

EAST ROCHESTER PLANNING BOARD MINUTES

PLACE: 317 Main Street, East Rochester Village Offices
DATE: September 8, 2015
TIME: 7:00pm

PRESENT:

Herb Allen, Chairman
Brandi Marino, Member
Michael Kurrasch, Member
Christina Belles, Member
Barb Marr, Member
Lafayette Eaton, Member
Mike Sullivan, Member

ABSENT:

David Mayer, Attorney
Heather Heffernan, Alternate

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:

1008 Main Street, parcel #152.37-1-7 Mary Magdalene Church. Lynn Hamilton acting as agent for the church presented seeking Architectural Review to replace the existing double-sided, free-standing sign with a new double-sided free-standing 6' x 4' sign in the same location.

David Smith told the Board that there is already a variance on file with the Town for the nine foot setback from the right-of-way (March 14, 2006). He explained to the applicant that the proposed sign would require a variance due to the height (75" height on top of a 16" wood base) exceeding the Town Code maximum of six feet from natural grade. He suggested that the applicant consider lowering the height of the sign if they would like to avoid seeking a height variance. Ms. Hamilton stated that the sign's height would be lowered so that it does not exceed the six foot height requirement.

Christina Belles asked if the sign's posts would be required to meet the frost footing requirements. David Smith said if they are new posts then it would be addressed during the permit process; there would be a discussion confirming the requirement with the contractor.

Christina Belles made a SEQRA motion to find this project to be a Type 2 Action.
Lafayette Eaton seconded the motion.

Voting was 7-0, all in favor.

Lafayette Eaton made a motion to approve the sign as presented with the caveat that the sign be lowered so as to be no more than six feet from natural grade.

Barb Marr seconded the motion.

Voting was 7-0, all in favor.

2nd Item on the Agenda:

501 Main Street, parcel #152.21-1-55 Fast Mart. Owner Muhammad Raza of Chamba Holdings, LLC presented seeking Architectural Review for a Sign Permit to install a 24" x 180" (30 square foot) channel letter wall-mounted sign.

Brandi Marino inquired why the proposed sign says Food Mart rather than Fast Mart. Mr. Raza replied that his marketing agent suggested it. Also, the existing Mobil canopy and free-standing signs are staying the same because he is using Mobil gasoline.

Lafayette Eaton asked why the rendering that was submitted for review shows the Food Mart sign as being off-center. Mr. Raza explained that once the garage doors are replaced with brick and widows, the sign will appear to be centered.

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

Lafayette Eaton seconded the motion.

Voting was 7-0, all in favor.

Mike Kurrasch stated that he thinks the sign is very basic and simple. He suggested that the sign could be spruced up a bit. Herb Allen said that the font of the letters do provide some depth at least. Mr. Raza stated that the lettering style matches the existing Mobil sign lettering.

Barb Marr made a motion to approve the Food Mart sign as presented.

Christina Belles seconded the motion.

Voting was 7-0, all in favor.

3rd Item on the Agenda:

501 Main Street, parcel #152.21-1-55 Fast Mart. Owner Muhammad Raza of Chamba Holdings, LLC and agent Frank Cooper presented seeking Architectural Review for Site Plan and façade changes for Fast Mart. He is converting a car service garage into a convenience store with a gas station. He is proposing to remove the existing garage doors and install a store front (glass and brick) and complete interior renovations.

Gary Smith had a discussion going over the ten items on a document dated September 8, 2015 that was submitted to the Planning Board from Parrone Engineering for Site Plan

Review. Gary Smith and David Smith spoke to the Board about their findings when they had an on-site walk-through with the applicants approximately 1 ½ months ago.
(A copy of this submitted document is enclosed at the end of the minutes)

Barb Marr and Herb Allen asked how many parking spots are required for this size property and business.

David Smith spoke about the spots at the gas pumps counting as parking spots, and the requirement for ADA parking. It was determined in a later discussion that ten parking spots (ADA spot included) are required. Gary Smith explained that this will need to be shown on the site plan with striping.

Mr. Allen inquired about access for trucks to perform garbage service pick-up. Brandi Marino mentioned that slanted parking spots shown seem to use up more space than spots with straight lines would. Gary Smith and Frank Cooper explained the need for angular spots to allow for backing out of a spot and spoke about appropriate spots to have employee parking in the rear of the building and a means of travel for the waste hauler.

Mike Kurrasch asked if the applicants had determined how and where they will take care of snow removal. Mr. Cooper addressed the Board explaining that there is space behind the building.

Ms. Marino stated that the Board packets didn't have (color) elevations showing the façade changes and that it is difficult to have Architectural Review without that. Gary Smith, David Smith and Frank Cooper passed around black and white drawings showing some of the changes. Gary Smith asked the applicant about the color schemes. Mr. Cooper said that they will match the color of the new brick up as closely as possible with the existing brick.

Mr. Allen also brought up concerns with the proposed trees along the right-of-way by the corner causing line-of-sight issues. Mr. Cooper explained that they would be small trees. David Smith said that they could look more closely at the tree issue during the permit process.

Mike Sullivan asked if there were any DEC issues with tank removal or any past leaks. Jennifer Raymond said that a Freedom of Information Request asking for a search of any known hazards or problems was done when the applicant was purchasing the property (standard with many property sales). No know leaks or DEC reports were ever filed with the Town. Gary Smith said that a DEC permit was required for the tanks. Mr. Cooper stated that existing tanks were required to be tested and permitted by the DEC.

Ms. Belles said that currently the property has two finishes on the building: one is clear anodized aluminum and the other is bronze anodized aluminum. She inquired if the building would be updated to have just one color? The applicants agreed that they could make it all one (either the clear or bronze anodized aluminum).

Christina Belles made a SEQRA motion to find this project to be a Type 2 Action.
Lafayette Eaton seconded the motion.
Voting was 7-0, all in favor.

Barb Marr made a motion to approve the Site Plan relative to engineering and code contingencies being satisfied based upon the comments submitted by Parrone Engineering dated September 8, 2015.
Lafayette Eaton seconded the motion.
Voting was 7-0, all in favor.

Christina Belles made a motion to approve the façade changes (removing the existing garage doors and installing a store front with glass and brick) with the condition that the new brick match the existing brick as closely as possible and with the condition that the anodized aluminum all be one uniform color (clear or bronze).
Barb Marr seconded the motion.
Voting was 7-0, all in favor.

4th Item on the Agenda:

401 Main Street, parcel #152.21-3-1 DCS and More. Business owner Dean Stacey presented seeking Architectural Approval for a Sign Permit to install front and side window graphics.

David Smith explained concerns that Herb Allen had addressed with David Mayer and himself earlier in the day. Mr. Allen is concerned that there are too many signs and that a variance would be needed. He figured signage in each separate window pane counts as one sign. Mr. Smith gave the Board David Mayer's explanation: Windows on the front (Main Street) side are separated by two mullions and the signage is less than 25% of the windows. He counts this as one sign. The three separate windows (separated by approximately 8 feet between them) with window graphics in each on the West Elm Street side are counted as three signs. Mr. Mayer said to either remove two of those signs or apply for a variance for having an excessive number of signs (two business signs per business is allowed per Town Code).

Lafayette Eaton asked if the Fed Ex sign counts. Mr. Allen explained that because it is hanging in the window and not permanently affixed it does not count.

Barb Marr discussed the merits of each of the three windows (to possibly use on the West Elm Street side) and asked the Board if they should choose which window (if the applicant chooses to remove two signs to avoid a variance requirement) to utilize or if the applicant could choose. It was determined that the applicant could choose. Mr. Stacey said he would remove two of the signs.

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

Lafayette Eaton seconded the motion.

Voting was 7-0, all in favor.

Christina Belles made a motion to approve the signage on the front (Main Street) side of the building as presented and to have only one sign in one of the three windows on the West Elm Street side.

Lafayette Eaton seconded the motion.

Voting was 7-0, all in favor.

Old Business:

701 Garfield Street, parcel #151.28-2-20. Owners Aldo and Diane Magliocchetti submitted new plans for modifications to a previously approved three-season room addition. At the June 9, 2015 Planning Board meeting this application was tabled until violations and other site issues were addressed by the homeowners.

David Smith explained to the Board that the beams have been installed and that the dump truck is now empty and can be used to clean up and remove other debris on the property. Jennifer Raymond said that Diane Magliocchetti had stated that the three season room project will have to stay on hold until the Spring of 2016 since it's late in the current year and they still have a lot of items on the 'to-do' list to address.

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.

Several Board members asked about the status of the tent at Lemoncello's. David Smith detailed some on-going issues including a work van that had been parked on Town property for a long time. He spoke about a notice being sent to the owners for the tent and for electrical inspections.

Herb Allen requested that the Planning Board be kept up to date on the status of the Fryatt Building located at 901 Main Street. He spoke about the past Town Board meeting whereby that Board decided not to change the wording for a special use permit or to re-zone just that one property for commercial use within a residential district. There was a discussion about the Fryatt Building being put up for sale (as residential) by the Town.

New Business:

David Smith mentioned to the Board that a kids' group home that is affiliated with St. Joseph's Villa may be purchasing the property located at 209 West Filbert Street. Mr. Smith said that our attorney David Mayer along with their attorney Betsy Brugg from Woods

Oviatt Gilman and members of the group home staff are scheduled to meet with him on September 10, 2015 to get more information and to determine whether this will need to come before any Board for approval (Town, Planning or Zoning). Further discussion between Board members continued concerning group homes.

Lafayette Eaton inquired about the Town's process to certify a house to be a rental. David Smith explained the permit process for a Certificate of Occupancy when there is a change of ownership and for a Rental Permit to be acquired by the new owner. Mr. Eaton asked if there were any guidelines to keep after these rentals. David Smith stated that there are property maintenance codes and the Town also has the Three-Strike Rule whereby the property owner could lose the C of O (therefore making a rental permit null and void).

Lafayette Eaton also asked if the Town currently has a comprehensive plan being enforced. Herb Allen stated that the Town had voted to accept the plan, but not to adopt it.

A motion was made by Christina Belles to approve the August 11, 2015 Planning Board minutes.

Mike Kurrasch seconded the motion.

Voting was 7-0, all in favor.

Christina Belles made a motion to adjourn at 8:28 pm.

Lafayette Eaton seconded the motion.

Voting was 7-0, all in favor.

Respectfully submitted,

Jennifer Raymond
Recording Secretary