

**Village of Spencerport
Planning Board/ARB Meeting
Minutes
May 6, 2008**

Present

Chairman Robert Garlick
Ronald Muraco
Denny Marra
Joseph Slominski
Craig Byham

Absent

Others Present

Jack Crooks, Building Inspector
Trustee Theodore Rauber, Village Liaison
Thomas West, DPW Superintendent
Attorney Keith O'Toole, Village Attorney
Donna Stassen, Planning Board Secretary

Joan Quigley
William C. Rutter
David Wohlers
Lou Terragnoli
Dan Wegman
Tim Gawenus
Barbara Masseur
Patricia McNamara

4455 Transit Rd.
40 Lakeside Blvd
Fisher Associates
381 S Union Street
106 Brittain Circle

ARB

Fisher Associates and Lou Terragnoli will be representing Tim Horton's for ARB approval for a restaurant to be located at 403 S Union Street, Spencerport. Such ARB approval is for the building only.

Lou Terragnoli reviewed drawings with the ARB and noted the following items:

- Building is designed to fit into a residential neighborhood.
- Bushnell's Basin has the same designed building.
- Mr. Terragnoli suggested the Board travel there to see the building which is exactly the same as the building being proposed in Spencerport.
- Hardi plank will go all around the building with a white trim to offset the yellow.
- Each window will have shutters.

Planning Board Minutes
May 6, 2008

Page 2

- An enhanced roofline has been proposed which makes the building appear to have two stories.
- Small front porch area
- Square footage of building is 1750 sq. ft.
- Seating capacity for 36 customers
- Drive-thru

Chairman Garlick stated that the Board would probably want to have the exterior freezer totally enclosed as a requirement.

Denny Marra: Will there be tables and chairs on the porch?

Lou Terragnoli: No, the front porch area is not a sitting area.

Chairman Garlick: What kind of windows will you be installing?

Craig Byham asked if the windows would be just reflective or if you would be able to see inside.

Lou Terragnoli was not sure exactly what style window would be installed but knew they would be real windows and not reflective.

Ron Muraco: Where will the dumpster be located?

Lou Terragnoli: Far west rear corner of the property.

Lou Terragnoli stated that they will come back with a sign package anything shown on the plans now are just conceptual.

After Board discussion the following resolution was offered:

Resolution 5/2008
May 6, 2008

Introduced by Chairman Garlick
Seconded by Joe Slominski

Resolved, that the Village of Spencerport Architectural Review Board on May 6, 2008 hereby has issued a Certificate of Appropriateness to Fisher Associates representing Tim Hortons. Such Certificate is for the building only, lighting cut sheets and signage application to be submitted for review at a later date.

Notice of Decision

Fisher Associates representing Tim Hortons for a restaurant to be located at 403 S Union Street, Spencerport has been given ARB approval for a structure to be located on same address as above and shall meet the following requirements.

1. Structure configuration and style shall be Model 1750 as designated by the applicant's presentation.
2. Exterior materials to be hardi-plank in a cream color.
3. Roof shingles color to be weathered wood blend.
4. Window dividers shall be interior or exterior mounted at developer's discretion.
5. Compressor area shall be adjusted to evenly match proposed building style and shall be enclosed.

Furthermore, please note that this review is for architectural standards only. The owner shall comply with all local, state and national requirements for this type of construction.

Ayes: Garlick, Marra, Slominski, Muraco, Byham

Nays: none

Planning Board

Conceptual
Tim Hortons
403 S Union Street
Spencerport NY 14559

Timothy Gawenus and Leo Terranglio will be presenting the conceptual application for Tim Hortons.

Leo Terranglio:

- This location is in a Commercial B-3 area.
- Will not be utilizing the entire site.
- Building fits 5.6 % of overall site.
- Customers will have ingress from S Union and egress from the same curb cut.
- Customers will have the option of dining in the restaurant or use the drive thru lane.
- Drive thru will require Zoning Board approval for a special use permit.
- 26 parking spots/2 handicap parking spots
- Anywhere we can we will put vegetation and make it green.

Planning Board Minutes
May 6, 2008

Page 4

Tim Gawenus: No site variances will be required, we think the site works well and we hope you do too.

Chairman Garlick: How does this site compare size wise with the site in Bushnell's Basin?

Leo Terragnoli: This site is actually bigger it has a lot more depth and comparable in width.

The Board reviewed Village Engineer Scott DeHollander comments from a letter dated May 2, 2008.

Chairman Garlick: The storm water management that is depicted here is small compared to what we normally see for storm water management.

Tim Gawenus: The intent for this site in general from a storm water management perspective is that the grade in this area pretty much comes from the southern part of the property to the northern part of the property and also naturally flows from the west side. Our intent would be to collect that water and be in compliance with the DOT policy of not allowing anymore storm water to go into their system. This will strictly be a detention pond. This will be a grass dry pond. The purpose would be to restrict the flow after construction. We will plant shrub/trees around the pond.

Chairman Garlick: Correct me if I am wrong; my understanding is that the Village of Spencerport was going to have something to do with that drainage.

Trustee Rauber: That is correct we are in negotiations with NYS to take over the storm drainage from the top of the hill down to Brockport Road. NYS has told the Village of Spencerport that they would not allow anymore tie-ins to that corridor the reason that we are going to take that section over is to solve the flooding issues with Page Appliance. As it stands today my understanding is that you would not be able to tie-in to that storm drain while it is still in possession of NYS. The Village may require that anyone looking to tie-in would be financially responsible for cleaning or doing more work to it to handle the extra drainage.

Jack Crooks: In listening to Tim's presentation it sounds to me that they are not looking at this point to discharge into that system. I agree that this doesn't meet the requirements for Phase 2 Regulations; at this moment I would like to see the Board adopt the number of 35%. That would be pre-development runoff and that reduce the 100 % runoff by 35% and that would be the benchmark for post construction adding the impervious surface the

Planning Board Minutes
May 6, 2008

Page 5

parking lot, roofs etc. This is on the same lines as Phase 2 Regulations but given the issues that we have downstream we don't want to make a bad situation worse.

Data needs to be provided to our engineering firm which supports those calculations.

Chairman Garlick: What is your average daily assumption of drive thru people?

Lou Terragnoli: 50 % percent of the customers use the drive thru.

Chairman Garlick stated that he was looking more for numbers of cars anticipated per day.

Denny Marra: Did you get a traffic count for Union Street?

Tim Gawenus: I believe the last DOT numbers were 16,000 – 17,000.

Denny Marra: What percentage do you think your business will draw from that traffic pattern?

Lou Terragnoli: 100 % of our business will come from that local path; we won't be drawing from other areas. They would be driving by other stores to get to this one.

Denny Marra stated that although this is a Commercial District he had concerns with the traffic in regards to this proposal.

Lou Terragnoli: Our core business hours are between 7 a.m. & 10:a.m. our endeavor is to remain open 24 hours. Less than 1% of our business is between midnight and 5 a.m.

Denny Marra: Is 24 hours mandated for the business?

Lou Terragnoli: That is our objective.

Craig Byham: When are the deliveries made?

Lou Terragnoli: Twice a week in the middle of the afternoon.

Craig Byham: Regular tractor trailer?

Lou Terragnoli: Yes.

Discussion ensued regarding ingress and egress for tractor trailers.

Lou Terragnoli told the Board he will contact the DOT and look at options for ingress and egress to the site for deliveries.

Ron Muraco: Is there enough room for the trucks to have access to the dumpsters?

Lou Terragnoli: Yes.

Attorney O'Toole made the following comments:

- The parking spaces are a little bit on the lean side.
- Require cut sheets for all accessory improvements, dumpsters, signage, fences, lighting etc.
- Many communities are leaning toward vinyl fencing with zero maintenance.
- May need vegetation to protect apartments from lighting in the back of the property.
- Full landscaping plans to be shown.

Trustee Rauber stated to the developers to be respectful of neighbors in regards to lighting and went further suggesting the developer meet with immediate neighbor to the north who is in attendance this evening.

Attorney O'Toole: Regarding drainage this site should be able to stand on its own before submitting a site plan.

Owen McEntee: Obviously there is 3 Phase service along Union Street and an old 3Phase overhead line that runs along the north property line which takes it to a pad mount transformer. This will be a 3 Phase service and there is flexibility. I would encourage removing the over head line which would also help the site architecturally. The bottom line is there are options to clean up the site. We will also require shield for the lights which is pretty much straight forward.

Chairman Garlick also advised applicant to contact DPW Superintendent Tom West regarding sidewalks.

Chairman Garlick stated that no formal action is taken on concept plans and advised the developers to use the check list as their guide while preparing to come back for Preliminary Site Plan Approval.

Other Business

Trustee Rauber gave the Board an update on the correspondence received by Barbara Branzovich of Lyell Avenue and her concerns with the new Fire Station going up next to her property.

Planning Board/ARB
May 6, 2008

Page 7

Trustee Rauber stated that the Fire Commissioners and Barbara Branzovich were able to resolve the screening issue along her property line.

Morgan Management

Chairman Garlick asked the Board their position on approving revisions to original proposed façade for Village Plaza.

After Board discussion the following resolution was offered.

Resolution 5/08 a
May 6, 2008

Introduced by Chairman Garlick
Seconded by Ronald Muraco

After review of submitted plans to the ARB for changes to original plans presented and approved by the ARB on May 2, 2006 the following resolution was made.

Resolved, that façade changes submitted by Morgan Management on May 6, 2008 were approved for building located at the Village Plaza, Slayton Ave, Spencerport NY.

All other requirements from Certificate of Appropriateness dated 5/2/2006 must be met.

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

Approval of Minutes

Motion made by Chairman Garlick seconded by Denny Marra and carried unanimously to approve the minutes of April 1, 2008 as written.

Adjournment

Motion made by Chairman Garlick seconded by Ron Muraco and carried unanimously to adjourn the meeting at 8:30 to go into a workshop session.

