

**ARB/PLANNING BOARD
MINUTES
November 6, 2007**

Present

Chairman Robert Garlick
Denny Marra
Joseph Slominski
Ronald Muraco

Absent

Craig Byham

Also Present

Village Attorney Keith O'Toole
Village Engineer Scott Dehollander
Village Trustee Theodore Rauber
Thomas West, DPW Superintendent
Jack Linder, Electric Superintendent
Jack Crooks, Building Inspector
Donna Stassen, Planning Board Secretary

Also Present

Linda Bearer
John Bearer
Joan Quigley
Chris Schultz
Nancy O'Connor
Kay & Craig Marple
Richard Ruscio
Maripat Ruscio
Rick Shepard
Ed Cromp
Roger Schurkamp
Chris Centola

ARB

**Spencerport Physical Therapy
37 N Union Street
Signage**

Linda Bearer stated to the Board that the existing signs are going to be turned over and repainted. There will be three signs in all on the building.
One sign under the door entrance on the parking lot side.
The color swatches are not true to color, the colors are more gold than yellow.
The sign material is wood.
The lettering is vinyl.

Denny Marra: Is there a sign going over the existing door sign on Upton and Union?

Linda Bearer: Yes, those are letters inside the window on the glass.

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Denny Marra: I don't have a problem with the signs. I think the colors and the renderings are nice. It is just that the front of the building will have signs all over the place.

Linda Bearer: You will only see one sign at a time depending on what side of the street you are driving.

Chairman Garlick: What is your intention with the glass sign?

Linda Bearer: The glass has water damage in between the glass at some time we will have to take those down. It was my understanding the last time I was here a few years ago that I could do whatever I wanted inside the windows.

Chairman Garlick: That is not the case now; the sign laws have been changed and we are looking for some consistency.

Chairman Garlick: If you take those glass signs down I would like to not see those replaced with signs.

Attorney O' Toole noted that the area of a window sign is not to exceed 30% of the window.

Linda Bearer: Is that 30% for all of the windows or per window?

Chairman Garlick: My interpretation would be per window.

After Board discussion the following Certificate of Appropriateness was granted.

This is to certify that the Architectural Review Board has granted approval for a Certificate of Appropriateness to John and Linda Bearer/Spencerport Physical Therapy for signage on property located at 37 N Union Street.

Notice of Decision

Such final approval was granted based on the following.

1. Building sign shall be 24" x 60" with colors and script as shown in the application, shape of signage to remain the same as original signage in place.
2. Signage over the door shall be 37" x 72" with colors and script as shown in the application, shape of signage to remain the same as original signage in place.
3. Signs shall be mounted in a safe and appropriate manner and shall be the responsibility of the applicant.
4. Sign material shall be painted wood with high performance vinyl script.

5. The glass window signs over the doors shall be replaced when their useful life is reached with plain glass.
6. Signs shall be kept in good condition as determined by the Village of Spencerport ARB.

After installation, the applicant shall submit a photograph of the completed installation to the Village Clerk for filing.

**Spencerport Fire Association
75 S Union Street
Firemen's Museum**

Larry Fennity of Renuto and Fennity Architects will be representing the Fire Association's application.

Larry Fennity: Originally the Fire Association was looking at putting up a metal building and it just didn't look appropriate for its location. They were instructed to go back and see what they could do to create something that fit better into the location and into the Village.

Essentially the footprint is very similar to the other building with very minor changes. The bays of the entrance have been stuck out a bit with overhangs. The front entrance also has been brought out a bit to give a little bit of depth to the front. A cupola has been added to the top. The slope of the roof was raised to make the building look more like a structure.

The masonry base will be a hanging masonry material, the siding will be a hardi-plank siding made out of a fiber-cement material which lasts longer than vinyl siding.

Chairman Garlick: How long does it hold its color?

Larry Fennity: The finish has a 15- 20 year guarantee, this is a pre-finished material.

Larry Fennity: We are still proposing a dark brown metal roof for longevity purposes.

Larry Fennity stated that the building primarily will be used for a museum but also will be used for storage and office space.

Trustee Rauber stated that the look of the new design compared to what was presented a couple months ago will be a better fit along the canal.

The Board concurred with Trustee Rauber.

After Board discussion the following Certificate of Appropriateness was granted.

This is to certify that the Architectural Review Board has granted final approval for a Certificate of Appropriateness to Spencerport Volunteer Fire Association for a Fire Museum to be located at 75 S Union Street, Spencerport NY.

NOTICE OF DECISION

Said building shall meet the following requirements.

1. Siding material shall be Hardi Plank paint finished sand cloth as presented.
2. Hanging masonry units in dark brown as presented.
3. Dark Brown metal roof preferably standing seam.
4. Structure shall be built in compliance with all applicable building related codes.
5. Such notice of decision is exclusive of any and all exterior lighting and signage.

The structure shall be kept in good condition as determined by the Village of Spencerport ARB. After construction the applicant shall submit a photograph of the completed building to the Village Clerk for filing.

Planning Board

Prushia Sub Division

Kris Schultz will be presenting the application this evening.

Kris Schultz: I would like to touch on some of the concerns brought up at the Public Hearing. For the most part there were a lot of comments about drainage, and questions about wetlands.

Kris Schultz: When the Bauers Cove subdivision was done they actually didn't have the storm water detention pond requirement. The storm sewer system starts at the cul de sac starts heading north follows the road until it gets down to the creek and discharges into the creek. On the other side of the creek to the west is a separate storm sewer system which again works it way to the low end of the creek back up towards Cottage Street.

The other thing that we are trying to get a handle on too is the rear yard drainage and how it was originally designed. It looks like there were a few instances where rear yard inlets were put in but for the most part the way it was designed in Bauers Cove was to allow everything from the houses back to drain off.

Chairman Garlick: I spent a bit of time out there looking at the pond, there is a small 6 inch or 8 inch plastic line that runs from the very west end of the pond over to the creek that someone installed.

Mr. Shepard: I put that in it feeds my fish pond.

Chairman Garlick: I would like information on what happens to that pond when it takes water; does it outlet into the creek before overflowing into the neighbors?

Kris Schultz: Yes.

Chairman Garlick: We need to verify that to make sure that does happen. We are not going to make any decisions again tonight because we are still in the process of gathering information.

Chairman Garlick directed Kris Schultz to gather more information on the drainage calculations, water levels and where the water would go if the pond overflowed and also more research on the wetlands. The elevations and any effects the wetlands have on the neighbors.

Mr. Shepard: I live at 31 Bauers Cove directly north of that pond, all the drainage from that area runs right onto my property there is a storm sewer in the corner of my property, one time a few years ago that four foot manhole cover could not handle the water coming off that property it was actually about 1 – 1 ½ foot above the cover. My recommendation if this goes through would be to contact the Canal Corps and have that pond dug out and maintained.

Chairman Garlick agreed that no matter what happens the Canal Corps should be contacted regarding maintaining this pond periodically.

Tom West stated that it is very difficult to get any response from the NYS Thruway Authority.

Kris Schultz: I did a quick look at the tax map and over the years there has been some sub-divisions and property line changes, nothing like we are proposing but there are other houses with houses directly behind them.

Chairman Garlick: I have a question regarding the petition submitted from the residents of Bauers Cove, how was this presented to the residents for their signatures?

Mr. Cromp: I wish my wife was here I don't want to speak for her I will have her call you.

Chairman Garlick: I would like to have that in writing for the file.

Mr. Cromp: I live at 46 Bauers Cove in regards to the drainage if the Board goes ahead and chooses to approve this sub-division, I ask that you look at the basement and gutter drainage for the lot closest to my property the drawings I saw show the sump and the gutter drainage draining to a splash box right along the property line which is the wettest part of the area. I would ask to eliminate that and have that hooked into the storm sewer system.

Kris Schultz agreed to look at that request for Mr. Cromp.

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After Board discussion the following resolution was offered.

Resolution No. 11/07
November 6, 2007

Introduced by Chairman Garlick
Seconded by Joseph Slominski

Resolved that the Village of Spencerport Planning Board hereby has tabled any action on the application of Loretta Prusha and Sherry Burgstrom, 87 Lansmere Way, Rochester NY to subdivide 1.85 acre parcel into three single family lots on property located at 48 Bauers Cove until further information regarding drainage is obtained.

Ayes: Garlick, Marra, Slominski, Muraco
Nays: none

Fallone Application
148 So Union Street

Kris Schultz will be presenting the application for 148 So Union Street.

Kris Schultz: The plans haven't changed significantly based on the building, the only difference on the plans that you have; after talking to Larry Fennity is sliding the dumpster to the north. This will be a block enclosure painted the same color as the building containing two dumpsters. Moving the dumpster to the north will leave more room around the loading dock.

Attorney O'Toole: Moving the dumpster to the north would take it off your property and on to someone else property. This is new construction they have the opportunity to properly site the dumpster that will serve this building.

Chairman Garlick: I concur with Attorney O'Toole move it to the south and keep it on your property.

Scott Dehollander: We are generally satisfied we have asked for information in regards to proposed rooftop drainage from the site and asking for verification that the conduits that connect that rooftop drainage are properly sized and that the downstream structures have adequate capacity and that was provided.

We concur with the dumpster re- location comments, we asked for dumpster enclosure details to be provided and that was taken care of.

I don't know if we have received the building and lighting isometric plot, which is a technical detail that can be worked out as a condition of approval.

Tom West stated that he still has issues with the parking on this site.

Jack Linder stated that there will be a pad mounted transformer.

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Jack Crooks: I think moving the dumpster to the south out of sight from an architectural standpoint would be better aesthetically.

Trustee Rauber recommends keeping the dumpster out of site.

Chairman Garlick: Does the dumpster legally have to stay on the property?

Attorney O'Toole: Yes.

Larry Fennity: If we are required to keeping it on the property we will have to move it to the south in order to make it work.

Chairman Garlick stated that the dumpster issue will come under the Architectural Review Board.

After board discussion the following resolution was offered.

Resolution No. 11/07a
November 6, 2007

Introduced by Chairman Garlick
Seconded by Ronald Muraco

Resolved that the Village of Spencerport Planning Board hereby grants contingent Preliminary and contingent Final Site Plan Approval on the application of Fallone Enterprise LLC, 3173 Chili Ave to erect a three story building on property located at 148 So Union Street. Approval is based on site plan map prepared by Schultz Associates, 129 S Union Street, Spencerport NY dated January 16, 2007 with revisions dated 4/19/07, 8/7/07 and 10/12/07.

Such approval by the Planning Board is contingent upon addressing the following items:

1. Address Planning Board comments; Note 6 change the word house to building and signature block changed from Highway Superintendent to DPW Superintendent.
2. Resolve potential construction safety issues with Building Inspector and DPW Superintendent and the Village Board.
3. Remove staging area from the plan, specifically drawing C2.

Furthermore this approval is for site plan development only. No Building Permits shall be issued until building appearance, materials and amenities are approved by the ARB.

Ayes: Garlick, Marra, Slominski, Muraco
Nays: none

Spencerport Fire Association
Firemen's Museum
75 S Union Street

Kris Schultz will be presenting the application for 75 S Union Street.

Scott Dehollander: I have a review letter dated today 11/06/07 (file) stating that we have no significant technical issues. We are requesting along the lines of the lighting comments that we receive the isometric cut sheets for any proposed outside lighting.

We would like the erosion control notes beefed up to show temporary stockpile areas; silt fencing etc. and the associated details. We are recommending placing cleanouts at more regular interval.

Scott Dehollander will go through rest of notes from the letter with Kris Schultz.

Jack Linder: I met with Mike Reed and we have no conflict but these are joint poles and as a courtesy a phone call should be placed to Frontier and Time Warner.

After board discussion the following resolution was offered.

SEQR

**Resolution No. 11/07b
November 6, 2007**

**Introduced by Chairman Garlick
Seconded by Joseph Slominski**

Resolved that the Village of Spencerport Planning Board has determined that the application for Spencerport Firemen's Field Site Plan located at 75 S Union Street as shown on site plan map prepared by Schultz Associates, 129 S Union Street, Spencerport NY dated May 23, 2007 with revisions dated 6/14/07 & 10/11/07 is deemed an Unlisted Action.

Furthermore the Planning Board has accepted and completed the Short EAF and finds that the action will not result in any significant adverse environmental impact.

Ayes: Garlick, Marra, Slominski, Muraco
Nays; none

**Resolution 11/07c
November 6, 2007**

**Introduced by Chairman Garlick
Seconded by Denny Marra**

Resolved, that the Village of Spencerport Planning Board hereby grants contingent Preliminary and contingent Final Site Plan approval for Spencerport Firemen's Association to construct a museum. Such museum to be on property located at 75 S Union Street, Firemen's Field south central area as shown on site plan map prepared by Schultz Associates, 129 S Union Street, Spencerport, NY dated May 23, 2007 with revisions dated 6/14/07 & 10/11/07.

Such approval by the Planning Board is contingent upon the following items:

1. Modify notes 6 & 17 on page C1, providing standard Village utility details for sewer, and pavement etc. & changing signature block from Highway Superintendent to DPW Superintendent.
2. Address comments from Village Engineer letter dated 11/7/07(enclosed).
3. Contact Frontier regarding joint pole per Electric Superintendent Jack Linder.

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Furthermore this approval is for site plan development only; building style colors and site amenities shall be as approved by the ARB. No Building Permits will be issued without aforementioned ARB approvals.

Ayes; Garlick, Marra, Slominski, Muraco

Nays: none

**Spencerport Fire District
Fire Station 1
175 Lyell Ave**

Chris Centola of Bergman Associates will be presenting the updated plans to the Board.

Chris Centola: We are here at the request of Chairman Garlick and Jack Crooks to review the latest plans, as you are no doubt aware we were given conditional approval in May 07. In order to meet the required budget some changes have been made.

- Building has been made 5000 sq. ft. smaller majority of that coming from the apparatus bay.
- Building moved 5 – 6 feet away from Prospect Street getting a little more green space on Prospect Street.
- Barely noticeable due to the size of the apparatus bay to begin with.
- Basement has been removed from plans.
- Minor utility and drainage changes due to basement change.

Chairman Garlick: The only thing that I didn't see on the plans is the extension of the fence on the west property line, looking at fence located 10 ft from right of way.

Chairman Garlick also requested the following changes to the notes:

- Village of Spencerport instead of Town of Ogden on cover page.
- Superintendent of Highways changed to DPW Superintendent.
- Village Engineer instead of Town Engineer.
- Village Attorney instead of Town Attorney.

At this time the following resolution was offered.

**Resolution 11/7d
November 6, 2007**

**Introduced by Chairman Garlick
Seconded by Ron Muraco**

Resolved, that the Village of Spencerport Planning Board recommends acceptance of the modified site plan for construction on Fire Station No. 1 located at 175 Lyell Ave as shown on site plan map prepared by Bergman Associates, 28 E Main Street, Rochester NY dated October 15, 2007.

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Such resubmission reducing the size and scope of project is a result of higher than expected received construction bids.

Ayes: Garlick, Marra, Slominski, Muraco
Nays: none

Approval of Minutes

Motion made by Chairman Garlick seconded by Joseph Slominski and carried unanimously to approve the minutes of October 7, 2007 as read.

Ayes: Garlick, Marra, Slominski, Muraco
Nays; none

Adjournment

Motion made by Chairman Garlick seconded by Ron Muraco and carried unanimously to adjourn the meeting at 8:55 p.m.