

**Planning Board/ARB Minutes  
February 2, 2010**

**Present**

Chairman Wohlers  
Craig Byham  
Joseph Slominski  
William Rutter  
Karen Fien

**Absent**

Denny Marra

Pamela Gilbert, Deputy Clerk  
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  
Robert Morgan  
James Bonsignore  
Bob Garlick  
Joan Quigley  
Stephen Berghash

Chairman Wohlers led the Pledge of Allegiance.

**ARB**

The application for Stephen Berghash, DVM located at 194 S Union Street, Spencerport for new signage and lighting.

Dr. Berghash: Sometime during the evening of December 28, 2009 our sign was hit by a vehicle and damaged. I had Gary Natale of Natale Signs come and take a look at it; Gary determined that the sign can not be straightened without further damaging the sign and determined that the sign needed to be replaced. Not only was the sign damaged but also the electrical connections that illuminate the sign. Therefore every thing needs to be replaced.

The sign that I am proposing to install is a red, white and blue redwood painted sign which is typical of the style of other signage in the Village of Spencerport.

Page 2

The sign is 42"x 60" which is actually a little smaller than the existing sign. I would also like to install some ground lighting that will illuminate the sign again the current sign has internal illumination and this sign will have external illumination.

The replacement sign is a lot more attractive than the current sign and also more consistent with other signage in the Village.

Chairman Wohlers asked for a better description of the type of lighting.

Dr. Berghash: It is not a very big light maybe 4" x 6" and sits 6 inches off the ground and illuminates only the sign.

Owen McIntee: One thing to consider is using compact fluorescent lighting to save costs.

Dr. Berghash: It may be compact fluorescent it is the same lighting as my other office. I wasn't expecting the question.

Jack Crooks: With the new entrance to the plaza this new sign blends well.

Karen Fien commented on how much better she likes the new sign compared to the old sign.

William Rutter: I do like the new sign a lot better, are the colors something that you are married to?

Dr. Berghash: Yes, they are sort of our corporate colors our other office is exactly like this.

Craig Byham: I am on the same page as Bill, are these colors shown on the renderings true colors.

Dr. Berghash: Yes, it is relatively close the blue is a little bit bluer than that. I am trying to be consistent with these colors which we use on business card, stationary etc.

Craig Byham: The sign is a little bit larger than we like to see but is an improvement and I like the lighting.

Chairman Wohlers: I understand this is your corporate colors and we just ran into this with the photographer and we are trying to stay with what we refer to as Canal Town colors. Most of the signage Gary Natale has done have used these colors.

Dr. Berghash: What is your objection to the white background?

Chairman Wohlers: I would really like to see green and gold, I like the sign design and I have no problem with the size.

Dr. Berghash: Again I choose those colors to be consistent with the colors of my business which I have been in for 20 years. I have been at this location for 10 years, our customers are used to this sign with these colors and our logo and that is why I would prefer to stay with those.

Chairman Wohlers: I understand that, I don't want to see us turn down one application a month ago and than approve this.

Dr. Berghash: If all the signs are so consistent than there is no differentiation, if the signs are tastefully done I don't see the problem. Our building is blue and the blue on the sign will match.

Craig Byham: Is the sign already made?

Dr. Berghash: No.

Jack Crooks suggested changing red animals to deep burgundy and soften the blue to match the building, these changes allows the applicant to retain the red, white and blue.

Chairman Wohlers suggested toning down the white also to an ivory color.

After further discussion the following resolution was offered.

Resolution No2/2010

February 2, 2010

Introduced by Chairman Wohlers

Seconded by

The Architectural Review Board has granted approval for a Certificate of Appropriateness to Stephen Bergash/Spencerport Veterinary Clinic located at 194 S Union Street for signage and lighting improvements. Such improvements shall meet the following requirements:

1. Size of signage not to exceed 20 sq. feet.
2. Signage colors are to be ivory posts and ivory background, lettering to match blue of building and red toned down.
3. Sign material shall be carved redwood.
4. Lighting to be mounted on the ground and lighting to be shut off one hour after business closes.

Page 4

5. Sign and lighting shall be installed in a safe and professional manner.

6. Sign shall be kept in good condition as determined by the VOS ARB.

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

Ayes: Wohlers, Slominski, Byham, Rutter, Fien

Nays: none

### **Tops Plaza/Gas Station & Kiosk**

Attorney Bonsignore: The last time we were all together there was a great deal of discussion focusing on the fueling station and kiosk. To give you a brief history we went in front of the Zoning Board of Appeals and received approvals for the fueling station. One of the concerns was the architectural design of the gas kiosk; the new design is very much in line with the rest of the plaza improvements as well as the monument sign approved by this board about six months ago.

We have incorporated the same pitched roof as other parts of the plaza and the monument sign with a waist high stone wall also consistent with the rest of the plaza.

What we have proposed for the Tops supermarkets is the standard sign package which illustrates the services offered, which I think is important. The sign package is designed to keep the Tops Market separate and to use their logo and the color red. The same colors and logos will be used on the fueling station and the kiosk in order to be able to associate that as being part of the Tops Markets.

Jay Harris: Through the revisions we have changed the kiosk to match the plaza, the white siding keeps in line with the look of Tops.

William Rutter: I like what you did to the kiosk with the roof design; can you put the same design on the canopy as well?

Jay Harris: I would have to work with the representatives from Tops to see how far they want to deviate from their design.

William Rutter: We have done an awful nice job with fixing up the plaza and this will be right in the middle and I think the bright white and red stripe will stick out like a sore thumb.

William Rutter suggested bringing in more of the green from the building and incorporating that into the kiosk.

Page 5

Discussion ensued regarding Bushnell's Basin and the store design in that area.

Mark Costich stated that area is in a historical district.

Craig Byham echoed William Rutter comments regarding the red strip not fitting in with the rest of the plaza.

Mark Costich stated that Tops representatives were not in attendance this evening and those in attendance are not able to speak on behalf of Tops.

Karen Fien: This is just an opinion but I don't want to see Tops leave because we are not going to allow tomato red if everything else is all right I cant see making them change their colors just for aesthetic reasons. Maybe they can make the red line thinner.

Joseph Slominski: The thinner canopy is so much better than trying to bulk it up with roofing; the canopy is really there just to protect your customers from the elements. If you could have a thinner red band that would be a route to go. That way you are not messing or distorting the Tops name and also would not be sticking out in the middle of the plaza looking out of place.

Chairman Wohlers: I would like to see the red toned down to maybe burgundy and maybe take the red band out.

Mark Costich: The red strip really is an important element in identifying the uniformity of Tops Markets. I believe the color is very important to our clients.

Chairman Wohlers: We are tending to go with toning the red down and minimizing the amount of red on the canopy.

Craig Byham: You are asking for eight (8) signs four (4) on the canopy and four (4) on the kiosk.

Attorney Bonsignore: Correct, that is something that came from Tops.

Craig Byham: Our code doesn't permit that many signs per building.

Attorney Bonsignore: I think with what we are hearing we are going to have to get someone from Tops here and revisit the signage and we can move on tonight with the site plan review for phase 2 and 3.

After further discussion the ARB offered the following resolution.

Planning Board/ARB Minutes  
February 2, 2010

Page 6

Resolution 2/10/a  
February 2, 2010

Introduced by Chairman Wohlers  
Seconded by Joseph Slominski

Resolved that the Village of Spencerport ARB has tabled any decision on the application of Tops Plaza pending further discussion regarding colors and number of signs with representatives from Tops whom were not present at meeting.

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

### **Planning Board**

Attorney Bonsignore gave an overview of the submitted letter of intent for Phase 2 & 3 of the redevelopment of Spencerport Village Plaza. (filed)  
Mark Costich engineer for the project responded to Mr.'s comments dated January 19, 2010. (filed)

### **Tape inaudible**

Superintendent Tom West stated that he would like to see the sidewalk defined better than striping. At the last public hearing many of the residents spoke in favor of installing sidewalks in the plaza for safety.

Mark Costich: We are maintaining that area but as we stated in the last meeting we are not able to fix all the evils there but are willing to look at installing sidewalks in the future.

Tom West: I would like to put on the table for discussion the option of the Village funding part of the sidewalks and I am talking only about the portion of the plaza which is in the Village not in the plaza, I expect there will be a lot of pedestrian travel when Tops opens.

Owen McIntee: From an economic standpoint it makes sense to extend our utility system from Union Street coming in with additional lighting on a portion of Slayton Ave if that is the case in the future. I will offer that up as a recommendation to extend the lighting theme into the plaza.

David Wohlers: How will the addition of the new hardware store effect deliveries for Rite- Aid?

Page 7

Mark Costich: Rite Aid does not have a loading dock they use roll off containers. There will also be a new interior corridor in the rear of the hardware store so deliveries will use that corridor.

Scott Dehollander: There are concerns that the corridor running behind the bank is too narrow for two way traffic how do you propose to accomplish two way traffic there? Have you considered one way traffic?

Mark Costich: We have approximately 60 ft. from the gas pumps to the driveway in the east direction and 40 ft to the driveway in the west direction. We have we believe 2 car minimum in both directions if you look at high volume gas stations like Hess or Delta Sonic they are typically much less than that.

Scott Dehollander: There are additional queuing maneuvers that complicate the kiosk, that is the parking spaces opposite the gas filling station and adjacent to the bank parking.

Mark Costich: Again this is very similar to what you would find at any gas station you would have a gas island with a driveway and parking, we have created all this extra space to avoid that problem. One way traffic creates a lot of problems I don't see the benefit of forcing people to go one way, I am against it. The utility pole is certainly in the way today but that will change.

Jack Crooks: There is very limited parking for Subway and the bank employee's park there too. We are trying to keep the traffic pattern fairly consistent but to be backing out into 2 way traffic doubles the opportunity for accidents. If the traffic was only northbound coming out of the gas kiosk this would increase visibility. This is an area of concern.

Mark Costich: We generally don't put in one way roads because it breeds confusion.

Scott Dehollander: In front of the Tops store there appears to be a proposed 7.6 ft wide curb sidewalk detail provided in front of the hardware store and it is continued in front of the Tops store, Is the intention for that area to be fitted with the raised curb and sidewalk or is it to remain as it exist today which I believe is just asphalt.

Mark Costich stated that you really don't want curbing exiting the grocery store but will probably want raised curbing in front of the hardware store and will submit new drawings to Scott Dehollander for his review.

Scott Dehollander asked for clarification of the culvert size for the extension under East Ave.

Mark Costich: The extension we are proposing is 15 ft.

After board discussion the following resolution was offered.

**Resolution 2/2010**  
**February 2, 2010**

**Introduced by Chairman Wohlers**  
**Seconded by Craig Byham**

Resolved, that the Village of Spencerport Planning Board hereby grants final site plan approval for the application of Morgan Spencerport LLC, for Tops Supermarket Spencerport Plaza Phases 2 and 3.

Such approval is contingent on the applicants engineer resolving the following items and shown on revised plans.

**Scott DeHollander/Village Engineer**

1. Provide a revised sidewalk alignment between Union Street and the plaza which places the sidewalk within landscaped elements such as raised curb and or parking lot islands. All road crossings shall be fitted with handicap accessible ramps and cross walks.
2. The plans should be revised to reflect the correct surface treatment proposed in front of the Tops entrance. The surface treatment shall include appropriate traffic calming, and pedestrian safety devices such as hardscape planters and islands. A landscape planter at the south corner of the building shown on the plan shall remain.
3. The proposed fuel delivery truck movements entering and exiting the site shall be included on the design plans.
4. The location of the proposed loading dock and or access doors to Right Aid and the proposed Hardware store shall be shown on the plans.
5. Removal of the overhead power line poles which are in conflict with traffic movements between the proposed gas kiosk and Bank/Subway/Insurance buildings is necessary to ensure unobstructed two way traffic movements. The applicant shall submit revised plans showing the poles removed or provide a revised traffic configuration which eliminates the restrained traffic movements.
6. The applicant has indicated that conversations regarding the abandonment of the Slayton Avenue right of way can continue. If legal obstacles are removed the applicant will accept maintenance responsibilities for this plaza



**Jack Crooks/Building Inspector**

1. Roadway behind Subway shown on plans as one way north-bound.

**Thomas West/DPW Superintendent**

1. Legal questions resolved for the following issues;
  - Turning over Slayton Ave
  - Snow removal of Slayton Ave
  - Culvert under Tops

**Owen McIntee/Electric Superintendent**

1. *Overhead utility wires are in conflict with construction of new proposed Slayton Place Restaurant, (Utilities in conflict are Frontier Telephone, Time Warner Cable and Fibertech Communications)*
2. *Overhead utility service wires are in conflict with proposed construction of the Tops store loading dock in rear of the main plaza building. (Utilities in conflict are Spencerport Municipal Electric, Frontier Telephone and Time Warner Cable)*

Spencerport Municipal Electric, Frontier Telephone, Time Warner Cable, Fibertech Communications and Monroe County Fiber have collectively agreed upon a utility redesign for the plaza which results in the relocation of overhead utility facilities to underground facilities. *(This resolves conflict #1 and #2)*

Spencerport Municipal Electric, Frontier Telephone and Time Warner Cable have collectively agreed that existing overhead services, customer connection points and associated meters must be relocated to an area east of the new proposed loading dock. *(This resolves conflict #3)*

Each utility will submit proposals to the applicant that identify specific scope of work and the associated billable amount and terms. The applicant shall agree to the terms in each utility proposal to ensure a timely commencement of this project work. A copy of the Spencerport Municipal Electric design is attached.

Ayes: Wohlers, Slominski, Byham, Rutter, Fien

Nays: none

Planning Board/ARB Minutes  
February 2, 2010

Page 10

**Approval of Minutes**

Motion made by Chairman Wohlers seconded by Craig Byham and carried unanimously to approve the December 1, 2009 minutes as written.

**Adjournment**

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