

## **EAST ROCHESTER PLANNING BOARD MINUTES**

PLACE: 317 Main Street, East Rochester Village Offices

DATE: November 10, 2015

TIME: 7:00pm

### **PRESENT:**

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

### **ABSENT:**

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:**

305 West Commercial Street, parcel #138.84-1-1.1 Wendy's Restaurants of Rochester. Gary Smith and Gregory Barkstorm presented seeking Subdivision Approval to have Lot 1 of the existing re-subdivision map to become Lots R-1A and R-1B.

Gary Smith explained that Wendy's had come before the Board in 2010 to expand the drive-thru, add parking spaces, move the dumpster and add landscaping. Mr. Smith explained that in 2010 this was one lot with one owner. The drawing submitted with the current proposal to the Board shows the approved site plan with those changes from 2010. Wendy's is now proposing to subdivide the lot into two lots. The front lot will be the existing Wendy's and the back lot is undeveloped land (this area used to have a building in this back lot area). Mr. Smith explained that there is access to the proposed back lot from the existing West Commercial Street entrance as well as existing cross-access throughout the plaza.

David Smith asked if there was any chance to have an access from North Washington Street, or is it hindered by an elevation change. Gary Smith confirmed that due to the

elevation change, there is not a possibility of an access from North Washington Street. Any access to the site will be from the Piano Works' West Commercial access point, through cross-access in the plaza or from the Wendy's access in the front.

David Smith mentioned that this parcel is zoned Mixed Commercial/Industrial Use and pointed out to the Board the zoning requirements (referring to Town Code Schedule 1 Part B) for a lot within this district. Gary Smith explained that the proposed lot will meet all the minimum lot size requirements. Gary Smith said the front lot with the existing (Wendy's) building will not be affected by the new lot line and the proposed back lot does not have any building on it at this time (any future proposed buildings would have to meet the zoning requirements including setbacks, building size and greenspace).

Lafayette Eaton asked if any future projects for the back lot would require a traffic study. Gary Smith said there are already several access points to this lot, but depending on the use, it will be addressed at that time.

Mike Kurrasch asked for clarification that the proposal is only to divide the existing parcel (no proposals for the back lot). Gary Smith confirmed this to be true. Mr. Smith also noted that if Piano Works were to change ownership in the future, the existing access points would still go with the land.

David Smith spoke briefly about the appropriateness of the uses of this zoned district.

Herb Allen inquired (to Gary Smith and Gregory Barkstrom) about possibly closing the current front access in front of Wendy's (to avoid people from using that access to get to the back lot) and put a Wendy's entrance sign down at the (existing) Piano Works entrance. Gary Smith stated that this meeting isn't for site plan approval, only a subdivision. Mr. Smith also mentioned that sign approvals would have to be approved by Piano Works since Wendy's doesn't have ownership of that entrance. A discussion followed between them. Mr. Barkstrom said he likes the entrance where it is and for the time being the current entrance will remain.

David Mayer stated that a new SEQRA motion will be required if a proposal to develop the back lot is received in the future. A SEQRA motion as this time can only address the subdivision approval, which seems to constitute an Unlisted action.

Lafayette Eaton made a motion to approve the subdivision as presented, as it meets present zoning requirements for a Mixed Commercial/Industrial Use District, as an 'Unlisted' SEQRA action with no environmental impact.

Barb Marr seconded the motion.

Voting was 7-0, all in favor.

**Old Business:**

Herb Allen inquired about any updated for 701 Garfield Street, parcel #151.28-2-20. David Smith said that the piles of pruned branches have finally been removed. He further stated that he hasn't received a request to inspect the new shed.

**New Business:**

Herb Allen commented that the Town has erected two monument signs at the access points to the Eyer Building parking lot without seeking Planning Board approval for the signs. Mr. Allen stated that he is not aware of any code that exempts the Town from obtaining Planning Board approval for signs. Mr. Allen expressed the opinion that even if not required by regulation, the Town should closely adhere to the established codes as an example to other entities within the Town.

A motion was made by Mike Kurrasch to approve the October 13, 2015 Planning Board minutes.

Mike Sullivan seconded the motion.

Voting was 7-0, all in favor.

Lafayette Eaton made a motion to adjourn at 7:25 pm.

Brandi Marino seconded the motion.

Voting was 7-0, all in favor.

Respectfully submitted,

Jennifer Raymond  
Recording Secretary