

## **EAST ROCHESTER PLANNING BOARD MINUTES**

PLACE: 317 Main Street, East Rochester Village Offices

DATE: June 14, 2016

TIME: 7:00pm

### **PRESENT:**

Herb Allen, Chairman  
Barb Marr, Member  
Christina Belles, Member  
Mike Sullivan, Member  
Brandi Marino, Member  
Heather Heffernan, Alternate Member  
Daniel Bryson, Attorney  
David Smith, Building Inspector  
Jennifer Raymond, Recording Secretary

### **ABSENT:**

Mike Kurrasch, Member  
Lafayette Eaton, Member

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

Heather Heffernan participated as a voting alternate member.

### **1st Item on Agenda:**

101 Despatch Drive, parcel #139.69-2-31 Leo's Bakery & Deli. Todd Markevicz of APD Engineering, acting as agent for Leo's Bakery & Deli presented seeking Site Plan Approval and Architectural Review for a 14,950 square foot expansion of the current building towards Walnut Street.

Mr. Markevicz explained to the Board that his client has revised the site plan from the original plans submitted and approved by this Board on April 12, 2016. The key revisions are as follows:

- 1) Altering the building expansion area from 13,100 square feet to 14,950 square feet
- 2) Shifting the location of the dumpsters
- 3) Rear parking to accommodate another 4 parking spots (increasing the total parking to 117)
- 4) The Watermark Specialty Foods reception area has been relocated to the rear & a new entrance door & ramp have been added
- 5) Exterior finishes of the building have also been slightly altered, but will remain consistent with the existing building materials
- 6) The proposed Walnut Street curb cut and access has been eliminated from the site plan.

Gary Smith submitted comments from Parrone Engineering dated June 10, 2016 for the Board and the applicant to review before the date of the meeting.

Dan Bryson addressed Mr. Markevicz about making a formal statement to withdraw the prior application for site plan review and architectural review that had been approved at the April 12, 2016 Planning Board meeting. Mr. Markevicz agreed and formally withdrew the previous application.

Herb Allen questioned Dan Bryson and Mr. Markevicz about submittals to Monroe County Planning and Development. Mr. Allen stated that the original application had been submitted and approved; the seconded application was submitted but shows the Walnut Street curb cut which the applicant has now eliminated from the site plan. Mr. Allen asked if the applicant is obligated to submit a new site plan to the County without the Walnut Street curb cut. Mr. Bryson said the changes are not material enough to warrant a new review, but that an updated and accurate site plan should be sent to the County as a courtesy. Mr. Bryson also highlighted item number four on the response from the Monroe County Planning and Development Department which states that the applicant should verify with the DEC that they do not have jurisdictional requirements for this project. Gary Smith explained that this is for the environmental impact of the project. Mr. Markevicz highlighted items from a letter dated May 8, 1990 from the DEC concerning a Phase 2 investigation and a follow-up letter dated February 10, 1993 stating that the DEC found there to be no significant hazardous waste on this site. David Smith explained that the DEC response (for the original application for this project) stated that they were not concerned and did not have jurisdictional requirements for this project.

David Smith inquired about the use of the expansion; the original plans stated it was expansion of the bakery, but the newer plans appear to show more warehouse space. Mr. Smith asked for clarification for the occupancy classifications (i.e.: A2 Assembly, M Mercantile, S Storage etc.) for each area of the building with the proposed expansion included. Mr. Markevicz passed around a floor plan with classification codes marked in the different sections of the existing and proposed building addition.

Herb Allen stated to Mr. Markevicz that the plans submitted and the plans actually being presented tonight do not match up with the applicant's latest intentions for the proposed project and that the Planning Board needs to have the final site plans and elevations with an application explaining the actual proposed project in order for the Board to make informed decisions to vote on. Mr. Allen went on to say that obviously the relevant parties (the County and DEC) must be given the most accurate and up-to-date proposal so that they can make informed decisions. Mr. Allen asked Mr. Bryson if the Board can possibly

vote on anything at tonight's meeting. Mr. Bryson said it would be best if the applicant were to table this application, work on engineering concerns submitted by Gary Smith in the meantime and submit the updated final application with site plan and elevations for the Planning Board to review for the meeting next month. Mr. Bryson stated that it would be best to take care of SEQRA, Site Plan and Architectural Review all at the same time.

Owner Pat Bernunzio approached the podium and explained that the busiest time for Leo's is November and December; he stated that his concern is that if the project is tabled again, the project would not be able to be completed in time for the holiday rush. Mr. Bernunzio asked if any site prep construction work could be started before the next meeting. David Smith said that no work could be started before he has plans to review or for inspections to be compared to. Mr. Smith made it clear that no work could start before a permit has been issued.

Mr. Markevicz requested an intermission while he had a private conversation with Pat Bernunzio and contractor Chris Wegner from Lake Construction.

After the break, Mr. Markevicz asked David Smith if it would be possible to submit completed construction plans for Mr. Smith to review concurrently while Mr. Markevicz submitted final (updated) site plans and applications to the County and the Planning Board and to receive the County/DEC responses for the July 12, 2016 Planning Board meeting. David Smith agreed that he would be willing to do that to save the applicant down time after the Board reviews and before the permit is issued. Mr. Markevicz said during the interim, he will address the applicable engineering concerns with Gary Smith.

Mr. Markevicz requested to table this application until the July 12, 2016 meeting, with the understanding that he must submit the proper paperwork by the submission deadline to the Town (June 27, 2016).

**New Business:**

Barb Marr said she will be out of town and will not be available for the July 12, 2016 meeting.

Herb Allen spoke of a mailing he received for a training opportunity.

Christina Belles made a motion to approve the May 10, 2016 minutes.

Brandi Marino seconded the motion.

Voting was 6-0, all in favor.

Brandi Marino made a motion to adjourn.  
Barb Marr seconded the motion.  
Voting was 6-0, all in favor.

The meeting was adjourned at 7:53 PM

Respectfully submitted,  
Jennifer Raymond  
Recording Secretary