Planning Board/ARB Minutes

March 5, 2013

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

Others Present

Village Attorney Eric Stowe
Building Inspector, Jack Crooks
Planning Board Secretary, Donna Stassen
Trustee Carol Nellis Ewell, Liaison
Cathy Ventura
Elizabeth Venezky
Matthew Brooks
Tom From
Dawn Mitchel
Dave Matt, Schultz Engineering

At this time Chairman Wohlers led the Pledge of Allegiance.

ARB

Family Nails
500 S Union Street
Signage

Kathy Ventura will be representing the owners of Family Nails this evening.

Kathy Ventura stated that the sign will be installed on the store front between Pontillio's and the Hair Spot.
The sign will be as shown on diagram.

Chairman Wohlers stated that he had pulled the Pontillo's application which was never put up and that sign has scalloped corners.

Denny Marra: If they scallop the corners on this sign it will be fine.

William Rutter: Where will the sign be located?

Kathy Ventura: Right above the doorway.

William Rutter: Is there fluorescent lighting installed now and will the sign be lit? Is this the sign currently in the window now?

Chairman Wohlers: Has the sign already been made?

Kathy Ventura stated that the sign has already been made and thinks there is existing lighting there now.

The board stated that if the corners were scalloped the sign will be fine and existing lighting would be ok no additional lighting to be installed without approval from this board.

At this time the following Certificate of Appropriateness was approved.

CERTIFICATE OF APPROPRIATENESS

This is to certify that the Architectural Review Board on March 5, 2013 granted a certificate of appropriateness to Family Nails. Approved signage will be located at 500 S Union Street Spencerport, NY.

Such Certificate of Appropriateness was approved based on the following.

1. Dimension of sign 24" x 96".
2. Material is Di-Bond aluminum scallop corners.
3. White background with red vinyl lettering as shown on diagram.
4. Signage will not be lit.
5. Sign to be installed in a safe manner.
6. The signage shall be kept in good condition as determined by the VOS ARB.
7. After installation the applicant shall submit a photograph of the completed installation to the Village Clerk for filing.

Ayes: Wohlers, Marra, Slominski, Rutter
Nays: None

Fabulous Photo
12 Amity Street
Signage
Dawn Mitchel

Dawn Mitchell owner of Fabulous Photo stated that she has moved into a space on 12 Amity Street. She has positioned the sign above the second floor window so that customers will know where she is located in the building. Gary Inzana the owner of the building has approved the colors of the sign as they are the same as others on the building.

Denny Marra thought that the sign looked good above the window.

After discussion the board approved the following Certificate of Appropriateness.

CERTIFICATE OF APPROPRIATENESS

This is to certify that the Architectural Review Board on March 5, 2013 granted a certificate of appropriateness to Dawn Mitchel/Fabulous Photo for signage. Approved signage will be located at 12 Amity Street Spencerport, NY.

Such Certificate of Appropriateness was approved based on the following.

1. Dimension of sign 60" x 21" shape as she shown on application.
2. Material is painted MDO board.
3. Color of signage is cream background with forest green lettering.
4. Signage will not be lit.
5. Sign to be installed in a safe manner.
6. The signage shall be kept in good condition as determined by the VOS ARB.

After installation the applicant shall submit a photograph of the completed installation to the Village Clerk for filing.

MGB/McColley's
89 S Union Street
Building Alterations
Matt Brooks

Matt Brooks stated that he owns 89 S Union Street currently MGB is in one half of the building going from east to west and on the other side is where we are looking at proposing McColley's Pub.
Since I am a builder and of course we definitely want to stay with the perimeters that you have. I don't want to do anything flamboyant I want to put it back to original. I wish they hadn't painted the red across the front of the building but it is really well done with quality paint which means after all these years it is still not spalling. I would just change the paint to a more pleasing color I like green and it will blend in with the Nothnagle building next door. The coping needs to be redone which is the top perimeter of the building and I would probably do that in the same color and the window is a dark bronze. I would like to stay with the same window locations and opening.

MGB is done we have replaced the glass exactly the way it was. The upstairs windows I would like to put shutters back up. There used to be canopies the holders are still there of course they will be new but I want to stay with a nice strong metal awning with the amount of wind that goes down that street. It will look great with the age of the building and will definitely stand up to time. I thought the wrought iron work I could put up across the windows to give a little zip to the building and match anything I put as a guard down below on the pub side.
The window opening is about 9 ft across I would like to leave that open to give it the Bistro look. The one door will be ADA compliant open year around and on the really nice days the 2 doors will fold back the whole front of the pub will be open. I am not going to go any higher or wider. I might look at doing a little concrete bench on the MBG side to stretch it out a little bit and bring it all together.

Coach lights to match the lights down the street I can submit cut sheets.

Chairman Wohlers: Will signage be done later?

Matt Brooks: The signage is a holdout I like the way Splatters has their sign kind of old fashion out so you have the wrought iron railing and something that is pleasing to the building and matches everything. Any other miscellaneous signage can stay to the windows.

Denny Marra: I think this will be a nice building what I am not sure of is seating on the sidewalk. I know that has come up before and I am not sure how far out you can actually come out on the sidewalk.

Matt Brooks: I am not looking to seat a lot of people out there it is really sort of an advertisement I do have one of the widest sidewalks out there that is not an issue actually I think my encroachment lines get out there pretty far from the building. I am looking at no more than 5ft. if you see the doors open and the wrought iron it actually kind of blocks that opening so it is open but it is not open. Just a couple of small bistro tables so if someone wanted to sit outside they could.

Jack Crooks: Let me suggest that it doesn't have to be a permanent installation that he may want to move this at some point anyway. Denny's concern about clearance is appropriate and what we have them do before placement is have the Fire Marshall look to make sure that it is ADA compliant to make sure that we have adequate clearance on that sidewalk for clear passage I think the minimum is 60".

Denny Marra: From an Architectural Review Board standpoint my personal opinion is I think it is great. It will definitely dress up the front of that building.

Jack Crooks: The Liquor Authority may have some requirements to make sure there is control of that area.

Chairman Wohlers: As far as a portable railing I would rather stay away from that and have the Fire Marshall and ADA approvals and put in a permanent railing.

Jack Crooks: They can still remove that during the winter they just screw it back in.

Mat Brooks: If I were to leave it in permanently I would take the regular car curbs and put them around that area.

Attorney Stowe: The ARB can issue a Certificate of Appropriateness for the design but the zoning law calls for any non residential district you must have a special permit for the fence.

At this time the following Certificate of Appropriateness was approved.

CERTIFICATE OF APPROPRIATENESS

This is to certify that the Architectural Review Board on March 5, 2013 granted a certificate of appropriateness to Matt Brooks/MGB/McColleys Pub for building alternations on building located at 89 South Union Street.

Such Certificate of Appropriateness was approved based on the following

1. Alterations to be as shown on drawings submitted by Fenity Associates dated February 11, 2013.
2. Approvals from the Fire Marshall, Liquor Authority and Zoning Board of Appeals.

After installation the applicant shall submit a photograph of the completed alterations to the Village Clerk for filing.

Planning Board

The application of Billy and Jessica Drew Cates of 422 Chili Ave extension, Churchville, NY 14428 requesting to subdivide lots 17 & 18 of Erie View Landing also known as 8 Waterside Lane, Spencerport NY Section 1 into a single lot. One single family residential home is intended to be built on the proposed lot. Such property is zoned Residential R-2.

Dave Matt from Schultz Engineers the engineer for this proposal will be representing the Cates this evening.

Dave Matt: My clients are proposing to combine lot 17 & 18 into one lot and put up a single family home centered on the new lot.

1. Connecting into the same sanitary manhole that is out there that lot 18 would have connected to.
2. Drainage will go towards the canal and as Tom West recommended we are going to put a catch basin in the NW corner which will tie into the existing catch basin out there. That will take the drainage from this lot and get it into the village owned storm.

Jack Crooks: Obviously with this new catch basin you will need to do some grading within that easement. Will all the grading you propose be done within that easement?

Dave Matt: Yes that easement goes to the property line.

Jack Crooks: Another thing on a positive note the type of home we are trying to build with the double lots and the driveway off Waterside Lane this is a much better option.

Attorney Stowe: First things first in reviewing the application I realized that I do know Mr. and Mrs. Cates and my father previously represented them however we don't have anything to do with this plan. There is no conflict I just wanted the board to be aware of that.

I don't have any comments everything is fine with me.

Chairman Wohlers stated that no one from the audience spoke for or against this application.

Denny Marra: I think this is a great use and will be attractive.

William Rutter: I think it will look great and fits in well there.

Chairman Wohlers: I see there is a retaining wall on the earlier print; will the grading take care of that now?

Dave Matt: Yes, that was mainly because the driveway was 5 -7 ft off the property line. They moved the driveway away from the property line so that could be graded out.

Chairman Wohlers read aloud comments from Electric Superintendent Owen McIntee and from Village Engineer David Willard. (file)

Village Engineer David Willard asked for confirmation of the stub size coming out of the sanitary manhole.

Dave Matt: I actually sent the surveyors out there to look and it is a core in the manhole that may or may not be bigger than 4 inches with a 4 inch pipe stuck in as a placeholder. The old Collichio plans show it as the lateral going right into the manhole so it seems like they cored the manhole and put something

In there so they could backfill around it with the intention of when the house goes up the lateral will go right into that existing core. There is not an 8 inch stub coming out of the manhole.

Chairman Wohlers asked for the sanitary sewer connection to be shown on plans.

Dave Matt: There will be a narrative on the plans describing it.

Chairman Wohlers stated that Monroe County Planning comments were received and one of the comments was that NYS Canal Corp should be contacted if any canal side improvements were proposed.

Dave Matt: No improvements along the canal have been proposed.

Chairman Wohlers also stated that all sediment and erosion control methods be used and shown on the plans.

At this time 7:45 pm the public hearing was closed.

Resolution No 3/13 **Introduced by Chairman Wohlers**
March 5, 2013 **Seconded by William Rutter**

Resolved that the Village of Spencerport Planning Board has determined that the application of Billy Cates and Jessica Drew Cates of 422 Chili Ave extension, Churchville NY to subdivide lots 17 & 18 of Erie View Landing also known as 8 Waterside Lane, Spencerport NY 14559 section one into a single lot with construction of one single family home is approved as shown on plans submitted by Schultz Associates, 129 S Union Street, Spencerport NY dated 1/31/13 be approved.

Such approval by the Planning Board is contingent upon the following items:

1. SME comments in March 4, 2013 letter.
2. Spencerport DPW comments addressed in February 26, 2013 email.
3. Village of Spencerport Engineer comment addressed in March 1, 2013 email.

Ayes: Wohlers, Marra, Slominski, Rutter
Nays: none

Next on the agenda is the application of Matt Brooks of 89 S Union Street, Spencerport NY for site plan approval to renovate the second floor to be an apartment whereas such second floor is presently office space on property located at 89 S Union Street, Spencerport NY.

Matt Brooks: This is building a space but also diversifying to help with the overage of the whole thing. MGB struggles all the time with overhead. We have a great building in the Village with plenty of building space for MGB. I wanted to utilize the building I do like the idea of people downtown this isn't going to be a renovation of a 1950's building it is an open floor up there this will be a brand new apartment not a 200 dollar apartment. This is a question that we have never really gotten an answer back yet but the fire lane around that building is mostly my property. And I know the question is going to come up if a car can park there and still have adequate room. It is a fire lane but you are not going to get a truck around the corner it is impossible it barely does a pickup truck. We would like to discuss that and that would help out that one spot. The entrance and exit for the apartment would be on a staircase outside the building going up the side in the fire lane. There will be a fire escape, a residential sprinkler system and an exit out on back to the roof. It will be plenty safe with two additional doors exiting the apartment. By using this space for an apartment it brings down the amount of parking vs. retail or a large restaurant.

Jack Crooks: Addressing Mr. Brooks question about the fire lane I don't really know where that originated so what I did was take the layout to the fire marshal. There is no way a fire truck will get back there I don't even know if we would designate that as a fire lane. It is more for access for guys with a ladder or something like that if they need to get to the second story. So as far as being designated as a fire lane that goes away it is not practical. Parking a car or two I don't see as an issue there have always been vehicles parked there as long as I have been here.

It does say in our code that if public parking is available within 500 ft it could be used as a parking avenue there is public parking available.

Attorney Eric Stowe: I don't see any requirement for off street parking in a B-1 District. The code states that to have a residential apartment in a commercial bldg requires a special use permit from the ZBA so that the residence is secondary to the commercial use but I don't see any requirement for the number of spots. I think using the code as a guide it doesn't specifically say the B-1 district but it is pretty clear the intent of the code is 2 spots for every unit I think that is a fairly safe guide to use. The ZBA must also grant that permit to allow the parking within 500 ft. to qualify as parking for the residential unit.

Chairman Wohlers: What is the square footage of the apartment?

Matt Brooks: Approximately 800 sq ft.

Chairman Wohlers opened the floor up to public comments at this time.

Carol Nellis Ewell: I have a business in Spencer's Landing so I am Mr. Brooks's neighbor and as he knows that parking is limited there is a lot of people using it now and it will force patrons over to the further part of the parking lot.

Matt Brooks: Toward the fairgrounds?

Carol Nellis Ewell: Probably the closest to the building are always taken.

Matt Brooks: I would like to designate them into that fire lane if I could.

At this time 8:05 pm the public hearing was closed.

Denny Marra: The problem I have personally I would like to see you turn that floor plan and put the pub on the north side and you could effectively have some type of seating in that fire lane. If you put a car in there with 15 gallons of gas and something happens it will be detrimental to that whole block. I would definitely not want to see that lane used for parking. That is my only concern other than that I think the whole thing is good.

Chairman Wohlers: Is there a possibility of flip flopping that first floor?

Matt Brooks: Oh no my office is done it utilizes my purpose and we are pretty proud of it.

Matt Brooks stated that having someone on the property full time discourages vandalism which has occurred.

Chairman Wohlers: With the past history in this building, a dry cleaners and a machine shop has there been any environmental studies done.

Matt Brooks: We did a phase 2 study I believe when we bought it everything is clean. The sewer system is all contained with floor drains.

At this time the following resolution was offered.

Resolution No 3/13 **Introduced by Chairman Wohlers**
March 5, 2013 **Seconded by Joseph Slominski**

Resolved, that the Village of Spencerport Planning Board has determined that the application of Matt Brooks, of 89 S Union Street, Spencerport NY for site plan approval to renovate second floor to an apartment whereas second floor is presently office space be approved. Such renovations to be as shown on sketch plan prepared by Fenity Associates, 129 S Union Street, Spencerport NY dated February 11, 2013.

Such approval by the Planning Board is contingent upon the following items:

1. Meet all approvals by Fire Marshall.
2. Meet all NYS Building Code regulations.
3. Pending ZBA approval for Special Permit and parking requirements.

Ayes: Wohlers, Marra, Slominski, Rutter
Nays: none

Approval of Minutes

Motion made by Chairman Wohlers seconded by Joseph Slominski and carried unanimously to approve the minutes of February 5, 2013 as written.

Adjournment

Motion made by Chairman Wohlers seconded by William Rutter and carried unanimously to adjourn the meeting at 8: 25pm