Planning Board/ARB
Minutes
January 6, 2015

Present **Absent**

Chairman Wohlers
Joseph Slominski
Craig Byham
Liz Venezky
William Rutter

Attorney Eric Stowe
Building Inspector Jack Crooks
Planning Board Secretary Donna Stassen
Village Engineer David Willard

Others Present

Carol Nellis Ewell
Joan Quigley
Kris Schulz
Barb Pittman
Richard Holtzberg
Mayor Granger
Richard Mogab

At this time Chairman Wohlers led the Pledge of Allegiance.

Chairman Wohlers stated that long time Planning Board member Denny Marra had submitted his resignation to the Village Board and that alternate Liz Venezky will be sitting in until the Village Board appoints a new member.

Chairman Wohlers and the Planning Board offered their condolences to the family of Patrick Smith after the recent death of their daughter.

ARB

Taste of Texas
122 S Union Street
Exterior changes to building

Chairman Wohlers stated that a building permit has been issued and the building is already under construction. The ARB is asking what will be done from this point on as far as the siding. I did ask Patrick Smith to put a stop work order on the job and we have brought you in front of the board to hear how you are planning on finishing up the job.

Richard Mogab: The roof is black asphalt shingles which is already on and the hardi-board is a cement board and I have narrowed it down to these 2 colors because they closely match the color of the building already.

Chairman Wohlers stated that the board has received a letter from the applicant's architect which states that the stone is concrete block and the pattern can't be matched.

Chairman Wohlers: Is there any way you can come up with a stone material like was used on Spencerport Insurance?

Larry Fennity: There are always options our feeling from the beginning was enclosing the stairs aside from safety advantage is that enclosing the metal stairs will look much better. This building is all masonry. There will be a double hung window at the top of staircase.

Liz Venezky asked about the stairs in the back of the building and Mr. Mogab stated that they will be taken down once the new staircase is completed.

Jack Crooks: I have not been involved in this as much as I might have been but let me add that Patrick Smith, Donna Stassen and Chairman Wohlers looked into this and I know that Patrick Smith went out and looked at this stairway. If you have been around this village more than a couple days you have certainly seen this stairway it was supported by 2 4x4's and almost a 30 ft span. You could reach those 4x4's and shake that whole thing NYS Building Code says that when you replace or repair 50% or more they have to be covered the existing condition absolutely was not safe. From a Building Inspector's standpoint I don't care what color it is painted it has to be covered and that is the code you really don't have any status in that. Also 340-75 C says that if we had taken a different path and said that has to be taken down and be replaced because it is not safe the ARB has no status in that whatsoever it just has to be replaced. I think we have kind of flexed the rules from both sides and we are saying this has to be done so what can we do to make it reasonable for the applicant, the safety of the occupants of that upstairs apartment and so that the Village doesn't end up in a liable status. It is not inappropriate to be here tonight all we are looking to do is to have a reasonable resolve to this. It has to be covered to be NYS Code compliant and that is what we were trying to do. I think with conversations with the Village Office and the Chairman we thought we were going in a reasonable position opposition was raised to that and that is ok and that is why we are here tonight.

Chairman Wohlers added that he had the Building Inspector issue a stop work order; he saw that the steps were finished and that is ok.

Mayor Granger questioned why the job was shut down.

Chairman Wohlers stated that there are conflicting sections of the code and this board wanted to look at the finishing materials before the project was completed. The code states that any exterior changes must come in front of the ARB.

After further discussion the following resolution was offered.

Resolved, that the Architectural Review Board has granted a Certificate of Appropriateness to Richard Mogab for exterior changes to Taste of Texas located at 122 S Union Street, Spencerport NY.

Such final approval was granted with the following conditions.

1. Exterior materials for stair enclosure to be Hardi-plank siding as submitted to the Village of Spencerport ARB.
2. Color of enclosure to be cobblestone as submitted to the Village of Spencerport ARB.
3. Enclosure to be kept in good condition as determined by the VOS ARB.
4. After completion of the enclosure the applicant shall submit a photograph of such to the Village Office for filing.

Ayes: Wohlers, Slominski, Byham, Rutter, Venezky

Nays: none

Planning Board

Mavis Tire site plan
SEQR/Long Form

Kris Schultz addressed the Planning Board regarding the submitted long form for SEQR.

Village Engineer Dave Willard stated that Schultz Associates has addressed his issues.

Village Attorney and the Board discussed the 30 day period for outside agencies to decline or accept the status of lead agency.

The Planning Board agreed to extend out the next Planning Board meeting to February 10, 2015.

Motion made by Chairman Wohlers seconded by Joseph Slominski and carried unanimously to sign Part One of the Full Environmental Assessment Form and mail to the involved agencies.

Minutes

Motion made by Chairman Wohlers seconded by Craig Byham and carried unanimously to approve the December 2, 2014 minutes as written.

Adjournment

Motion made by Chairman Wohlers seconded by Craig Byham and carried unanimously to adjourn the meeting at 8:00 pm.