Planning Board Minutes

February 5, 2013

Present	**Absent**
Chairman Wohlers Craig Byham Joesph Slominski William Rutter	Denny Marra

Village Attorney Eric Stowe
Village Engineer Dave Willard
Building Inspector, Jack Crooks
DPW Superintendent, Thomas West
Electric Superintendent, Owen McIntee
Planning Board Secretary, Donna Stassen
Trustee Carol Nellis Ewell, Liaison

Stephen Ferranti
Elsie Cond
David Pelusio
Joyce Lobene
Kris Schultz
Resident 250 Lyell Ave

At this time Chairman Wohlers led the Pledge of Allegiance.

Chairman Wohlers: I would like to start off the meeting with a couple of comments. I thought we had made it clear last month when you came in for conceptual that we wanted to see a full set of plans when you came in next for preliminary. I don't want to see this piece meal with engineers and attorneys coming in every month that have to be paid to come in and we still don't have the incentive zoning in place. This board is in favor of this project but let's gets things in order and not waste resources and your client's money.

Kris Schultz: The incentive zoning is going through the Village Board part of that procedure is there needs to be a SEQR review done and typically the Planning Board would act in that regard as part of it. We are rezoning but we are also asking for site plan and subdivision approval it is important that they basically run parallel. That is the intent of coming in some of the items that are very concerning are traffic, parking, pedestrian access and those issues are best handled at this level but they are a big concern for the Village Board during the rezoning so the purpose of doing these meetings is to touch on those items and to potentially revise the plans as we go along. I am acting in the best interest of my client so that we are not designing this 5 times.

Kris Schultz: The reason for tonight's meeting is we are addressing a couple of the major concerns. We have hired a traffic engineer to come in and speak regarding this. I am asking the Board for some patience to go through this process. It is a large development not something that you can just come in with preliminary plans completely done.

Chairman Wohlers: My comment to that is we asked for specific items to be addressed such as the relocation of the tire store and I don't see where any attempt was done to do that and now we are doing a traffic study based on that building being in the same place. We are now going to possibly back up next month and say you can't have this density.

Kris Schultz: I think it would be helpful if there was a consensus of the board when items were brought up for example your now quoting density when we came in front of this board comments that we received were that this was a great project you were concerned about storm water and would rather potentially see Mavis moved but it wasn't the board giving us any direction to take. Kris Schultz asked for a summary of the boards comments.

At this time Chairman Wohlers asked Attorney Eric Stowe and Building Inspector Jack Crooks to address the SEOR request.

Jack Crooks: Mr. Schultz is right that the Village Board process in this rezoning will require a SEQR review however in my opinion SEQR review for a rezoning to set that standard is separate from the SEQR review on this specific project. They are going to set some perimeters maybe with some review from this board as to what you see being appropriate and inappropriate in the proposed rezoning. But that doesn't mean that handles SEQR review for every project that comes in front of this board for incentive zoning or that proposed project. The SEQR review that the Village Board will do doesn't inhibit this Board from doing what should be an entirely separate SEQR review for this project.

Attorney Stowe: I can't speak to the status of the Village Board I wasn't at the meetings so I don't know where that process stands. I spoke to Kris Schultz yesterday about lead agency and this board pursuing lead agency status for this project. I indicated to Mr. Schultz that I would take it up with this board and prior to doing that I wanted to do a little more research on my own. The board is required to establish a lead agency if it is an action it proposes to undertake. An action is defined as requiring one or more new or modified approvals from an agency and I don't think that we are at the point where we are requiring new approvals or modifying any approvals. Based on that a lead agency determination would be premature upon a preliminary application obviously that would trigger a lead agency status and review. I spoke with Ms. Stassen about that there would certainly be a benefit in trying to identify agencies that would be subject to notice and coordinating that review so that upon receiving a preliminary site plan we are not than figuring out who to receive notice and who are we talking to about lead agency status that part would already be completed. Based on the definition I see it would be premature at this point to take on pursuing a lead action when there is nothing in front of this board upon which it could issue any approvals.

Kris Schultz: As we mentioned before we do want to provide information to this board on a few key issues. At this point I would like to introduce Stephen Ferranti after looking at the plans I have determined that this project would potentially require 615 spaces.

Stephen Ferranti: I am very familiar with the site we worked on it in detail some years back under different land use scenarios but not so much different traffic scenarios what you have right now is what we recommended as part of our plan years ago. Mr. Schultz requested us to take a hard look at parking specifically we are addressing two issues tonight, the number of parking spaces and as well as the size of the spaces.

That request is not uncommon of many municipalities obviously because you have a legitimate concern that we see and hear across NYS. What we do is rely on some other national agencies for expert information there is very detailed methodology for looking at situations very similar to this where you have mixed uses. You look to see to what extent there is shared parking mixed use development is very desirable but more complex in terms of parking. We take into account any removal of buildings as well as addition of buildings their particular uses and then factor what is the parking requirement.

We have provided you with a report this evening which I don't expect you to read tonight there is more here than I thought we would be providing but we gave you the kitchen sink on this one. And what I mean by that is I want to focus your attention on the following**:**

- Page 3 peak parking demand results using our methodology
- Weekday 605 spaces required
- Weekend 657 spaces required
- These numbers take into account the dynamics of shared use
- 92 % capacity on weekdays
- 100% on Saturdays which is the number of parking spaces we suggested to Mr. Schultz to include in this plan right now.

Stephen Feranti went on to say that in the beginning Mr. Schultz came to him originally with 615 spaces thru this analysis it is determined these are the number of spaces required to maintain a very high level condition of providing spaces for people. You don't want to provide too much parking because there is a big downside to that who wants asphalt who wants the runoff who wants the environmental impacts it is more to maintain you don't oversize anything if you don't have to anymore. It is not sustainable.

Stephen Feranti shared graph results. **PLEASE NOTE REPORT ON FILE**

Stephen Feranti: You like to add a cushion of 10-15% above demand to minimize roaming through the parking lot looking for a parking space. Results show that in December between 1:00 p.m. and 5:00 pm people will be roaming searching for spots 657 spots provides for all that demand. The question is do you want to install 657 spaces for just the month of December in that time period? At no other time will you have that demand over the course of the year.

Stephen Ferranti: 657 spaces this is a safe figure is you want to cover your bases my professional opinion would I install 657 spaces no I would install 620 spaces that would cover weekdays for the year and would cover weekends 95% holiday time would be a little busy with excess demand for parking spaces.

Stephen Ferranti: The second point I would like to cover tonight is the size of the parking spaces. I am surprised that more municipalities haven't revised their codes. Your code calls for 10' x 20' space as a standard space. We looked at that against some of the best sources of information that deal with parking on a fulltime basis. Page 4 shows recent resources there are a lot of outdated resources out there but the vehicle mix has changed, we don't want to overbuild but the trend of recent publications is a smaller size the recommendation is a 9' x 18' space for a 90 degree parking space. We have been in business for 40 years and we have worked on a lot of site plans the like of what you have here. One of the standard modules for parking for an aisle and parking on both sides is 18 'X 24' for the aisle width a 60' modules. We have seen that all through NYS. We contacted some of the other municipalities in our area just to see what they are doing:

- Village of Fairport 9'x19'
- Village of Brockport 10'x20'
- Village of Albion 9' x 20'
- Village of Pittsford 8' x 20'

Probably the majority will be 10' x 20' more progressive communities along the canal use smaller spaces. Our recommendation would be 9' x 18'. Most vehicles are less than 18 ft long the design for width is usually 6 1/2 ft for the body of a car and 2 1/2 ft for opening the door.

Craig Byham: How did you come up with 657 spaces, is it due to our zoning code?

Stephen Ferranti: No, it is based upon comparable uses across the country where they documented the need for parking where you have mixed use. It is our methodology not your methodology because your methodology doesn't take into account the dynamics of shared parking where this does.

Craig Byham: Did you look at what would be required under village code as it stands today?

Stephen Ferranti: I did not I would defer to the site engineer for that.

Kris Schultz: The property as it stands today is zoned industrial the parking requirements don't really apply.

Craig Byham: No, I am saying you have a proposal in front of this board if that proposal was approved what would be the parking requirements per our zoning today?

Kris Schultz: I understand that what I am saying is that there isn't really anything specific to mixed use in the Spencerport Code. What we tried to do is make an estimate based on common sense originally on the plans and then we hired a traffic engineer.

Attorney Stowe: Mr. Shultz is absolutely correct the code doesn't address a joint residential and commercial development. It does address a plaza but it is fairly obvious that this is strictly commercial. I think that we are ahead of the area there too because part of this whole process is the rezoning and determining what is necessary as far as mixed use.

Kris Schultz: Exactly and that is why we are going through this we want to make sure that this board is comfortable with the rationale and once the incentive zoning is on the books we make application for the incentive rezoning. We want this board to be comfortable with that so they can say to the Village Board that yes they are comfortable with these numbers and recommend to accept those as part of the incentive zoning.

Attorney Stowe: I think specifically the number of spaces required will be determined by the Village Board in the zoning process and this board would be insuring compliance and adequacy of location as opposed to the number of spaces.

Chairman Wohlers: The Village has worked very hard getting Tops to come into the Village. There must be a study out there how far will people walk to a grocery store?

Stephen Ferranti: 1200 ft. max we looked at that really hard if you have a shopping cart you won't walk that far but if you are just picking up a couple things that is about the limit you would expect to walk.

Chairman Wohlers: Can you provide that information to Mr. Schultz I think it is going to be important I cant see people shopping at Tops and walking all the way to the apartment parking with a cart. Also how far will a tenant walk to their apartment late at night in the dark?

Stephen Ferranti: We could probably look a little further in depth related to the supermarket component.

William Rutter: Just so I understand your number of 657 is your peak demand on weekends in December you said you would recommend 620. Do I understand correctly that would mean during peak demand there would be like 37 cars driving around the parking lot looking for a spot to park?

Stephen Ferranti: Over the course of an hour not all at once and only for those four weekends in December if that.

William Rutter: Does the analysis for the 657 consider that some spaces may be dedicated, I don't know if the residents will have dedicated parking spaces that shoppers won't be able to use.

Will some of the shops have dedicated spaces for their customers only? Those are spaces they may or may not be filled but they are part of your 657?

Stephen Ferranti: I will double check we have residential component broken right out of this 99 units yes it is part of the 657 spaces.

William Rutter: Is it part of the demand too?

Stephen Ferranti: If we take that number out the total number of spaces will drop so I need to look a little closer at that.

Stephen Ferranti: A couple points I want to make; it is almost impossible to quantify and is why we don't include this in an analysis like this. This doesn't take into account the fact that we are in a Village setting and maybe people don't have cars or maybe people walk or ride a bike to work or to different place from here and do not drive it takes into account no credit or adjustment for that. We know we can expect some of that.

William Rutter: There is a lot of in and out along the road that goes out to Lyell Ave but you still have to back out into the roadway to get out of those parking spaces and that is a safety concern to me at least. As a traffic engineer what is your opinion?

Stephen Ferranti: I already shared it with you that is one of the reasons I am not suggesting 657 spaces I saw those spaces and where they are located. Yes, you could put them in but would I rather have them out, yes. For that reason right there you could land bank them they will be there in the future if needed. You picked up on a real good thing.

Jack Crooks: I was just going back to Mr. Byhams earlier question, Mr. Pelusio already has a line of perspective tenants and the type of business they will bring to that plaza. In our standards Mr. Byham was raising the question it gives required parking spaces for each one of those activities. So you could take that overall plaza proposal and come up with a number. I agree with Mr. Ferranti a lot of these numbers are antiquated depending on people getting in and out. It will take this board and your analysis on this presentation to determine whether this is reasonable or not you have the authority to adjust those required parking spaces it will be part of your review. We don't want a lot more impervious surface than what is absolutely necessary it costs money creates storm water issues which we certainly have over there and that is something we are going to have to address as this project moves forward. I have a big vehicle and frankly I am not in favor of 8 ' or 9' parking spaces but it is a reality not a lot of people are driving big cars.

Mr. Pelusio: If you dissect this a little bit differently you have brought up some good points as far as how far people will walk. This is just my opinion if you are living in the apartments your parking by the apartments you're not getting into your car and driving to Top's so we are not changing any additional parking needs in Tops, or the restaurant or shops if you are an apartment renter in this same project.

Nothing changes there really, in our leases not all of them but any new ones you have to obey by the rules and regulations of the landlord. I am a retailer and I don't want you parking in front of my store. We have designated parking for the employees and no one has a problem with that. I am going to have 2 -3 employees policing this property all the time. That is going to help tremendously business will increase but it will be walk in business.

Eric Stowe: Is Figure 1 the 657 spaces?

Steve Ferranti referred the question to Kris Schultz.

Kris Schultz: The Board does not have the updated plan. What I basically did was add some additional ones to the green area by the canal. I have about 15 -16 potential spaces there.

Attorney Eric Stowe questioned if everyone was looking at the same Figure 1.

Kris Schultz: No

Attorney Eric Stowe: Are these spaces on the new Figure 1 at the 10' x 20?

Kris Schultz: No 9' x 20'

Kris Schultz: We are fortunate to have Mr. Hamlin here the architect on this project did you guys have any residual questions for him while he is here?

Chairman Wohlers: Anything architectural will have to come to the ARB.

Chairman Wohlers: How are we doing with CSX?

Kris Schultz: Very good we are in the process of getting the final survey and title work to the attorney representing Mr. Pelusio. We have a rock solid purchase of sales agreement no hang ups either way.

Mr. Pelusio: We need help with RG&E I call them every other day.

Owen Mcintee: I think what you are going to find there is until you get a mutual agreement signed with them with associated deposits I don't think they will move on it.

David Willard: I just have a few things to discuss, I think the study is good and 657 spaces would probably be more than what is needed. I would like to see maybe taking each business in the plaza including the proposed new businesses and see a calculation of what spaces would be needed for each individual business and what spaces would be allocated for that business within a reasonable distance from the door of each business. I don't think that 1200 ft in my mind is reasonable I wouldn't walk 1200 ft I would go to a different store.

David Willard: The other thing I just wanted to mention is that I presented a list of things last time and haven't seen a phasing plan, SWPP, or an engineer's report on water or sanitary sewer usage and they are important things. We are jumping ahead and making progress and I want to make sure that these things have been thought through.

Chairman Wohlers stated that no other action can be done on this application at this time.

New Business

Chairman Wohlers requested that a new alternate be appointed to the Planning Board.

Old Business

Nothing requiring Board action at this time

Approval of Minutes

Motion made by William Rutter seconded by Craig Byham and carried unanimously to approve the January 8, 2013 minutes as written.

Adjournment

Motion made by Chairman Wohlers seconded by Craig Byham and carried unanimously to adjourn the meeting at 8:18 pm