

Planning Board Minutes
March 3, 2009

Present

Chairman Wohlers
Denny Marra
Joseph Slominski
William Rutter
Kevin Ricotta

Absent

Craig Byham

Also Present

Trustee Theodore Rauber
Donna Stassen, Planning Board Secretary
Scott Dehollander, Village Engineer
Jack Crooks

Joan Quigley
Michael LoPresti
Gary Swarthout
Joyce Lobene
Fritz Gunther
Ed Cromps
Larry Fennity

At this time Chairman Wohlers led the Pledge of Allegiance.

Public Hearing

The application of Lawrence Fennity for site plan approval for a proposed addition (569 sq. ft) attached to the south side of the building of “The Taste of Texas Restaurant” located at 122 S Union Street, Spencerport, NY.

Larry Fennity will be representing the Taste of Texas” this evening.

Larry Fennity: Basically the business has been good and the owners of the restaurant have decided to add on to the building.

The original thought was to have some kind of outdoor eating space but after going through a couple winters they have decided to have a small indoor addition instead.

Presently the restaurant seats 48 people with the addition it will allow additional seating for 28 – 30 people.

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Larry Fennity: We looked at other ways of doing this addition and adding over here helped in a number of ways.

- Allows the placement for a good location for a handicap ramp.
- Main entrance will remain the same.
- Provide an area to store and bring wood in the building.

Impact on site is minimal the area is presently paved the site is all sheet-drained there are 2 additional drains located basically in the center of the drive that the Village owns in addition to the catch basin. By adding the roof here we will not be adding any additional runoff.

Utilities will not be impacted.

Parking

12 spaces are available including 1 handicap space on the site.

Lighting

The Village has good lighting in this area now but we will have to add one in the back near the handicap ramp.

Larry Fennity stated that they will have to come back for Architectural Review they are not at that level yet still working out materials. Mr. Fennity shared the following with the Board.

- The base of the building will be masonry and tie into the brick on the front or the masonry on the side.
- The intent is to have lots of windows.
- Covered roof over the ramp.
- Metal roof
- Revising the entrance to the second floor with a larger space at top of stairs.

Jack Crooks: Attorney O'Toole did comment in his review that our Village Code prohibits metal roofs.

Jack Crooks: Does that village owned road funnel drainage to the center? When I viewed the site drainage coming off Union Street heading east drainage actually heads towards that manhole not the catch basin. I don't think it directs the drainage.

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Scott DeHollander: It definitely is not channelized and the contours reflect that. This is an issue that needs to be studied further we did not have this information which has now been updated on the plan and coupled with the proposed grading I think there will be comments addressing that in the next review.

Jack Crooks: The railing for the ramp shown on the renderings does not comply with ADA standards. The handicap spaces are a nice addition to that area.

Larry Fennity realizes that the metal roof is an ARB topic but asked to discuss the roof at this time

Larry Fennity stated that first off the code notes that metal panels, metal trim and metal siding are not allowed I don't know if you want to define a roof from that.

If you're looking from a historical point of view for this canal town image; metal roofing was used because asphalt shingles were not around until about 1915. Metal roofing compliments the historical theme.

While I agree that we don't want to see metal buildings in downtown Spencerport I don't agree to limit metal roofs.

Jack Crooks: Focusing on metal roofs there are a lot of architectural opportunities they don't always have to look like golden arches.

Chairman Wohlers stated that a lot depends on the color.

William Rutter: Is the underground storage a basement?

Larry Fennity: Yes they will be expanding the existing basement.

Jack Crooks stated that thought has been given to future interior renovations which would enhance this business.

Chairman Wohlers read aloud written concerns from Superintendent West. (File)

Chairman Wohlers: There is a woodpile and a barbeque trailer which takes up about four spaces along with the dumpsters; where will they be going and how will the dumpsters be enclosed?

Larry Fennity: They do need some wood on the site for the cooker; an appropriate corral should clean things up.

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Scott Dehollander: I would like to highlight one issue relevant to the dumpster location and that is the turning movement associated with emptying the dumpster. The proposed location in the back corner does not provide an awful lot of room and I think it is questionable that the truck will be able to access that spot. Those turning movements need to be addressed on the plans.

Scott Dehollander: The snow removal has come up as a coordination issue that will need to be addressed. There isn't a lot of snow storage available on site and some off site maneuvers might be required.

Chairman Wohlers: What is retaining- wall constructed of?

After discussion regarding retaining wall Larry Fennity stated that he will re-visit the grading for this site.

Scott Dehollander: In the event that you move forward with the basement we are going to need to see some sort of trenching detail that shows limited excavation. We are very close to the right of way and maintaining public access through this parcel will need to be maintained. You are not going to be able to cut back the grade.

Chairman Wohlers: During the construction phase for the safety of your customers and the village, the construction area must be fenced and maintained.

Joan Quigley: I like the metal roof but have you thought of the snow running off.

Larry Fennity: That is a good point and will be taken into consideration.

Joyce Lobene: I have seen the plans but neglected to ask what the exterior walls would be?

Larry Fennity: They will probably be brick but certainly will match the existing walls.

At this time the Public Hearing was closed.

Larry Fennity was advised to address the comments from the Village Engineer, Village Attorney and the Planning Board in his next set of renderings.

New Business

Michael Lopresti appeared in front of the board for concept approval and a letter of recommendation to the Village Board for the rezoning of property located at 57 West Ave.

Trustee Rauber: We have a lot of rental property in our Village and at times the upkeep of those properties becomes an issue. Mike has informed me that this property falls into that category and he would like to clean it up and at the same time upgrade the building increasing the number of units which would involve a zoning change.

Michael LoPresti: Based on the condition of the building and the tenants that it draws you can't make any money with the current situation. In order to invest into that property and look for a reasonable return is hard to do, that is why we are trying to add a couple of units to make it economically palpable in order to invest money and make this a nicer corner for the village. We feel it fits into the neighborhood because it is in close proximity to similar properties.

Chairman Wohlers: There have been some questions on parking can you address that?

Michael LoPresti: We are adding two units which are four additional parking spots that are fronting on Martha Street we also have parking on existing entrance on West Ave. Conservatively we have enough but could add more if need be.

Jack Crooks addressed the variances that would be needed, lot coverage and rear setback.

Jack Crooks stated to the board that they need to be satisfied with the sticks and bricks of the application and would write a letter to the Village Board with a recommendation that such zoning change would work on this site.

Jack Crooks also stated that the spot zoning issue brought up by Attorney O'Toole that while there is no other R-3 Zoning in that area it certainly is a transitional type zoning and a justification could be made noting that this is not out of context with this neighborhood.

What this board needs to wrap their arms around is determining if such proposed building sitting on this site can meet all village codes and standards including drainage and parking and any other items as noted by Village Engineer.

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Scott DeHollander: There are a couple of procedural things that have to happen before we can give site plan approval. But the new plan Mike submitted tonight identifies some of the planning issues that we identified earlier on. We will take this plan back and evaluate that and compare with our comments.

Chairman Wohlers asked how this application fits in with the current Comprehensive Plan.

Trustee Rauber: The current plan doesn't address issues like this; we would need to look at where in the village these areas would conform.

Jack Crooks: It is important that the Board is comfortable with the concept plan.

After further discussion the following resolution was offered.

Resolution 3/09
3/3/09

Introduced by Denny Marra
Seconded by William Rutter

Motion was made by Denny Marra seconded by William Rutter and carried unanimously to make a recommendation to the Village Board to consider re-zoning property at 57 West Ave, Spencerport NY from R-2 to R-3 to allow a 4 family dwelling. Such recommendation was made based on the fact that such area includes a 6-family dwelling along with other multi family dwellings and a commercial business. Furthermore, applicant will be enhancing the neighborhood by upgrading the current multifamily on such property.

After a Public Hearing and any action taken by the Village Board, the applicant will return in front of the Planning Board for site plan approval.

Ayes: Wohlers, Marra, Slominski, Rutter, Riccota
Nays: none

Unfinished Business

Mr. Cromp of Bauers Cove asked the board for an update on the status of the Prusha application.

Chairman Wohlers stated that the Prusha Application is still in litigation and the board was not at liberty to comment at this time. Chairman Wohlers advised Mr. Cromp to speak to Attorney Keith O'Toole.

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Approval of Minutes

Motion made by Chairman Wohlers seconded by Denny Marra and carried unanimously to approve the February 3, 2009 minutes as amended.

Adjournment

Motion made by Chairman Wohlers seconded by Kevin Ricotta and carried unanimously to adjourn the meeting at 8:20 p.m.