

EAST ROCHESTER PLANNING BOARD MINUTES

PLACE: 317 Main Street, East Rochester Village Offices

DATE: May 12, 2015

TIME: 7:00pm

PRESENT:

Herb Allen, Chairman

Brandi Marino, Member

Barb Marr, Member

Lafayette Eaton, Member

Michael Kurrasch, Member

Christina Belles, Member

Mike Sullivan, Member

Heather Heffernan, Alternate

David Mayer, Attorney

Gary Smith, Parrone Engineering

David Smith, Building Inspector

Jennifer Raymond, Recording Secretary

The meeting was called to order at 7:00 pm and the Pledge of Allegiance was recited.

1st Item on Agenda:

233 East Avenue, parcel #152.22-3-34. Owner Charles Van Scott is seeking Architectural Review to install an 8' x 22' (176 Square foot) shed in the rear yard.

Christina Belles made a motion to table this application until next month's meeting due to Mr. Van Scott passing away the previous day.

Lafayette Eaton seconded the motion.

Voting was 7-0, all in favor.

2nd Item on the Agenda:

137 West Commercial Street, parcel #139.77-2-41 Lemoncello's. Co-Owners Massimo and Fausto Albano presented seeking Architectural Review to extend the patio into the driveway next door at 141 West Commercial Street. Brick and wood fencing is proposed for the enclosure. New site plan drawings with additional elevations as requested by Gary Smith were submitted for review.

Gary Smith explained that the site currently has broken up asphalt with a low spot where all the water accumulates and then infiltrates through the sandy soil. The proposed patio will be concrete; they will pour cement all the way up to the adjacent building. The patio will be pitched so that water will run-off to proposed gravel areas and then infiltrate through the sandy soil back into the

ground. Herb Allen inquired whether there would be any concern with an increased impervious area and Mr. Smith said there isn't since the water will infiltrate into the ground (just as it currently is able to do) with the gravel areas.

Mr. Allen had a discussion with the Board about the concerns for the current property lines and the proposed new property lines indicated on the site plan drawing submitted. Gary Smith explained the re-sub process: The applicant must file the new survey with the Monroe County Clerk's Office, receive a new tax map indicating the newly defined parcels, and the applicant must submit a copy to the town along with a deed showing they are owners of the property before a permit is to be issued for the proposed work. David Mayer summed up the discussion saying that basically the three lots currently showing on the drawings will become one lot. Gary Smith said it is an 'administrative re-sub' because a new lot is not being created; rather a parcel is actually being eliminated.

David Smith told the Board about the East Rochester Fire Department's concerns with the project. The fire department requires that a gate be installed at the front southeast corner of the proposed new patio to allow for emergency access.

Ms. Belles inquired about the applicant proposing to pour cement on a property not belonging to them. Gary Smith explained that in this case, there is an agreement with the other property owner to do this. The new patio would be eight inches higher than the neighboring property's grade. To avoid the eight inch drop between the properties the applicant has agreed to cement all the way up to the adjacent building.

Christina Belles made a SEQRA motion to find this project to be a Type 2 Action.

Barb Marr seconded the motion.

Voting was 7-0, all in favor.

Barb Marr made a motion to approve this project subject to all engineering and code requirements being met, with the condition that the new re-sub map be filed with Monroe County Clerk's Office and with the condition that a gate is installed in the front southeast corner of the new patio for emergency access.

Lafayette Eaton seconded the motion.

Voting was 7-0, all in favor.

3rd Item on the Agenda:

90 North Lincoln Road, parcel #139.70-1-77Rochester Bath and Kitchen Remodeling. Co-owners Dan and Jeffrey Whalen presented seeking Architectural Review for a Sign Permit to install three signs: 2 wall-mounted signs (47.5 square feet and 36 square feet respectively) and re-face the existing double-sided free-standing sign 30 square feet.

Dan Whalen explained that the sign on the front of the building will be back-lit individual letters. Illumination will be on a timer. The free-standing sign will not have any illumination.

David Smith and Mike Kurrasch both made comments that this corner lot within the Industrial District needs to have the exposure from all angles and therefore the three signs make sense in this situation.

Herb Allen explained that he had had a discussion with David Smith before the meeting concerning the correct square footage of the back-lit letter sign. Dan Whalen corrected himself and stated that the sign in question is in fact 47.5 square feet rather than 16.87 square feet.

Brandi Marino made SEQRA motion to find this project to be a Type 2 Action.

Mike Kurrasch seconded the motion.

Voting was 7-0, all in favor.

Lafayette Eaton made a motion to approve the Architectural Review for the signs as presented subject to the Zoning Board's approval for the required variances for excessive number of signs and amount of square footage.

Brandi Marino seconded the motion.

Voting was 7-0, all in favor.

Mike Kurrasch made a motion to give a positive recommendation to the Zoning Board for the signs to be installed as submitted.

Barb Marr seconded the motion.

Voting was 7-0, all in favor.

4th Item on the Agenda:

90 North Lincoln Road, parcel #139.70-1-77Rochester Bath and Kitchen Remodeling. Co-owners Dan and Jeffrey Whalen presented seeking Site Plan and Architectural Review for Modifications to the site for paving/parking and to place a dumpster enclosure on the property.

Dave Smith shared information with the Board concerning site meetings that he himself, the applicant and the Superintendent of the Department of Public Works have had concerning the proposed parking that goes right up to the road. Mr. Whalen has also mentioned taking down some trees that belong to the Town. Some of the paving will be within the Town's Right-of-way. DPW has given permission to take the trees down and to pave in the proposed areas. DPW does not foresee any problems with snow removal. Mr. Allen asked Mr. Smith if the Planning Board has the right to approve proposed work within the right-of-way. Mr. Smith explained that the Superintendent of DPW makes all decisions regarding the right-of-way, per Town Code. He has given approval for the proposed work affecting that area (which will be noted on the permit once it is issued).

Gary Smith asked Mr. Whalen whether the dumpster service will be through the Town or a private company. Mr. Whalen said it would be a private company. They discussed the amount of space required to maneuver for access to the dumpster. Mr. Smith also said that a site plan showing

striping (for no parking) and showing the (two) required handicap parking spots would have to be submitted as part of the permit application.

Mr. Whalen also discussed the need for the proposed additional paving by the truck loading area.

Mr. Allen asked Gary Smith if there were any concerns with the increased impervious area on the site. Mr. Smith said that there were no concerns and no neighbors close by to be affected.

Christina Belles inquired about the maximum number of curb cuts allowed. Mr. Smith said that there are two existing which the applicant is proposing to expand. The applicant does not propose to add any new curb cuts.

Gary Smith spoke about drainage and options to avoid problems with the neighboring property.

Lafayette Eaton made a SEQRA motion to declare this project to be a Type 2 Action.

Christina Belles seconded the motion.

Voting was 7-0, all in favor.

Barb Marr made a motion to approve the site plan as presented with the condition that striped parking plans are submitted during the permit application process and subject to the Zoning Board granting approval for a variance to have less than the 25% green space. Mike Kurrasch seconded the motion.

Voting was 7-0, all in favor.

Barb Marr made a motion to give a positive recommendation to the Zoning Board for the site to have less than 25% green space.

Mike Kurrasch seconded the motion.

Voting was 7-0, all in favor.

Old Business:

701 Garfield Street, parcel #151.28-2-20. Owner Aldo Magliocchetti had received Architectural Review/Planning Board and Zoning Board approval for a three-season room on April 17, May 8 and May 15, 2012.

On May 8, 2015 Mr. Magliocchetti brought new plans into the Building Department for the three-season room. The Planning Board discussed the new plans submitted and determined that there are significant deviations from the original plans approved. The applicant will have to submit a new application and present the project before the Board for Architectural Review.

New Business:

The Board had a discussion lead by Lafayette Eaton concerning requirements for retaining walls. David Smith explained that any retaining wall over 30 inches in height requires a permit, and that it

has to be out of the Town right-of-way. He emphasized that the Superintendent of DPW has to give approval for anything in the right-of-way.

David Smith also discussed several future projects in the town: a stop and shop gas station at 501 Main Street, a microbrewery/office space/restaurant at 129 West Commercial Street, a new restaurant tenant at 135 West Commercial Street and La Tea Da at 211 West Commercial Street.

Herb Allen announced to the Board that alternate member Christopher Poles has submitted his resignation.

A motion was made by Mike Kurrasch to approve the April 14, 2015 Planning Board minutes. Lafayette Eaton seconded the motion. Voting was 7-0, all in favor.

Brandi Marino made a motion to adjourn at 8:03 pm. Lafayette Eaton seconded the motion. Voting was 7-0, all in favor.

Respectfully submitted,

Jennifer Raymond
Recording Secretary