Planning Board/ARB Minutes
January 8, 2013

Present **Absent**

Chairman David Wohlers
Denny Marra
Joseph Slominski
Craig Byham
William Rutter

Donna Stassen, Secretary
Carol Nellis Ewell, Liaison
SME Superintendent Owen McIntee
DPW Superintendent Tom West
Village Attorney Eric Stowe
Village Engineer David Willard
Bldg Inspector Jack Crooks
Kris Schultz, Schultz Associates
Jay Harris Maxwell, Hanlon Architects
David Pelusio
Albert Pelusio
Jarrad Coon, Hanlon Architects
Nancy Henneman
Michael Montecalvo
Joyce Lobene
Herman Unvericht
Kevin Morgan
Joan Quigley

At this time Chairman Wohlers led the Pledge of Allegiance.

ARB

Maximum Tan
172 S Union Street
Signage

Jamie Rawling of Skylight Signs stated to the Board that Maximum Tan has a new logo with a cream background instead of green. I talked to someone from the Town and they said that this is not really considered part of the plaza and I talked to the landlord and he was ok with the change.

Chairman Wohlers: Mr. Crooks did you take the call from this applicant?

Jack Crooks: No, I did not I am a little confused about that response in my mind that part of the plaza is owned by the same ownership which would be Mr. Pelusio and we have come up with a common theme. It is a separate parcel.

Mr. Pelusio: The thought process when they asked me about it was putting my retail hat on whatever the Village approves is fine with me as long as it isn't a gaudy ugly sign. If they don't I can't help it, the only thing on their behalf I believe Subway is a different color.

Jamie Rawling: We looked at using those colors but when we started investigating and put the colors together the orange and green looked more like Halloween.

Jack Crooks: I agree with Mr. Pelusio in that I want to see business prosper and if a little different shade helps your business to stand out and helps your business prosper I am certainly in favor of that. This board has jurisdiction over that B1 district I would suggest that you consider it on its own merit.

Denny Marra: I think it is a little bold for Main Street did you look at any other colors?

Jamie Rawling: The only other colors we looked at were the green and it didn't look good with the new logo.

Craig Byham: Did you try and change the color of the logo?

Jamie Rawling: All the other 7 locations the sun is the orange, I think the owner might be ok with muting these colors a little bit if they could keep the similar colors.

The board agreed that they would like to see the colors toned down and to bring the size down 3 sq. feet if they do replace the existing sign.

Jamie Rawling will bring back these comments to her client and see what they think.

PLANNING BOARD

Concept Review for 26 Slayton Ave and 116 Lyell Ave

The applicants engineer Kris Schultz will be presenting the plans for proposed development.

Kris Schultz stated that the proposal is 4 buildings set up similar to Cornhill Landing buildings A, B & C where the lower level would be set up for retail business and the 2, 3, and 4th story would be apartments. Building M has a proposed sq footage of 6600 and will stand alone this is anticipated to be a Mavis Tire Store.

Met with RG&E a number of times currently there are 2 existing lines that will need to be relocated

After a year Mr. Pelusio has an accepted under purchase sale contract with CSX to purchase this strip of their property. It starts about 50 ft east of the bridge where the abutment is we didn't want to go all the way up to the abutment. Sooner or later that will come down and will necessitate grading back up to the east so it would be better to allow CSX to retain that portion. The east end of the CSX property

will go concurrent with the east line of the Spencerport Ambulance property. That was one of the last major changes is having a second access road coming off Lyell. One of the biggest problems from a residential standpoint will be driving through the plaza to get to the apartments. This secondary entrance will absolutely help this issue, this has progressed to a point where both parties have had a meeting of the minds and there has been a letter of intent. We met with the Board of Directors from Spencerport Ambulance last night and this is in the process.

We also met with RG&E earlier this week they fully embrace the project and have assigned a project engineer to begin the process of the redesign and relocation of the overhead lines.

Overview of buildings

Building A
17200 sq ft of commercial
26 apts above

Building B
15500 sq ft
43 apts above

Building C
Just under 13000
30 apts above

Building M
6600 sq ft
Entire plaza including Tops total sq ft 136890 adding about 32000 sq ft
Existing buildings coming down are about 10000 each

Kris Schultz stated that right now this property is zoned industrial obviously the use of this plaza is not industrial. After conversations with the Village as to which direction we go with this there were two options. Adopt a new code specifically tailored to this mixed use development and there are other villages and towns that create those codes such as Schoen Place in Pittsford. The second option was to use incentive zoning which is becoming very popular in many towns and villages, you have a developer with a project that the community wants and there is usually an exchange something of value either property or whatever the developer provides to the community in exchange for some concessions usually a setback or something like that.

One of the biggest issues that we had early on in addition to being sensitive to the neighbors on Lyell Ave was also for pedestrian circulation throughout the project. Earlier renderings have been updated and there have been sidewalks and crosswalks added all the way down to the east end of Bldg C and a sidewalk cutting across from the Dollar Store.

Also there are proposed sidewalks and crosswalks from the existing parking lot south of the Dollar Store and additional parking and access to the back of the ambulance building. Future renderings will show that we have basically made this thing fully walk able anyplace you park you will find a sidewalk to get safely across.

Landscaping and fencing will be behind the homes on Lyell Ave to shield the development from those folks.

Parking we have calculated 1 ½ spaces for each apartment and 1 space for every 300 sq ft of commercial.
Kris Schultz stated to the board that they are looking for feedback from this board that you feel this is a valid project and merit to warrant continuing on.

Mr. Pelusio: The potential tenants are Mavis, also Tru Value Hardware, Rochester Linoleum, Lamont hopefully we can get BOCES to take a section of this building. Next week I am meeting with Spencerport Federal Credit Union they are looking at taking a space where they could have a drive thru out of all the commercial spaces all though nothing is signed we are looking at having only 10,000 sq ft left over.

Again not written in stone but maybe this area will be used now as a rental agent area and then turned over into a community center for the residents.

Architects from Hanlon Architects shared 3D drawings showing what the buildings would look like as you are driving into this area from each direction.

Chairman Wohlers informed the applicant that a separate application to the ARB will be necessary for any architectural details.

At this time Chairman Wohlers turned to the representatives from the Village for their comments.

Village Engineer Dave Willard stated that this is a great concept he would like to know a little bit more of the details as to how this will all come together.

- Phasing Plan
- Storm water management
- Sewers
- Parking is a concern
- Traffic study might be necessary regarding the effect to East Ave
- Prior to next application those things need to be addressed

Bldg Inspector Jack Crooks stated that Spencerport has often been compared or said to be the Pittsford of the west side and I think this is an opportunity to do this for our community. What we are here tonight to look at is if this is a viable project and does this board recommend to the Village Board that they consider it for rezoning if this is the path the Village Board will be going. There certainly are some issues that will need to be tightened up as we move forward and that will be on the shoulder of the Planning Board, Village Engineer, Village Attorney, DPW and certainly SME.
There are some things noted in some of the zoning changes that were suggested.5ft setbacks you could put buildings like this with only a 10ft setback I think this is something we want to look at again.
Other issues:

- Issues about screening Lyell Ave residents, wood fencing is shown I think that vinyl fencing would do a better job down the road.
- Parking needs to be looked at
- Flood elevation in the plaza
- Storm water management

Jack Crooks: This is a viable project but how it is put together is paramount to the success and how it works in the future. We certainly don't want to impact the rest of that plaza as it currently exists on the west end of the project.

I had the fire marshal take a look at this concept plan one of the things that excited him was this new entrance to the plaza being able to enter from the east end of the property is a big deal and that is important.

DPW Superintendent Thomas West stated that he is going to piggyback on Jack Crooks comments regarding stormwater management there is a large area of impervious surface. The SWPP will be big and I will be looking at our Village Engineer and Monroe County Water and Soil for guidance on this project. I am definitely in favor of this project but I have gotten my knees wet over the years in this plaza. I think that we should look at green infrastructure there are a lot of different options that are not expensive. The other thing I am concerned about is the 3 manholes behind these buildings which will be 20 plus feet deep. We came up with a verbal agreement of 6 ft manholes with 3ft covers to allow us safe entrance and exits with our sewer equipment. I would like to see a sewer study to show that the flows can be handled.

Also any plans need to show how refuse will be addressed.

Thomas West reiterated that these are big issues but believes they can all be resolved by working together.

Planning Board Attorney Eric Stowe: What is the timeline for the CSX property closing?

Mr. Pelusio: I spoke to my attorney today we need to submit another survey of the property I think we are looking at maybe 30 -60 days. We need to do that first before we can have RG&E look at moving the wires.

Kris Schultz: Just about every adjacent owner has an encroachment what we are going to end up doing is notifying each owner that their shed is on our property they can leave it there for now.

Mr. Pelusio: There isn't any encroachment that affects us anyhow right now.

Attorney Stowe: Will the roads all be private?

Kris Scultz: Yes, private.

Attorney Stowe: Any conversations yet with the Canal Authority?

Kris Schultz: Yes, they were recipients of the first concept and they love it anything that increases activity along the Canal they are in favor of.

Owen McIntee SME Superintendent: From a Spencerport Electric perspective there are no show stoppers here there are some requirements obviously we need to know exactly where the RG&E transmission lines are going to be relocated through the plaza. There are 2 distribution circuits that are overhead now that come down through the main set of proposed buildings. Those overhead lines that we own along with Time Warner, Frontier and Fibertec will have to be relocated. However based on the voltages of the transmission there are certain PSC requirements as far as spacements and associated easements. We really need to have CSX go first with the closing continue with the RG&E design and then based on their design we can determine what we can do with easements with proximity to that transmission line with joint utilities. That is the order that has to go.

Davie Pelusio: RG&E told us in two weeks they should have something to give us to start moving forward with. It will be in 2 phases, Phase 1 being the design phase and I would pay for that. The second phase is the actual construction of moving the wires. They have assigned a project manager for this job now I have a person I will be working with from here all the way through.

Owen McIntee: Once we get an approved design from them that will give us something to work with.

Owen McIntee: The other component will be to supply power to those buildings. Joint utilities quite honestly other utilities will not spend a nickel on engineering fees until they see an approved plan. I can help that process along somewhat probably will be the lead agency which electric usually is. Gas is not really common trench based on what we saw on the maps. As lead agency we put in the other utilities infrastructure.

Owen McIntee: This is an opportunity to showcase some energy efficiency LED lighting which has come down in cost. The Village of Spencerport is moving to all LED street lighting we are converting to LED lighting anytime we can. I would encourage this board as far as exterior lighting to require LED lighting.

William Rutter: I think this is a great project. I am concerned about the parking we have adequate number of spaces but they are not convenient. I can't see who would park behind the Dollar Store to go around and do shopping. Saturday mornings when apartment dwellers will have their cars in the lot I am afraid it might hurt the retailers. The same with the auto store you will be taking more spaces away but adding a demand for more parking.

Mr. Pelusio: I am a retailer and am considerate of parking I put up signs earmarked for tenants we are possibly talking about putting up carports or garages in that area. With covered parking they will have no problem walking over there. There will be specifically marked parking for each business.

William Rutter: Are you saying that the parking behind the Dollar Store will be for tenants?

Mr. Pelusio: Yes, if you have a covered spot that will be your space to park at. If you look at Cornhill Landing it is the same way their parking is for retail.

Craig Byham: I echo the sentiments of everyone so far this is a fabulous project it fits right in with the Comprehensive Plan. We want this kind of development it just has to be the right fit. There are some issues the major one again is the parking. I believe our parking code calls for 2 spaces for each unit that is 200 spaces right there just for the apartments. I was up here last Sunday and could not get a spot in front of Tops I had to park down by BOCES I think you might want to rethink the location of the tire store. Flood control is a major issue we need to make sure that we handle that the right way and we don't create another problem.

Craig Byham: Another concern I have is for the residents on Lyell Ave we need to make sure we do right by them. Having open communication with them would be a big help.

Joseph Slominski: This is an aggressive plan something that we have been looking forward to. This definitely will change the footprint of Spencerport. I have the same concerns with the parking. I have a problem with bldg M being a Mavis as your center point. I have never seen a well maintained Cole Muffler and it does take away a good chunk of parking spaces right in front of your anchor retailers. When you think of the 200 spaces dedicated to the apartment dwellers it is a flop you are still at the same number you really aren't gaining anything. The access road is a big win we just need to take our time and take the right paces to get it off the road and do it right.

Denny Marra: I think this is a good project personally I don't like the density or the height of the buildings. I understand Cornhill this isn't Cornhill. I agree with Jack we need to do something to enhance this village but personally I just don't see the density. Coming out of Coolidge Ave is going to be a nightmare when school is in session. The other concern I have is what this could do to a couple of the established businesses that have been in this community a long time how are you going to handle Lamont Trophies? The mortality rate in this community is huge for small business. And the other thing almost everyone who loves this project doesn't live in the Village. Everything can be worked out 2 story is fine I would like to see this enhance the village not be a detriment. Also wood fencing is a great space to spray paint I would rather see green.

Chairman Wohlers: I agree I think the density is possibly high. Did you space your parking at 9ft or 10ft?

Kris Schultz: Originally 10ft then I realized that the rest of the plaza is striped at 9ft. I spoke with the Village Attorney and Carol and told them that we were going to make them all 9ft.

Chairman Wohlers: You are going to ask at the rezoning to have the spaces 9ft?

Kris Schultz: Yes, all the Wegmans are striped at 9ft because they know that works.

Chairman Wohlers: You have heard all good comments I can't add too much I do like the concept.

- The exit to 259 is very busy I am sure that NYS DOT will look at that.
- Truck and Bus traffic in the plaza needs to be considered.
- Bldg M should be moved somewhere else in the plaza.
- Screening is important to neighbors

Kris Schultz: If possible I would like to share changes on the plans as they come up instead of coming back in 2 months from now with fully updated plans. I think that would facilitate this plan to move ahead a little easier.

Chairman Wohlers: Before you come back for preliminary is this CSX purchase upon approval from this board? The main thing is the phasing, storm water, health dept. and other agency approvals.

Chairman Wohlers asked why the wires can't go underground.

Owen McIntee stated the cost would be 10 xs as much.

After further discussion made the following recommendation:
The Village of Spencerport Planning Board believes that the proposal for a mixed used development located at 26 Slayton and 116 Lyell Ave is a viable project and furthermore makes a recommendation to the Village Board to consider this project for rezoning.

Ayes: Wohlers, Marra, Byham, Slominksi, Rutter,
Nays: none

Jack Crooks stated that the rezoning proposal will be a public hearing and will get public input. The Village Board has to do what they feel is in the best interest of this community.

Approval of Minutes

Motion made by Chairman Wohlers seconded by Joseph Slominski and carried unanimously to approve the minutes of December 4, 2012 as written.

Adjournment

Motion made by Denny Marra seconded by Craig Byham and carried unanimously to adjourn the meeting at 8:35 pm