Planning Board/ARB
Minutes
September 3, 2013

Present **Absent**

Chairman Wohlers
Joseph Slominski
Denny Marra
Craig Byham
William Rutter

Others Present

Village Engineer David Willard
DPW Superintendent Thomas West
Planning Board Secretary Donna Stassen
Carol Nellis Ewell, Village Board Liaison
Joan Quigley
Joyce Lobene
Kris Schultz
Mike D'Angelo
Stu Chait
David Haines
Liz Venezky

At this time Chairman Wohlers led the Pledge of Allegiance.

Public Hearing

The application of Perotto Holdings for preliminary and final site plan approval for 15 & 17 West Ave and 181 S Union Street requesting to remove the detached garage, re-grade, pave, combine and stripe all parking areas at same.

Kris Schultz of Schultz Associates will be representing the applicant this evening.

Mr. Schultz: This was actually approved more than a year ago with the hopes of going under construction right away and subsequently ran out of time on our approval. Our client has decided to move ahead with the construction this year so we have reapplied.
We have asked the Village Engineer and others to take another look at it. If you recall what is going on with this project we are taking down the detached garage and merging all the parking across the 3 parcels, restriping and adding 21 additional parking spaces which is a big deal.

The last outstanding significant issue had to do with the deteriorating pavement on the Feltner property where the culvert headwall is for the creek. If you go out there today what you will see is a big piece of plywood laying down with a cone on it basically to keep cars from driving over it. What has happened over the years is the culvert pipe has deteriorated. Village Engineer Dave Willard picked up on that and

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thought this was a good time to fix that. Certainly if you are going in and ripping out a parking lot and you are putting in new inlet structures and the equipment is there that is the time to do it. Today I got a hold of one of the property owners; Jeff Feltner and told him what was proposed and explained to him that we are not into ripping all the culvert out this will not be a big replacement project. What we are proposing is basically cutting out the pavement around it excavating down around the culvert using the culverts almost as a form. We repair the invert with concrete and install stone and pave that area along with the rest of the area.

Mr. Feltner has assured us that he has no problem taking care of that cost he understands that the parking lot has to be repaired. You certainly cannot plow the parking lot with plywood lying on the ground.

Mr. Schultz stated that this is basically the same plan that was originally approved with the addition of the repairs of the sinking pavement and the installation of a wooden fence along the creek as requested.

Dave Willard: Tom West and I came up with the repairs to the culvert and it sounds like that will be taken care of. I do have a question about the common access easement.

Mr. Schultz: When we file the other easements we will file that at the same time. What we did is instead of trying to agile all the parking and drive aisles we made the entire property as cross reference makes it much easier.

DPW Superintendent Thomas West: I would like to see a detail on the plan so there is no question of how the excavation is going to happen before it gets approved.

Mr. Schultz stated that he would provide those details for Thomas West to review.

Electric Superintendent Owen McIntee: I spoke with Mr. Perrotta last week and explained that the pricing would need to be updated but basically we are going to remove that overhead and put underground in to accommodate parking.

The only thing I did mention to Mr. Perrotta is that he really should consider having his own lighting in that parking lot. If you do look at the photo-metrics it shows candles coming off the east side of the Frontier Building of course there is never any guarantee that those lights are going to be on or remain in service. When we push these poles back you are definitely going to have a dead spot. I would prefer to see for better uniformity in lighting some shoebox style lighting on some poles on the foundation sandwiched in to your parking areas. The lighting really should be customer owned and maintained coming out of their facility.

Craig Byham: Are they having any kind of home owners association to take care of maintenance on the pavement and snow removal?

Kris Schultz: I don't have the specifics but I will make sure that there is something in place.

Craig Byham: Is there plenty of room for snow removal?

Tom West: That is really up to them but there are areas where they could store it they will probably have to haul some of it out.

Craig Byham: What type of fence are you planning on putting up there?

Mr. Schultz: A wood stockade fence; something that is obvious.

Tom West: What they have there now is just a small yard one with 4 inch posts is that all they are going to put in there?

Mr. Schultz: A standard split rail fence it is not intended to be any kind of guide rail or anything that will deflect your car going 30 MPH.

Denny Marra: We put a lot of time into this project a couple of years ago it is fine with me and I am glad to see it moving forward.

Chairman Wohlers: I was going to bring up the railing too I just don't like the wood one at the post office. The way you have described this fence is a 6 x 6 post with a 2 x 8 rail which isn't very strong if they start pushing any snow against it the fence will be torn apart.

Mr. Shultz: We have put up chain link fences and you hit that with your car and it rips out. No matter what you put up there will be a potential of that happening.

Chairman Wohlers: Can you put the posts in with a metal rail?

Mr. Schultz stated that he would be happy to look into it.

Chairman Wohlers: Are they going to repave everything?

Mr. Schultz: Yes, they have to change the grade one of the biggest problems they have now is when you have a big rainstorm it floods into the building. There is a storm sewer that dumps to the street it is just a matter of re-grading as much as we can away from the building.

Chairman Wohlers: Attorney Stowe could not make the meeting this evening he sent a letter regarding the easements making sure they are done.

Mr. Schultz: They will actually be right on the plans when submitted for signatures.

Carol Nellis Ewell: What is the time line for this project?

Mr. Schultz: They could potentially have it wrapped up in a week.

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Joan Quigley: Are they going to fix the driveway out front by the sidewalk.

Mr. Schultz: I am sure if it needs to be fixed it will be taken care of when they pave.
Craig Byham: Is it the intention of the property owner to disallow the public from parking in this lot?

Mr. Schultz: Let me just say there is no intention of posting any signs saying private parking, I imagine as the owner of the property if they go out before a service and the parking lot is full and the guests can't find a space; yes he might take some action.

Chairman Wohlers closed the public hearing at 7: 29PM.
At this time the following resolution was offered:

Resolution No 9/13 **Introduced by Chairman Wohlers**
September 3, 2013 **Seconded by Denny Marra**

Resolved that the Village of Spencerport Planning Board has determined that the application of Perroto Holdings for site plan approval for 15 & 17 West Ave and 181 S Union Street, Spencerport NY requesting to remove detached garage, re-grade, pave, combine and stripe all parking areas at same location as shown on plans submitted from Schultz Associates, is deemed a Type 2 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 No9/13 **Introduced by Chairman Wohlers**
September 3, 2013 **Seconded by Denny Marra**

Resolved that the Village of Spencerport Planning Board grants conditional final site plan approval for the application of Perotta Holdings for 15 & 17 West Ave and 181 S Union Street to remove the detached garage, re-grade, pave, combine and stripe all parking areas at same location as per plans prepared by Schultz Associates dated November 15, 2011 with revisions dated 12/5/11, 3/28/12, 7/25/13 and 8/14/13. Such conditional final approval is contingent upon applicant addressing the following issues:

- All comments from Village Engineer David Willard.
- All comments from SME Superintendent Owen McIntee.
- All necessary easements shown and recorded per Village Planning Board Attorney Stowe.
- Comments from Highway Superintendent Thomas West.
- Comments from Planning Board.

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

Next on the agenda is the application of Stu Chait c/o Chaits Studio's for the property located at 205 Lyell Avenue, Spencerport NY for preliminary and final approval to construct a three car detached garage that will include a 920 sq ft second floor apartment.

Mr. Chait will be representing Mr. D'Angelo application for his property located at 205 Lyell Ave.

Mr. Chait: Mr. D'Angelo owns 201, 203 and 205 Lyell Ave currently there is a duplex in front facing Lyell which is 203 & 205 Lyell and he owns the adjacent property at 201 Lyell which has a duplex there as well as a garage building in the back. What we are here for tonight is approval for building a 3 car garage on 203-205 with a 920 sq ft apartment above it. For location purposes we are maintaining the west side setback and aligning the south end of it with the back of the garage. It makes sense as far as traffic, parking, and so on.

Mr. Chait: The Village Engineer has requested that more information be shown on the site plans. All of that is understood, I did send a letter back with comments. We have to go to the Zoning Board for a variance we are 19 ft shy of land area. We fully intend assuming that we can get preliminary approval tonight that we will be going for a variance as well as a special use permit to allow this to happen. After that we will be hiring a licensed land surveyor and he will be picking up these comments along with any others that may come up tonight.

Dave Willard: The plan was lacking a lot of information that we put on the letter i.e. no contours, utilities, water service all that was not shown it was really just a one sheet concept so we spelled out quite a few things that we are going to need basically a site design. Once we have that we can look at it we need something to start with.

Chairman Wohlers agreed that the plans were lacking a lot of information needed to move forward for any approvals.

Patrick Smith: We have worked pretty hard to get here with the timeline that they have of trying to get this in this year. I believe they were hoping that if they could get preliminary approval and had the time between now and the Zoning Board Meeting to finish up all his details that they would still have to come back to get the final and would have all that other information at that time. The setbacks are fine it is only the 19 sq ft he is lacking for overall lot coverage.

Chairman Wohlers: I don't think we can give any approvals without a site plan we have too many things to take of without a proper site plan in front of us. We don't have to give you any recommendation to go in front of the zoning board per the Village Attorney this application does not fall under the rule 340-16 requiring the Planning Board to make any recommendations. (Letter dated 9/3/13 filed)

Thomas West: Is it your intention to do a new sewer tap; Monroe County put in a storm tap but not a sanitary correct?

Mr. D'Angelo: No we put in new storm drains when they did the road they left us an opening for drainage one for each property and we brought in 2 new storm drains and the place is dry as a bone.

Tom West: Are you going to connect the storm to that pipe?

Mr. D'Angelo: We put a catch basin in the back in the middle of the parking lot that is why we could never pave it we had to use stone everything is fixed now.

Tom West: Are you going to be doing a new sanitary sewer tap?

Mr. D'Angelo: Why can't we tap in to the pipe right in front of 205 Lyell?

Tom West: Is it a 6 inch or a 4 inch I would have to see the detail.

Owen McIntee: I met with Mr. D'Angelo on site today there are overhead utilities that won't be in conflict, we talked about using gas for heating for the apartment. For the electric it is straight forward.

Denny Marra: Are there any plans to further develop this land?

Mr. Chait: No we are not allowed to.

Denny Marra: The biggest thing here is you have a 3 car garage going underneath an apartment I would like to see some type of either sprinkler protection or some fire protection sufficient for that.

Mr. Chait: It will be separated per code I am not aware that the residential code of NYS requires me to put in sprinkler protection and I hour drywall. I would defer that question to the Building Inspector.

Patrick Smith: The main thing would be that the floor slopes 4 inches so that any gas would run out and the current required drywall per fire code would be enough for me.

Denny Marra: What about a second mean of egress out of the apartment?

Patrick Smith: That would have to be provided on the plans.

Mr. Chait: For discussion purposes for today the residential code allows me that if the window sill is within x number of feet of grade each one of those windows has a sash recognized as an egress sash and being large enough for egress will suffice as a second means of egress. That is the code as I read it.

Patrick Smith: Correct, whatever it is it will have to pass code.

Chairman Wohlers: Maybe we could have our Fire Marshal make a comment on this too.

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Chairman Wohlers: How many units exit that single driveway out to Lyell Ave?

Stu Chait: Nine total units

Joyce Lobene: I know the area well there and there has been severe drainage problems there have they been addressed at all?

Mr. D'Angelo: Yes, we have a drainage pipe there now and I have no problems anymore.

Chairman Wohlers: Are you going to pave?

Stu Chait: The existing lot will be paved once the new contours have been set.

Craig Byham: Why wouldn't you pave the new area?

Stu Chait: It is over flow it is meant for back up space also for snow storage.

At 7:50 PM the public hearing was closed.

Chairman Wohlers stated that no action will be taken on this application.

ARB

David Haines
Spencerport Chamber of Commerce
Directory Sign

David Haines a member of the Chamber of Commerce Board will be presenting the sign application this evening.

David Haines: I am on the Chamber of Commerce Board and also on the Depot Board and basically the Chamber would like to put up and pay for a sign near the new dock. The sign will be for boaters and bicyclists dock at the new dock they will have a sign showing them where facilities would be. The signage would be updated every year or two as businesses change.

Gary Natalie will be making the sign he has done the other two signs they are already on the north and the south side, he had redone the sign on the south side several years ago. This is just a third sign because of those new docks we felt it would be a good thing for people visiting Spencerport.

Denny Marra: Gary always does a nice job will he be updating the sign on the north side?

David Haines: Yes, he will be updating all three signs; the Chamber is having some discussion as to who we want to put on this sign. When you're a boater you really don't need to know where the school District is. You need to know where restaurants are where places are that they will be using. All three signs have been budgeted and approved for.

Craig Byham: I know the issue when we were doing signs is that the Chamber would only put businesses that were in the chamber on their sign. We did the sign on the north side and we put all the businesses on there. Now I have seen that the Chamber has I believe all of the businesses listed with an asterisk next to the Chamber Members. Is that the intent going forward so that all local businesses will be going on the signs?

David Haines: Exactly.

Denny Marra: What is the point when you have got a committee for economic development why would you signal out with an asterisk a company that does not belong to the Chamber?

David Haines: Since the chamber was paying for it they at least wanted to say these are businesses that are members of the Chamber. I don't think there was anything more to it than that.

At this time the board granted the following Certificate of Appropriateness:

CERTIFICATE OF APPROPRIATENESS

This is to certify that the Architectural Review Board September 3, 2013 granted a Certificate of Appropriateness to the Spencerport Area Chamber of Commerce for signage to be located at 16 East Ave, Spencerport NY.

Such Certificate of Appropriateness was approved based on the following

1. Signage to be located between park hour's sign and lamppost on property at 16 East Ave.
2. Dimension of sign as shown on application submitted to the ARB.
3. Material of sign is alumilite panels with colors and vinyl lettering as shown on application submitted to ARB.
4. Sign will be supported by 2 4' x 6' x 10'redwood support posts painted.
5. A top to be placed over signage.
6. Sign to be installed as shown on application submitted to the ARB.
7. Sign shall not be lit.
8. Signage to be installed in a safe manner.
9. Signage shall be kept in good condition as determined by the VOS ARB.
10. After installation the applicant shall submit a photograph of the completed alterations to the Village Clerk for filing.

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

Approval of Minutes

Motion made by David Wohlers seconded by Craig Byham and carried unanimously to approve the August 6, 2013 minutes as written.

Adjournment

Motion made by Chairman Wohlers seconded by William Rutter and carried unanimously to adjourn the meeting at 8:16 pm.

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