

EAST ROCHESTER PLANNING BOARD MINUTES

PLACE: 317 Main Street, East Rochester Village Offices
DATE: October 14, 2014
TIME: 7:00pm

PRESENT:

Brandi Marino, Member
Barb Marr, Member
Lafayette Eaton, Member
Michael Kurrasch, Member
Christina Belles, Member
Heather Heffernan, Alternate

David Mayer, Attorney
Gary Smith, Parrone Engineering
David Smith, Building Inspector
Jennifer Raymond, Recording Secretary

NOT PRESENT:

Herb Allen, Chairman
Mike Sullivan, Alternate Member

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

Barb Marr sat in for Herb Allen and assumed the responsibilities of chairing the meeting. Heather Heffernan participated as a voting alternate member.

1st Item on Agenda:

503 Sycamore Street, parcel #151.27-1-12. Owner Jennifer Englert presented, seeking Architectural Approval to construct a 15 foot wide addition to the existing garage. She is seeking to make the 1 ½ car garage a 2 1/2 car garage.

Mrs. Englert explained that she has submitted new elevation drawings for the Board to review and has decided to go with option #2 for the 15' x 22' garage addition (the addition is setback, without a dormer).

David Smith noted for the Board that the proposed addition would be set back from the existing section of the garage.

Jennifer Raymond noted for the Board that SEQRA was taken care of at the September 9, 2014 meeting for this project.

Brandi Marino made a motion to accept option 2 for architectural review of a 15' x 22' garage addition. Lafayette Eaton seconded the motion. Voting was 6-0, all in favor.

2nd Item on the Agenda

503 Sycamore Street, parcel #151.27-1-12. Owner Jennifer Englert presented seeking Architectural Approval to replace an existing 6 foot high wood stockade fence that is falling apart, with a new 6 foot high vinyl fence in a second front yard (corner lot), that also acts as a barrier to an above-ground pool that is partially sunk in the ground due to fluctuating elevations. She will be seeking an area variance from the Zoning Board for the fence height exceeding 36 inches and for the location being closer than 40 feet from a street (the proposed location will be 25 feet from McKinley Street).

Dave Smith explained the New York State Building Code that requires a four foot barrier for a pool.

Christina Belles made a motion to give a positive recommendation to the Zoning Board for the area variances. Lafayette Eaton seconded the motion. Voting was 6-0, all in favor.

3rd Item on the Agenda:

100 Station Road, parcel #139.69-1-20 Despatch Junction. Mike Virgil from Construction Management Systems, Inc., acting as agent for owner Stanley Slade, presented seeking Architectural and Site Plan Approval to construct a new 2,690 square foot commercial building (to replace the existing structure that was recently destroyed by a fire). The owner wants to rebuild the existing facility in order to continue his retail business. The 2,690 square foot building will be the same footprint with one feature that will be different: there will be a basement with a walk-out door on the east side. The basement will be used for additional storage.

Mr. Virgil spoke about new elevation drawings that were submitted to the Board for review and about a meeting he had Friday October 10, 2014 with Gary Smith, Dave Smith, Jennifer Raymond and John Clarke (DDS) to address Parrone Engineering's comments and concerns for the project. A few key architectural elements mentioned at the September meeting that he's addressed are: some of the siding above the dormers and on the gables have been changed to be vertical, a little more with the bracketry on the building and adjusted the stair railing as suggested.

Gary Smith also spoke about discussions from the October 10, 2014 meeting. He mentioned some responses to the engineering comments needing to be researched further, but that any approvals the Board wants to make can be done so with the condition that any concerns be addressed during permit review.

David Mayer recapped the variances for the proposed project that were addressed at the Zoning Board meeting on September 16, 2014 for the Planning Board: Village Code Article VI, Chapter 193 Section 35 and 36 allows a pre-existing, non-conforming building that was damaged by fire to the extent of more than 50% of its fair market value be rebuilt within one year thereafter and such non-conforming use continued therein. The Zoning Board determined the structure is a "non-conforming structure" with pre-existing approved use. It further found that as long as construction of this project is completed within a year of the fire, no variances for the proposed project are required.

Dave Smith stated that the Board has been approved as Lead Agency by the DEC for SEQRA. He also reported his conversation with the Federal Railroad Safety Commission and they said they do not have any problems with the proposed project. They suggested he contact Conrail, but Mr. Smith said they are not a regulating agency and therefore do not have a say concerning private property.

Heather Heffernan made a motion for the Planning Board to act as Lead Agency under SEQRA. Christina Belles seconded the motion. Voting was 6-0, all in favor.

Lafayette Eaton made a motion that the Board finds that the proposed project does not have any significant adverse environmental impact, with the condition that if there are any findings the DEC will be notified. Christina Belles seconded the motion. Voting was 6-0, all in favor.

Brandi Marino made a motion to accept the updated plans submitted for architectural review as presented with the condition that all additional engineering and code concerns and comments be addressed with the permit process. Mike Kurrasch seconded the motion. Voting was 6-0, all in favor.

4th Item on the Agenda:

117 West Commercial Street, parcel #139.77-4-41 Morabito Law Office. David Morabito presented, seeking Architectural Review for a Sign Permit to install a 8' x 2' wall-mounted sign on the front of the building, over the second story windows. Mr. Morabito explained that it's the same sign he used to have, but that it will be mounted higher up on the building to cover up the cracks on the building (he says the State has told him not to touch the cracks when he was performing façade work under the Main Street Grant).

David Smith and David Mayer posed the following question to the Board: would the proposed sign be a third sign? The existing awning on the building and the front window both have the business name on it, and therefore (just the text areas) are considered two signs. The existing square footage of those two signs is well below the 50 square foot maximum allowed for signs. The concern is that Town Code says a business is only allowed two signs. David Mayer discussed the definition of a window sign and determined that the graphics currently on the front window are in fact considered a sign. Mr. Morabito pointed out that for 35 years an awning, window graphics and the existing wall- mount sign were there (but the wall- mounted sign was in a different, lower location on the building before it was taken down).

Barb Marr summarized the discussion saying that the awning and window graphics are determined to be two signs already and that Mr. Morabito would need a variance to install the proposed sign as a third sign. She asked the Board if they wished to make a recommendation to the Zoning Board.

Lafayette Eaton urged Mr. Morabito to seek a variance for the third sign and expressed his opinion in favor of having all three signs. Dave Smith also added that Mr. Morabito would still be under the 50 square foot signage limit. Heather Heffernan said the business would benefit from having the third sign and that it wouldn't be too much in this scenario.

Mike Kurrasch asked if there were any concerns with anchoring or mounting the wall sign. David Smith said the State was strict with mounting standards during the Main Street Grant and obviously those concerns would be taken into account during the permit review process, along with any concerns from engineering.

Lafayette Eaton made a motion for the Planning Board to give a positive recommendation to the Zoning Board for a variance to have a third sign for this business at this location. Brandi Marino seconded the motion. Voting was 6-0, all in favor.

Brandi Marino made a motion for approval of Architectural Review for the proposed sign with the condition that the Zoning Board grants approval for the variance. Mike Kurrasch seconded the motion. Voting was 6-0, all in favor.

Mr. Morabito said he would come back at a later date to submit a variance application to the Zoning Board.

5th Item on the Agenda:

119 Despatch Drive, parcel #139.70-1-85 Rochester Magnet. Owner Andrew Carpentier presented, seeking Architectural Review for a Sign Permit to reface the graphics on the existing double-sided free-standing 36" x 96" sign at the front of the property. The original sign was approved by the Planning Board in 2011.

Gary Smith said as long as the sign is the same size and in the same location, there are no concerns.

Lafayette Eaton asked whether there are two or three type-faces on the proposed sign. David Smith mentioned that the sign is for two different businesses on the same property. The address at the bottom is considered directory signage. He said any difference in font is de minimis.

Barb Marr asked Mr. Carpentier if there would be any lighting. Mr. Carpentier said there wouldn't be any lighting.

Lafayette Eaton made a motion to find this project as a Type 2 Action under SEQRA, due to the proposed sign having no adverse environmental impact. Brandi Marino seconded the motion. Voting was 6-0, all in favor.

Christina Belles made a motion to accept the sign as presented. Heather Heffernan seconded the motion. Voting was 6-0, all in favor.

6th Item on the Agenda:

301 South Washington Street, parcel #138.84 -1-2. Prospective owner, Michael Sullivan of JCJ LLC, presented seeking Preliminary Architectural Review for the following façade changes: demolish the extension and overhead door on the south end (South Washington Street side) of the building to make it flush, add additional windows, brick, metal awning, gable and adjust grading on the site. Mr. Sullivan explained he would like to do this to create more parking and improve traffic flow. He also explained that the site's existing grade is elevated above the surrounding grade. He proposes to close the front entrance and re-grade the site to match the surrounding area. Mr. Sullivan explained that the building has one common entrance with two suits in it.

Gary Smith explained to Mr. Sullivan that any work that is proposed to be done in the NYS Department of Transportation's right-of-way must have permits from them first. A map that shows the exact location of the State right-of-way would be required. Mr. Smith also discussed location and logistics of parking spaces both existing and proposed having safety issues.

There was a discussion about how many parking spaces would be required. Dave Smith said that the number of spaces required by code is driven by the type of business and the amount of traffic it generates.

Mr. Sullivan discussed his understanding that the State DOT would be the biggest concern to deal with. He re-iterated that he is looking to make a dramatic improvement to the site and make it safer by removing part of the building and fixing the grade.

Gary Smith also discussed concerns with this property being located on the corner of a very congested intersection, with limited parking for this property and the neighbor's business as well. He pointed out that Kohler Awning, the prior business at this site, worked well at this location because it did not have the type of business that encouraged heavy customer traffic.

Dave Smith mentioned that the NYS DOT would be very conscience about safety when issuing any permits for this site (to avoid a lawsuit). Mr. Sullivan stated that he would be very conscience as a landlord of safety and traffic volume.

Christina Belles asked how many parking spaces would be generated by removing the "L" shaped portion of the existing building. Mr. Sullivan replied that there would be two spaces. Heather Heffernan asked if it is allowable to have spaces that are parallel with the building. Gary Smith replied that it would be allowed only if the traffic flow was one way on the site.

Bill Sayles, owner of the property and business located at 307 South Washington Ave., spoke to the Board during public comments. He spoke about the many safety problems and logistic headaches he has had next door to the prior businesses that have been located at 301 South Washington over the years. He summed it up to say that if the building was to have that back portion removed, a barrier would have to be erected to separate the properties for logistic and safety concerns. Mr. Sayles also stated that the best fit for the lot is a business with low customer volume. Penny Sayles, co-owner of 307 South Washington Ave. asked Mr. Sullivan for confirmation of the number of suites existing and proposed for the building. Mr. Sullivan replied that there are two suites currently, and he proposes to keep that the same. Mrs. Sayles stated that it is hard for the Planning Board to determine many factors for this proposed project without knowing what sort of businesses would be located there.

Old Business:

Barb Marr reminded the Board members that if they still need to get their 4 credit hours of training in for the year, to sign up for the fall programs that Monroe County has available. Jennifer Raymond will research which members still need to meet their annual requirement.

A motion was made by Christina Belles to approve the September 9, 2014 Planning Board minutes. Lafayette Eaton seconded the motion.

Voting was 6-0, all in favor.

Heather Heffernan made a motion to adjourn at 8:12 pm. Brandi Marino seconded the motion. Voting was 6-0, all in favor.

Respectfully submitted,

Jennifer Raymond
Recording Secretary