

**Village of Spencerport  
ARB/Planning Board  
November 4, 2008**

**Present**

Chairman Robert Garlick  
Joseph Slominski  
Denny Marra  
Craig Byham  
David Wohlers

**Absent**

Bill Rutter

**Others Present**

Donna Stassen, Planning Board Secretary  
Jack Crooks, Village Building Inspector  
Village Engineer Scott DeHollander  
Trustee Theodore Rauber  
DPW Superintendent Tom West  
Electric Superintendent Owen McIntee  
Kevin Riccota, Planning Board Alternate

Bob Bender  
Tim Gawenus  
Ralph Parmalee  
John Sciarabba  
Joan Quigley  
Ross Gates  
Trisha Walter

At this time Chairman Garlick led the pledge of allegiance.

**Unity Health**

Concept Approval to construct roadway with utility taps, roadway to be located 175' east of Bowery Street Rd. such roadway to serve private development in the Town of Ogden.

Jack Crooks stated to the Planning Board that it was very important to him and to the Planning Board members from the Town of Ogden with this access road being in the Village that at least on this access road this board should have the opportunity to look at it. The sewer connections and everything else will be addressed with the Town. Primarily we are just looking at this road tonight.

John Sciarabba: Land Re has acquired a large portion of Krebs Farm, approximately 54 acres along Union Street north of Ridge Road. During this two year process we have rezoned this property through the Town of Ogden rezoning process from R-1 to Restricted Business on the west side and senior citizen zoning on the east side of this parcel.

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We are proposing a private driveway built to specs of 12 ft. lanes with 3 ft. gutters. This is located approximately 485 feet from the center line of Union Street and we have set it there because it splits our parcel; the reason we haven't lined this up with Bowery Street is because it would impact the properties in that specific area.

John Scriabba addressed MRB's comments.

- Applicants awaiting comments from Monroe County regarding access permits for the driveway.
- All roads and sidewalks shown on this plan are private.
- Village has no liability regarding sewers.
- Future plans will include a lift station along the north property line.
- Storm drainage will be configured with input from Village Engineer.
- If there is any lighting in the back lighting will be under mounted soffits with no spill off lighting.
- Preliminary approval in front of Ogden Planning Board on November 13, 2008.
- Village resident Dick LaCroix has set standards for design of project.
- Plans have been submitted to MCWA for their approval.

John Scriabba stated that they have placed a significant buffer of trees along Big Ridge Rd.

Chairman Garlick asked Jack Crooks if the Town of Ogden has specific requirements for screening between commercial and residential areas.

Jack Crooks: Yes there is a required buffer area.

The Planning Board agreed that proposed screening was adequate

Craig Byham: The road we are talking about is this entirely a private road?

John Scriabba: Yes, it is part of a homeowners association for the project.

Craig Byham: How many stories are the buildings?

John Scriabba: Single story building somewhere between 23' – 27' high.

David Wohlers asked if the runoff will have an impact on existing storm sewer.

Tom West: That is all county drainage, the drainage coming off this property will be going west and we already have problems with drainage. It would be better if somehow they could go north.

There were no other questions at this time from the Planning Board.

John Scriabba invited all to attend Town Meeting on November 13, 2008 for more information on this project.

**Tim Horton's**

Next on the agenda is the tabled application for Tim Horton's located at 403 So. Union Street.

Tim Gawenus and Bob Bender will be representing Tim Horton's application this evening.

Bob Bender: Since the last time we met we have taken your comments and addressed those with modifications to the site plan.

- The detention ponds for storm water have been removed detention will be underground.
- Still working out details on storm water management report to get those requirements satisfied.
- Adjusted parking spots to requested 10ft width on the north side of the property.
- Dumpster moved back a little further to allow a little bigger swing for the trucks.
- Added landscaping to front of building to screen dumpster from road.
- Cedar dumpster enclosure
- Fence will be cedar and will be noted on submitted plans.

At this time Mr. Bender shared and demonstrated the turning diagram for trucks with the board.

Craig Byham: When will trucks be making deliveries?

Bob Bender: The trucks come at off peak hours and they will pull in across the spots and unload in the back they are definitely restricted to our off peak hours and certainly will not be unloading in the middle of the night.

Bob Bender: As far as lighting I am a little bit confused, I know we talked about using the village standard pole and lights than we talked about using the fixtures we used at Bushnell's Basin. We like the simple elegance look of the goose neck with the non fluted pole like we have at Bushnells' Basin.

Tim Gawenus shared cut sheets of the proposed lighting.

Owen McEntee: It was my understanding from the Planning Board Attorney that the applicant was to utilize the Washington 405 Series Posts for any type of lighting application to maintain that architectural theme throughout the Village. I do agree though that the gooseneck is a cleaner look.

Discussion ensued regarding lighting the Planning Board and Electric Superintendent Owen McEntee agreed to approve the same lighting that is installed at the Tim Horton's site in Bushnell Basin.

Owen McEntee submitted letter to Planning Board. (Filed)

Denny Marra: What was the decision on the sidewalk?

Tom West: We have assembled a sidewalk committee which has determined the need for a sidewalk in that area from Brockport Rd. to Rt. 31 when funding is available. If you are willing to work with the Village we are willing to work with you to get sidewalks to your store.

Tim Gawenus: Are you proposing to have the sidewalk on private property?

Tom West: We would be asking for an easement.

Bob Bender: We are not opposed to that but would that sidewalk prohibit me from having a sign in front of my business an easy solution would be a pole sign which would have to be a compromise.

Tom West will take a closer look at the site and revisit the sidewalk issue with Mr. Bender at another time.

After further discussion the following resolutions were offered:

**SEQR Resolution 11/08  
November 4, 2008**

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

Resolved that the Village of Spencerport Planning Board has determined that the application for Tim Horton's Restaurant located at 403 S Union Street as shown on site plan prepared by Fisher Associates, 135 Calkins Road, Rochester NY 14623 dated 9/4/08 with revisions dated 10/17/08 is deemed an unlisted action.

Furthermore the 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, Byham, Wohlers

Nays: none  
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**Resolution No. 11/08  
November 5, 2008**

**Introduced by Chairman Garlick  
Seconded by David Wohlers**

Resolved, that the Village of Spencerport Planning Board hereby grants contingent preliminary and contingent final site plan approval for Tim Horton's Restaurant at 403 S Union Street, Spencerport NY as shown on site plan prepared by Fisher Associates, 135 Calkins Road, Rochester NY 14627 dated 9/4/08 with revisions dated 10/17/08. Such approval contingent on the following:

1. Applicant must address comments from Village Engineer Scott DeHollander dated 10/30/08.
2. Address Electric Superintendent Owen McIntee's comments in letter dated 11/4/08.
3. Address the following Planning Board Comments.
  - Cover sheet corrections; storm sewer owned by NYSDOT not Village of Spencerport.
  - Provide signature blocks for Planning Board Chairman, Building Inspector, Planning Board Attorney, Electric Superintendent, DPW Superintendent and Village Engineer.
  - Sheet C-3: For wye connections at sewer remove "Monroe County Pure Water Requirements" and replace with "Village of Spencerport sanitary sewer requirements". In same note, add "Public Works" before Superintendent.
  - Sheet C-4 Delete Detention Basin Seed Schedule from plans.
  - Sheet C-5 Wall Color- Coordinate with ARB Resolution.
  - Sheet C-6 Revise to luminaries schedule to reflect Bushnell Basin style poles and fixtures.
  - DET-2 Storm sewer connection to sanitary sewer note, check with DPW Superintendent Tom West to confirm if allowed by Village.
  - DET-3 Delete" Rip Rap" details.
  - DET-4 Add note; all wood fencing shall be cedar.
  - DET-5 Revise lighting pole and fixtures to reflect Bushnell Basin store style.
  - Resolve sidewalk placement issue with DPW Superintendent Tom West.

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

**ARB**

**Tim Horton's**  
403 So Union Street  
Signage, lighting, retaining wall and hours of operation

After Board discussion the following resolution for a Certificate of Appropriateness was offered:

Motion was made by Chairman Garlick seconded by Joseph Slominski and carried unanimously to grant the following Certificate of Appropriateness.

This is to certify that the Architectural Review Board has granted approval for a Certificate of Appropriateness to Tim Horton's Restaurant for signage, site lighting, retaining wall color and style to be located at 403 So Union Street. Said features shall meet the following requirements:

**Notice of Decision**

**Signage**

1. Shall be of the size, material and color submitted by the applicant and shall be the same as located at the Bushnell Basin Rt. 96 restaurant.
2. Monument sign may have altered text as submitted by the applicant.
3. Interior illuminated Tim Horton's sign will be permitted.
4. Roof mounted sign will be permitted, sign to be oval and non-illuminated.

**Lighting**

1. Parking lot lighting shall be of the same size and style as the Bushnell Basin restaurant.
2. Monument sign lighting shall be of the same size and style as the Bushnell Basin restaurant.

**Retaining Wall**

1. Color shall match the hardi-plank color of the building as shown in the application.
2. The wall shall be designed by a professional engineer licensed in NYS and constructed per engineer and manufacturers written directions.
3. Style shall be versa loc.

**Hours of Operation**

1. Hours of operation shall be 5:00 a.m. until 11:00 p.m.  
After installation the applicant shall submit a photograph of the completed installation to the Village Clerk for file.

Photos of Bushnell Basin signs and lighting are in file for future reference.

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**Laff- Lines**

86 So Union Street  
Signage

After Board discussion the following resolution for a Certificate of Appropriateness was offered.

Motion was made by Chairman Garlick seconded by Craig Byham and carried unanimously to grant the following Certificate of Appropriateness.

This is to certify that the Architectural Review Board has granted approval for a Certificate of Appropriateness to Ross Gates to install signage on Laff-Lines business located at 86 So Union Street.

**Notice of Decision**

1. Size shall be as shown on application.
2. Sign material shall be as stated on the application.
3. Colors shall be as presented by the applicant to the ARB on 11/4/08
4. The applicant shall be responsible to mount the sign in a safe manner.
5. The sign shall be kept in good condition as determined by the Village of Spencerport.

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

**Approval of Minutes**

Motion made by Chairman Garlick seconded by David Wohlers and carried unanimously to approve the October 7, 2008 minutes as written.

**Adjournment**

Motion made by Chairman Garlick seconded by Joseph Slominski and carried unanimously to adjourn the meeting at 8:30 p.m.

