

**Village of Spencerport
Planning Board/ARB Minutes
December 1, 2009**

Present

Chairman Wohlers
Denny Marra
Craig Byham
Karen Fien

Absent

William Rutter

Donna Stassen, Secretary Planning Board
Village Attorney Richard Olson
Scott Dehollander, Village Engineer
Tom West, DPW Superintendent
Owen McIntee, Electric Superintendent
Trustee Carol Nellis Ewell, Village Board Liaison
Jack Crooks, Building Inspector

Others Present

Mayor Joyce Lobene
Trustee Ted Rauber
Trustee Fritz Gunther
Trustee Charles Hopson
Gay Lenhard, Town of Ogden Supervisor
Robert Morgan
Roger Ressman
Richard Puffer
Charles Hopson
Bill Barlow, Sr.
Ted Walker
James Bonsignore
Bob Garlick
Glynne Schultz
Fred and Rosanne Holbrook
Mark Unvericht
Ginny and Don Mosher
David Spencer
Joan Quigley

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Dave Moore
Ted Rauber
Doug Case
Mary Lou & Eugene Clifford

Chairman Wohlers led the Pledge of Allegiance.

Chairman Wohlers read aloud the legal notice.

The application of Morgan Spencerport LLC 1170 Pittsford Victor Road, Pittsford NY 14534 for preliminary and final site plan approval for a proposed re-development of an existing shopping center located at 44 Slayton Ave, Spencerport NY.

Such redevelopment includes razing of the existing Slayton Place Restaurant and construction of a 4,500 square foot replacement building.
The applicant further seeks approval for a proposed addition to the former market building, proposed fuel dispensing islands and a 6,500 square foot addition to the existing south side building.

This is in an Industrial Zone.

Attorney Bonsignore representing Morgan Management highlighted the high points for redevelopment of this plaza.

- Re-construction of new Restaurant
- Demolition of existing Slayton Place
- Gas Kiosk in conjunction with Tops Markets
- 9000 sq ft addition for additional retail space
- Façade improvements
- New signage/lighting

Attorney Bonsignore stated that his client is looking for final approval for Phase 1 this evening.

The project will take place in 3 phases. The first phase which is critical for us as far as moving forward is the construction of Slayton Restaurant, the loading dock for Tops Markets and ingress and egress.

Phase 2 contains basically the remainder of the redevelopment minus the construction of the 9000 sq ft. addition.

This is a revitalization project a collaborative effort of Morgan Management and the Village of Spencerport to revitalize this area

Attorney Bonsignore introduced Mark Costich engineer for the project.

Mark Costich reviewed issues associated with the plaza redevelopment.

This will be a high volume retail traffic area and ingress and egress needs to be identified as clear as possible. Safety is of the utmost concern.

We are proposing ingress and egress from East Ave, which will require modifications. This requires approval from the DOT; they are working hard with us to make this happen. We are proposing a new left turn lane, as a group we came up with a compromise which will require losing 3 parking spaces on Union Street. We are awaiting a response from the DOT.

Exiting from Slayton Ave will allow right hand turns only.

Another major issue is storm water management.

In an effort to improve flooding issues we are proposing the following:

- Proposing to install new storm sewers
- 24 inch pipe installed to direct water off the site
- New storm system and catch basins installed behind north side strip
- Grading and elevating new structures as much as possible.
- Restaurant will be one foot about flood plain
- Gas Kiosk will be two feet above flood plain

Mark Costich stated that comments were received from:

- Monroe County none were unexpected, still awaiting additional comments from DOT.
- Village Engineer MRB

Sidewalks

Mark Costich stated that with all the plaza improvements they are not in the position right now to install sidewalks.

There is no curbing proposed along the back of plaza.

At this time the meeting was opened to comments from the Board and the Public.

Craig Byham asked Village Engineer Scott Dehollander if he was satisfied with the drainage.

Scott Dehollander: Drainage is one of the principal components that we have been looking at. We have asked the design engineer to provide us with an evaluation of a modification to a segment of curb at the rear of the site. The removal of the curb will actually change the way drainage impounds on the site. With that information we would be satisfied with the improvements they are making.

Mark Costich: Catch basins will be provided behind north side of plaza.

Karen Fien stated that she has concerns with the right hand turn out of Slayton Ave, with other cars turning left out of the bank.

Mark Costich stated that there is a good line of site and it is not unusual to have driveways next to each other.

Craig Byham asked if the engineers had looked at changing the traffic pattern for the bank and not allowing access onto Union Street.

Mark Costich: It is very difficult to change what is there now.

Chairman Wohlers: Will the new restaurant being built at an elevation of 501 potentially cause flooding for existing strip of stores?

Jack Crooks: There is certainly the potential for that building to have continuous flooding problems. Looking for insurances with data; what we are asking for is computations from the developers engineer for the new restaurant. There is a level of comfort attainable here without a whole lot of effort.

Chairman Wohlers asked Village Engineer Scott Dehollander if he had any concerns with trucks and the traffic patterns.

Scott Dehollander stated that would come under the DOT review.

Discussion ensued regarding traffic flow.

Scott Dehollander: We have generated three pages of comments put together all technical in nature. I have only 2 areas highlighted one which Jack Crooks discussed the elevations and removal of curb for proposed restaurant, the other is the striped pedestrian access way , it may be prudent to install curbing to protect the pedestrians.

Electric Superintendent Owen McIntee: We have distributed the site plans to engineering depts. from both Frontier and Time Warner and have a meeting next Tuesday to collectively construct a preliminary design. Several things we are looking at is obviously cost and cosmetics, there is some overhead conflicts. We would like to clean up the north side of building; it is most desirable to go underground.

There is a transformer pole that currently resides between Subway and Slayton Plaza restaurant which has been hit numerous times. If it is feasible we would like that line to go underground.

For rear of proposed hardware store that line would need to be rebuilt and service updated.

Some customer work raising the service wires over the proposed loading docks.

DPW Superintendent Tom West: First off I would like to say that many hours have been spent looking into the drainage concerns at the plaza. I am very happy with the drainage plans submitted, I agree with the catch basins behind the restaurant I also agree with the curb cut.

I agree with Scott Dehollander when he talks about defining the walkway down Slayton Ave other than paint. We need to figure out something safer for pedestrians.

I agree with the traffic patterns coming in and out of Slayton Plaza, I would like to see Slayton Ave turned over to Morgan Management and giving the village easements it would be easier in regards to plowing and road maintenance.

Attorney Richard Olson: I agree with Tom West, I would like to explore the possibility of turning all or part of Slayton Ave in exchange for the extension of East Ave for future development. We have to deal with the existing veterinary hospital and how they get in and out of there because their access is Slayton Ave.

Attorney Richard Olson also requested that the engineers research for all old easements on plaza property, than moving forward we need to obtain all necessary easements to protect the Village.

Jack Crooks: I would like to compliment the applicants engineer for all the effort he has put forward on this project.

I am in favor of an overall preliminary approval and final approval for Phase 1.

At this time Chairman Wohlers opened the meeting up to the public for their comments.

Glynn Schultz: Main Street is one of the nicest areas in the Village, losing parking spaces in front of the Unique Shop and Grandpa Sam's is ok taking 5 ft off sidewalk is not, I don't think you need to do that, you will damage the looks of Main Street, also, a big car door will come close to the building in those parking spots. I would urge the board to take a good look at that.

Mark Costich: Removing the sidewalk is a traffic calming measure, and also for the safety of the pedestrians. I feel when the work is done it will still look attractive.

Tanya Graff: I am a shop owner on Union Street and would like to see the sidewalks remain the way they are, we need sidewalks. Grandpa Sams is talking about putting tables and chairs on the sidewalk they won't be able to do that if you take away part of the sidewalk.

Chairman Wohlers: Did you look at the other side of the street in order to get the 100ft.?

Mark Costich: It really just doesn't fit well.

Fred Holbrook: Speaking on behalf of the Chamber of Commerce and myself we support this project, we have worked with Morgan Management since they bought the property 4 years ago and want to thank them for aggressively pursuing tenants and the work they have done on the plaza. I want the record to show that the main message we are sending to the board is the full support we have for the Top's Market project.

Ginny Mosher: My husband and I are residents of the Town of Ogden but we spend alot of time in the village. I would like to thank Morgan Management and Tops for giving our Village a chance. Last week my granddaughters were here we decided to walk to Rite Aid and we discovered that there is no safe way to walk the plaza and I hope that they will take this into consideration when redoing the plaza.

Tony Meleo: I live at 33 Deerborne Lane and I am representing my neighborhood, we are all extremely happy with Top's coming to the Village.

Dave Moore: I have served on many boards, it is never easy and would like to thank the Planning Board on behalf of the community for their hard work, and I also would like to thank the employees of the Village and Morgan Management and the employees that they have hired. This is a marriage between the Village and Morgan Management and a marriage evolves over time and problems will be solved as they come up.

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You won't be able to solve all the problems tonight but I am confident that you have done your homework you are looking out for the community and will respond appropriately.

Anything that you do to improve the flooding problem will enhance both the plaza and the Village, my compliments to you for that. I encourage the board to approve this project and move ahead.

Roger Ressman: I live in Hickory Hollow and am here tonight representing myself and some of my neighbors we are extremely excited about Tops coming to the community. For some of the seniors in our track it has been very difficult to travel to Brockport, Gates and sometimes Hilton for groceries. This will be a godsend for them, for everyone who has been involved I thank them.

Roger Ressman also stated his concerns with the entrance to HSBC and how dangerous it is at times, and he hopes that will be looked at and addressed.

Ted Walker: I would like to thank the Morgan's for sticking with the Village all these years and finally getting a potential and hopefully a very successful Tops.

There was a recent study done by the Village of Spencerport including the redevelopment of the plaza and a lot of the things have been covered, but one of the items brought up is the walk ability of the village. The long term plan is to extend East Ave to Lyell Ave someday and the thought is East Ave ought to have a sidewalk that is a real consideration I have.

The Village has our theme lighting along the street and if those could be incorporated at least on the entrance to the plaza that would help the marrying of the plaza.

When we enter in through East Ave now this will actually be the back of the building. It might not take too much creativity to make it almost look like the front of the building. Those types of things dress it up and give it the feel of welcoming to the Village.

Everything else looks good, I am very supportive of the project moving ahead and the bigger thing is the walk ability and the safety of walking through the plaza.

Richard Puffer: Has a gas station always been part of the proposal? Have we looked at Top's without the gas station?

Mark Costich stated that the gas station has always been a part of the proposal.

Mark Costich: I have heard a lot of comments in regards to pedestrian traffic and I think one of the speakers talked about this being kind of a marriage. This project evolved to include drainage, traffic paths we are proposing some improvements for pedestrian safety but we are not proposing to redo Slayton at this time, over time there will be more improvements.

Attorney Bonsignore clarified the importance of receiving preliminary and contingent approval.

At this time 8:25 p.m. the Public Hearing was closed.

After board discussion the following resolutions were offered.

**SEQR Resolution 12/09
December 1, 2009**

**Introduced by Chairman Wohlers
Seconded by Denny Marra**

Resolved that the Village of Spencerport Planning Board as lead agency has determined that the application for Morgan Management LLC 1170 Pittsford Victor Rd, Pittsford NY 14534 for redevelopment of an existing shopping center located at 44 Slayton Ave, Spencerport NY 14559 for phase 1 as shown on site plans prepared by Costich Engineering, 217 Lake Ave Rochester NY 14608 dated November 13, 2009 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: Wohlers, Marra, Slominski, Byham, Fien
Nays: none

**Resolution No 12/09
December 1, 2009**

**Introduced by Chairman Wohlers
Seconded by Denny Marra**

Resolved that the Village of Spencerport Planning Board hereby grants preliminary and contingent final approval for Morgan Management LLC 1170 Pittsford Victor Rd, Pittsford NY 14534 for redevelopment of an existing shopping center located at 44 Slayton Ave, Spencerport NY 14559 for **phase 1** which includes razing of the existing Slayton Plaza Restaurant and reconstruction of a 4,500 sq. ft. replacement building, a loading dock on the back of the proposed Tops Markets and drainage improvements as shown on site plans prepared by Costich Engineering, 217 Lake Ave Rochester NY 14608 dated November 13, 2009 .

Such approvals contingent on applicant addressing and resolving comments from the Planning Board and the following:

1. Village Engineer Scott DeHollander's letter dated November 30, 2009.
2. Building Inspector Jack Crooks regarding elevations.
3. NYS DOT.
4. Monroe County Health Dept.
5. Highway Superintendent Tom West.
6. Electric Superintendent Owen McIntee
7. Village Attorney Richard Olson
8. NYS DEC

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

ARB

The application of Morgan Management for façade materials and colors on proposed new restaurant located at the Village Plaza, Slayton Ave.

Hanlon Architects presented the drawings for proposed restaurant façade.

- Architecture, colors and material of south side of plaza will carry on to the north side of plaza.

CERTIFICATE OF APPROPRIATENESS

This is to certify that the Architectural Review Board has approved the application of Morgan Management for façade materials and colors on proposed new restaurant located at the Village Plaza, Slayton Ave

Such facade shall meet all of the following requirements:

1. Architectural improvements shall be as shown on plan submittal to ARB dated 11/19/2009.
2. Materials and colors shall be as presented and match façade on south side of plaza.
3. Signage, lighting and landscaping shall be considered under a separate application.
4. This Certificate of Appropriateness is for architectural standards only. The applicant is required to obtain all necessary permits and receive all required approvals associates with the building construction.

5. After completion of project, the applicant shall submit a photograph of such to the Village Clerk for the file.

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Architects informally shared with the Board drawings for phase 2 of the project.

Planning Board members requested that architect submit copies of drawings shown this evening for their review.

Approval of Minutes

Motion made by Chairman Wohlers seconded by Craig Byham and carried unanimously to approve the minutes of November 3, 2009 as written.

Adjournment

Motion made by Chairman Wohlers seconded by Denny Marra and carried unanimously to adjourn the meeting at 8:45 p.m.