Planning Board /ARB Meeting

June 7, 2011

Present **Absent**

Chairman Wohlers

Denny Marra

Joseph Slominski

Craig Byham

William Rutter

Others Present

Edmund Martin Land Tech

Carol Nellis Ewell, Village Board Liaison

David & Cynthia Lott

Richard Mogab

Corinne Mansfield

Ross & Gail Gates

Mike Schriener

Joan Quigley

Joyce Lobene

Unfinished Business

The application of Parkview Apartments/Big Ridge Holding, LLC 4 Blackbird Lane for the construction of 20 apartment units contained in 5 buildings on property located at 120 Big Ridge Road, Spencerport NY 14559. Property zoned R-2.

Land Tech will be presenting the application.

Ed Martin: As outlined in my letter dated May 16, 2011, the revisions on plans came from comments and feedback from the Planning Board as well as input from the Village Engineer and the Village Highway Superintendent.

- Revised the turnaround at the end of each parking lot.
- Landscaping has been added in particular 9 additional evergreen plantings.
- Easement along the western portion of the north boundary.
- Included the light specs for the building mounted fixtures, have forwarded request from Superintendent McIntee that they use the same lighting that is on this building(Village Office)
- Significant drainage improvements increased capacity and in full compliance with the new regulations.

Ed Martin stated that Village Engineer has submitted a letter indicating that this project is in full compliance with the new regulations. (file)

Outstanding Issues

Land banked parking: Because the Village has no practical way of maintaining money for the future construction of those spaces the developers have decided to just install the code required amount of spaces at the time of development for this project.

Sidewalks along the frontage of Big Ridge Road:

Ed Martin: My clients are adamantly opposed to this given the fact that we only have a little over 12 ft of frontage on the far east of the project my clients would offer to give monies to the town much like a letter of credit for that 12.7 ft of sidewalk in lieu of constructing an additional 80 ft of sidewalk along 66 Big Ridge Rd. Given the new regulations for storm water management the additional landscaping also we are committed to putting the new sidewalk along Landry Way we would ask that you would consider accepting payment for the 12.7 ft of our frontage in lieu of them constructing the off site sidewalk.

Ed Martin: I have received notice from Tom West and Scott DeHollander that they are satisfied with the plans. We are prepared to file a notice of intent with the DEC for the Phase 2 permit.

Chairman Wohlers: On the sidewalk I found that we can not require you to do the 60 ft of sidewalk. But as far as banking the 12.7 ft we are going to have to require that the sidewalk is installed.

Denny Marra: What are you doing with the monument sign?

Ed Martin: There has been a lot of discussion on that but now that part of this project has been stalled I think that signage has been put on the back burner for now. My understanding is that permits will be needed and this board will get a full crack at details at that along with Jack Crooks.

Denny Marra: I think you have done a good job and worked well with this board.

Ed Martin: I would like to publicly commend Scott DeHollander and Tom West, it is rare to work this well with a Village Engineer and DPW Superintendent on a project like I did it and it really was a pleasure.

After further discussion the following resolution was offered:

Resolution No 6/2011 **Introduced by Chairman Wohlers**

June 7, 2011 **Seconded by Denny Marra**

Resolved that the Village of Spencerport Planning Board has determined that the application of Parkview Apartments/Big Ridge Holding, LLC, 4 Blackbird Lane, Spencerport NY 14559 subdivision and site plan as shown on plans submitted by Land Tech Surveying and Planning dated 4/12/11 with revisions dated 4/29/11 and 5/17/11 is deemed an unlisted action,

Furthermore, the Board has accepted and completed the Short Environmental Assessment Form and finds that the action will not result in any significant adverse environmental impact.

Ayes: Wohlers, Marra, Slominski, Byham, Rutter

Nays: none

Resolution No 6/2011a **Introduced by Craig Byham**

June 7, 2011 **Seconded by Joseph Slominski**

Resolved that the Village of Spencerport Planning Board hereby grants final approval for the application of Parkview Apartments/Big Ridge Holding, LLC, 4 Blackbird Lane, Spencerport NY 14559 subdivision and site plan as shown on plans submitted by Land Tech Surveying and Planning dated 4/12/11 with revisions dated 4/29/11 and 5/17/11.

Such approval is granted with the following condition proposed 27 land banked parking spaces to be paved.

Ayes: Wohlers, Marra, Slominski, Byham, Rutter

Nays: none

ARB MEETING

CDL Printing

40 Slayton Ave

Signage

David Lott owner of CDL printing stated his proposal to install an 18" x 72" foam board sign painted green with white vinyl lettering and strips. The sign will blend in with the rest of signage in the plaza in terms of graphics and color scheme. Our instructions to the sign maker is to not make the sign the darkest green or the lightest green sign in the plaza but to stay within the realm of the rest of the signs.

Chairman Wohlers asked why their sign is considerably smaller than the Serenity sign.

David Lott: Cost, we are pretty much the size of the sign over the liquor store across the way. There really are various sizes and shapes within the plaza.

Craig Byham: We would like to get the size of the sign closer to the Serenity sign without major expenditure on your part.

David Lott: I know it is not your concern to take into account the concerns of a small business. We have already spent $1000.00 on a sign which was taken down and trashed during the renovation. Now we are coming along and this will be a $600.00 sign and you are proposing an $1100. 00 sign.

Denny Marra: The landlord won't help you with that?

David Lott: No, not at all.

Denny Marra: To me it is fine; we don't have uniformity in the plaza.

The Board agreed that the shape and color is right and there is consistency within the plaza.

David Lott agreed to talk to the sign maker and see if there is anything he can do.

Chairman Wohlers: Will the sign be lit?

David Lott: No.

At this time the following resolution was offered:

Motion made by Chairman Wohlers seconded by Craig Byham to grant final approval for a Certificate of Appropriateness to CDL Printing located at 40 Slayton Ave, Spencerport, NY for signage based on the following conditions:

1. Sign shall be as shown designed with oval ends.
2. Size of sign no less than 18" x 72" and not to exceed 20 sq. ft.
3. Colors to match existing colors in plaza.
4. Sign material is foam board with vinyl lettering.
5. Sign to be installed in a safe manner.
6. After installation of sign applicant shall submit a photograph of completed installation to the Village Office for filing.
7. Sign shall be kept in good condition as determined by the VOS ARB.

Ayes: Wohlers, Marra, Slominski, Byham, Rutter

Nays: none

Delicious Bouquets

84 S Union Street

Signage

Corrine Mansfield owner of Delicious Bouquets Etc. stated to the Board that her proposal is to install a 24" x 84" sign on property located at 84 S Union Street.

Chairman Wohlers stated that the packet submitted does not show a picture of where the sign will be located on the building. Without that it is very hard to determine what it will look like with the Laff-Lines sign that is already on the building.

Corrine Mansfield: The sign will be right above the window, to the far left on the building positioned in the same area on the building as the Laff-Line signage.

Pictures of the building were reviewed by the Board and Corrine showed where the sign will go.

Ross Gates stated that another business is moving in the building. Laff-Lines moved down into another office to the left, and another business will be moving into where Laff- Lines was.

Denny Marra: What is going in there?

Ross Gates: A consignment shop.

Denny Marra: Will there be room for another sign which will at least match these?

Chairman Wohlers: No, Laff-Lines sign is 16 ft.

After further Board discussion the decision was made to table this application until the applicant submits photographs of what the sign will look like on the building and also what type of signage the other new tenant will need.

The Galley Restaurant

94 S Union Street

Signage

Ross Gates owner of The Galley Restaurant stated to the Board his proposal to install a sign 3' x 10' x5/8" on property located at 94 S Union Street.

Ross Gates: The sign won't be as large as it appears in this picture. I really want to take advantage of the boaters coming in to Spencerport. Actually this sign was originally on my business in Brockport.

Chairman Wohlers: Are you talking about mounting the sign on the canopy in the rear?

Ross Gates: Yes.

Denny Marra: The" Galley Restaurant Boaters Welcome" is fine if cut at the dotted line and fit in with the angle of the roof. Sizing the sign down to fit within the eaves of the canopy is a suggestion.

Ross Gates: The information under the dotted line is pertinent to my operation.

Chairman Wohlers: You already have a sign on the rear of the building and one on the dock.

Ross Gates: If it was a stipulation to take the sign down on the dock in order to get this one I would do that. I would like to put this one up to grab boaters I need exposure.

Craig Byham: there are six signs already on the building. This would make seven.

Denny Marra: If it doesn't match the pitch of the roof I am not going to approve this sign. The sized down sign will draw the crowd in and than they can look at a menu sign.

Craig Byham: The sign does not fit I don't think it has the right scheme. I would like to see a nautical look.

Ross Gates: Boaters welcome and the rope; you can't get more nautical than that.

The Board is agreement that the size and shape of the sign needs to be sized down to fit on the canopy.

Ross Gates: if we cut the bottom section off it should fit under that peak I will take that one off the dock I am not taking the original pilot house sign off the building.

Chairman Wohlers: Cut it down to under the eaves of the roof line submit pictures of how that will look. Do not mount the sign on the building.

After further Board discussion the decision was made to table this application until the applicant submits photographs of what the sign will look like after being cut down and positioned on the canopy .

Taste of Texas

122 S Union Street

Deck

Richard Mogab owner of Taste of Texas Restaurant stated to the Board his proposal to install a new wooden deck on property located at 122 S Union Street.

Craig Byham: Will this deck be in the back parking area?

Mr. Mogab: Yes, right on the blacktop back by the dumpsters.

Craig Byham: Will the dumpsters be enclosed?

Mr. Mogab: Yes on three sides. The cooker will be moved near the dumpsters also.

Chairman Wohlers: Is the deck going right to your property line?

Mr. Mogab: Yes

Denny Marra: My big concern is that this used to have 2 apartments upstairs now I understand there is only one apartment. My biggest problem with this is that there is only one means of egress for this building. I would need to see a secondary means of egress off this building I would like to see it fire resistant.

Mr. Mogab: With the two apartments there was only one egress.

Denny Marra: This deck now you have got wood here with more people if a fire starts here it will go right up. I have no problem with what you are doing I think it is great and will enhance your business but I still need protection for this second floor.

Mr. Mogab: Where will they come down to? The only place they can come down to is the deck.

Denny Marra: Somehow coming off of here you should be able to fashion another form of ingress and egress. This is easily satisfied by having the Fire Marshall approve it if he does that is fine.

Craig Byham: The purpose of the deck is to?

Mr. Mogab: To eat outside.

Craig Byham: Will you have tables out there how many?

Mr. Mogab: Yes we will have tables with umbrellas we haven't decided how many yet.

Mr. Mogab stated that he has to receive approvals and permits before the Liquor Authority issues a license and he can't build the deck until he receives the license. The material is pressure treated wood, white rails matching the colors of the depot. No changes with the parking spaces.

Chairman Wohlers: I would like to see the dumpster area increased so that maybe you can get the cooker in there too.

Mr. Mogab: That would be like having a boat and hiding it so that no one knows you have one this is a barbecue restaurant we use the cooker.

Chairman Wohlers: Then enclose the dumpster on all four sides.

Mr. Mogab: I won't I am not going to fight those gates in the winter time.

Joyce Lobene: According to Tom West if would have to be three sided in order for the truck to get in.

Craig Byham: How does the Village pick up the dumpster at Slayton Place?

Denny Marra: I think Slayton Place has a private refuse service I believe the Village picks up the dumpster here.

Mr. Mogab: Yes, I have Village pickup.

Craig Byham: I agree with Dave I would like to see that enclosed on all sides you can see it from the depot.

Mr. Mogab: What about the dumpsters behind us, those are the Galley's as far as enclosing the dumpsters that was something that we thru in because we thought it was necessary. If you fight me over that we will take them right out of the plans.

Chairman Wohlers: Anyone sitting at the deck it would be a better view for them.

Mr. Mogab: I understand that and that is why we are doing it also the aesthetics looking back from the canal too.

Chairman Wohlers: Are there any plans to cover the deck?

Mr. Mogab: Not in the plans.

Craig Byham: I would like to find out from Tom West why the dumpster can't be enclosed on 4 sides.

Denny Marra: From a labor standpoint of view the guys have to get off the truck unlock the gates get back in the truck back up the truck and lock the gate back up.

Mr. Mogab: They are going to have to shovel it out too in order to get the gates open.

Chairman Wohlers: It is done often.

William Rutter: The stairwell down from the second floor apartment is going to be to the deck?

Mr. Mogab: No actually that stairwell will be done away with and will be the storage for the wood.

Chairman Wohlers: We like to think that we are working with you and not against you; I agree with you the Galley dumpsters are a mess too.

Owen McIntee: The over head wires under the utility standards they do allow for the construction of a deck underneath the utility wires of that voltage that part is ok. The only standard is a minimum of 10 ft clearance on a deck he is way beyond that and I have no issues from an electric perspective.

William Rutter: Would you consider vinyl for the rails?

Mr. Mogab: The code states that a 250 lb hit falling against that will not break the railing. The support is usually the spindles of the railing. Vinyl wouldn't support 250 lbs.

William Rutter: It will look great painted white but it is a maintenance issue.

After further Board discussion the decision was made to table this application until documentation is received from Tom West regarding the dumpster enclosure and from Kevin Kelly regarding the egress and fire safety issues.

Motion made by Chairman Wohlers seconded by Denny Marra and carried unanimously to approve the minutes of May 3, 2011 as written.

Motion made by Chairman Wohlers seconded by Joseph Slominski and carried unanimously to adjourn the meeting at 8:15 pm to go into workshop session.