bensley	Aye	Trustee Sherman	Aye
Trustee Elliott	Aye	Trustee Toale	Opposed
Motion carried.			

A motion was made by Trustee Toale and seconded by Trustee Sherman. Eagle Scout authorized to place new MAAC Welcome signs at four entrance locations to the Village.

Trustee Toale	Aye	Trustee Sherman	Abstain
Trustee Elliott	Aye	Trustee Bensley	Abstain
Mayor Sidari	Aye		
Motion carried.			

Supt. Perry reported that his department had repaired 27 catch basins; are milling various streets for paving; operated the street sweeper every day and the downtown area every Friday; and re-stripped parking areas.

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Code Enforcement Officer Busch reported that the Planning and Zoning Boards were reviewing applications for the proposed pizzeria and the Cobblestone Hotel.

Police Chief Kenward reported that he had attended several meetings with various area agencies. He has also purchased AR15's with funding from a Police Protective Grant.

Fire Chief Lupo reported that his department had responded to a fire at a nearby laundromat; responded to the call for a fatal accident; reported that an ambulance is out of service; reported that the fire doors had been painted red; reported that the Annual Open House will be held on October 1 and the Annual Fireman's/Policeman's Ball will be held on October 21; and that \$2800 had been received towards the replacement of the fire boat.

Trustee Bensley thanked department heads for working understaffed.

Mayor Sidari reported that a Technical Advisory Committee has been established in conjunction with the Capital Improvement Plan, consisting of Trustee Elliott, Gabrielle Barone, Jim Whipple, Peter Houseknecht, Joe Perry and the Mayor.

A motion was made by Trustee Toale and seconded by Trustee Elliott. The meeting is adjourned at 8:30 p.m. to Executive Session to discuss the contractual status of an employee.

All ayes
Motion carried.

Respectfully submitted,

Deborah L. Padoleski
Clerk-Treasurer

