

EAST ROCHESTER PLANNING BOARD MINUTES

PLACE: 120 West Commercial Street, East Rochester Village Offices
DATE: November 13, 2012
TIME: 7:00pm

PRESENT:

Herb Allen, Chairman
Matthew Hogan, Member
Brandi Marino, Member
Barb Marr, Member
Molly Rountree, Alternate
David Schultz, Member

Rob Leni, Attorney
David Smith, Building Inspector
Gary Smith, Parrone Engineering
Tracie Miller, Recording Secretary

NOT PRESENT:

John Alfieri, Member
Hendrik van Edig, Member
Amy Monachino, Alternate

Molly Rountree participated as a voting alternate member.

The Pledge of Allegiance was recited.

1st Item on Agenda:

712 Grant Street, parcel #151.27-2-24. Mark Ogden, contractor for Anna Schwab, presented the application for a special use permit to install a front yard decorative fence.

Mr. Ogden explained that the homeowner is an elderly woman who has lived in her house for about 50 years and is having a property line dispute with her neighbor at 711 South Washington Street. There is currently an existing post and rail fence which was installed so long ago Mrs. Schwab cannot remember who erected it. Mr. Ogden along with both homeowners and David Smith met at the site to discuss the fence issue. They agreed to install a six foot stockade fence in the rear of Mrs. Schwab's property and a three foot picket fence in her front, side yard. Mr. Ogden said it would take one day to install and he would like to do it this month.

Herb Allen told Mr. Ogden that the finished side of Mrs. Schwab's fence would need to face the neighbor. Mr. Ogden acknowledged that it would. Rob Leni asked Mr. Ogden if any of the back yard stockade fencing would be facing Grant or West Hickory Street. Mr. Ogden said it would not be. Mr. Allen asked if the existing post and rail fence would be removed. Mr. Ogden said yes, he is removing it.

Gary Smith had no issues as long as the front yard fence is not installed within the right-of-way. David Smith told Mr. Ogden the setback is three feet from the sidewalk. He also told members that the tape map presented is not Mrs. Schwab's property, but belongs to the neighbor at 711 South Washington Street. Mr. Smith also thanked Mr. Ogden for his help mediating this matter. Molly Rountree asked if the fence would curve around the back of the yard. Mr. Ogden said no, he is only installing a straight section.

Matt Hogan made a motion to grant the special use permit for a three foot tall picket fence as presented. Brandi Marino seconded the motion. Voting was 6-0, all in favor.

2ndItem on Agenda:

311 East Chestnut Street, parcel #152.23-1-2. Mark Friga and Lori Neva from Frozen CPU were in attendance to present their application. Mr. Friga produced a picture of the current sign and said it has been on the building since he purchased it. A rendering of the proposed sign is included in the application packet, it is slightly larger, but still less than 50 square feet with a different color scheme.

Rob Leni asked if the sign lighting was LED and what the wattage was. Ms. Neva said the company installing the sign confirmed that it was LED lighting and it is 240 watts. Matt Hogan asked during what hours the lights would be on. Ms. Neva said the current sign is lit from dusk until dawn. Rob Leni told the applicants that the code only allows the sign to be lit until end of business or midnight, whichever is later. Ms. Neva said they would put it on a timer and shut it off at midnight.

Dave Schultz made a motion to approve the application as presented subject to the lights being turned off at midnight. Barb Marr seconded the motion. Voting was 6-0, all in favor.

The applicant presenting the 3rd and 4th agenda items was not present yet, so the 5th agenda item was presented.

5th Item on Agenda:

237-241 East Linden Avenue, parcel #139.62-3-5.1. Jim Bonsignore, attorney for the applicant, appeared on behalf of the proposed Linden East project. Mr. Bonsignore said other than changes to stormwater requirements and some engineering issues they need to address, the plans have not changed from their initial proposal which was approved. He said Passero and Associates prepared a new set of plans and they are on file at the Village Office.

Mr. Bonsignore said his goal for this evening is to have the Planning Board declare themselves lead agency for SEQR and to schedule a public hearing as soon as possible in order to meet their funding deadline of January 8th.

Rob Leni told the applicant that this was being treated as a brand new resubmission and the Planning Board is still waiting for responses regarding the DOT, DRC and engineering

comments. Mr. Leni advised Planning Board Members that they could set a public hearing date if they were in agreement to do so.

Herb Allen told the audience there would be no further discussion on the Linden East subdivision project tonight. He invited them to attend the public hearing on December 5th and said all the facts would be presented and residents' comments and concerns would be heard at that time. He asked that comments be limited to five minutes each. He told residents the complete application could be reviewed at the Building Department in the Village Office.

Claudia DePuy, an audience member, asked if the new proposal was rental property. Scott Shaw explained that the units are initially rental with a tenant buyout option after 15 years. If the tenant does not elect the buyout process they are given the option of lease renewal.

Rosalie Rosini was in attendance also and said it seemed that there were many changes from the original plans which were approved. Rob Leni told Ms. Rosini that all prior approvals for the Linden East Subdivision project have lapsed and the project needs re-approval to move forward.

Rob Leni asked Mark Bonsignore if a representative from Passero and Associates would be present at the public hearing. Mr. Bonsignore said yes.

Dave Schultz asked Mr. Bonsignore if he could present their plans to the East Rochester Fire Chief for comment. Mr. Bonsignore said yes.

On the advisement of Rob Leni, Herb Allen called for motions to set a public hearing and to elect a lead agency for SEQR.

Brandi Marino made a motion to set the Linden East Subdivision public hearing for December 5th at 7:00pm. Molly Rountree seconded the motion. Voting was 6-0, all in favor.

Barb Marr made a motion to elect the Planning Board as SEQR Lead Agency for the Linden East Subdivision project. Molly Rountree seconded the motion. Voting was 6-0, all in favor.

3rd Item on Agenda:

213-215 Main Street, parcel # 139.77-4-35. Fausto Albano was present seeking architectural review for façade changes approved by the New York Main Street Grant Program. Mr. Albano explained that he would like to replace the awning, lights and four doors. David Smith asked if the metal anchors sticking out of the block will be removed. Mr. Albano said those are the anchors that hold the awning and will not be seen once the new awning is reinstalled. Mr. Albano said the existing doors are just being replaced with new doors and the six existing gooseneck lights are in disrepair so he is replacing them with the same. Mr. Hogan asked if there were apartments on the second floor. Mr. Albano said yes and told the Board that some of the tenants have been there for over twenty years.

Barb Marr made a motion to accept the application as presented. Dave Schultz seconded the motion. Voting was 6-0, all in favor.

4th Item on Agenda:

141-143 West Commercial Street, parcel #'s 139.77-2-39 & 139.77-2-38. Fausto Albano presented the application for façade changes approved by the New York Main Street Grant on this property with permission from the owner, Lalit Shah.

Matt Hogan asked Mr. Albano if he was expanding the patio area. Mr. Albano said he was. Dave Schultz asked if it would be expanded right up to the next building. Mr. Albano said there would be a four foot walkway left between the patio and the building. Mr. Schultz asked where the dumpster would be stored. Mr. Albano said they do not use a dumpster, only totes. When asked how tenants would exit the building Mr. Albano said there are doorways on the opposite side of the building for tenants to use.

Mr. Allen asked David Smith if there were any code issues. David Smith said there were none he could see now, but the project may require more code review. Rob Leni asked if the fence was being extended. Mr. Albano said it was and pointed out on the elevation drawing where two gates would be installed, giving access through the patio area. Rob Leni said the plans would need to be reviewed by the fire chief and engineering for fire safety and drainage issues. Gary Smith pointed out that the pitch of the concrete pad needs to be addressed with respect to drainage.

Matt Hogan made a motion to approve the façade changes as presented provided that the fence extension be independently approved by the Fire Chief, Building Inspector and Engineer prior to construction. This approval is for façade changes only and not for usage, which needs to be reviewed and approved by the Building Inspector. Barb Marr seconded the motion. Voting was 6-0, all in favor.

Dave Schultz mad a motion to approve the amended October 9, 2012 meeting minutes. Matt Hogan seconded the motion. Voting was 6-0, all in favor.

Barb Marr made a motion to adjourn at 8:08pm. Molly Rountree seconded the motion. Voting was 6-0, all in favor.

Respectfully submitted

Tracie Miller
Recording Secretary