

**Zoning Board Meeting
May 19, 2005**

Present

Chairman Powell Keery
John Dole
Michael Flavin
Jackie Sullivan

Absent

Barbara Strine

Others Present

Attorney Richard Olson
Jack Crooks, Building Inspector
Donna Stassen, Secretary
Richard Gollel

120 Erie Canal Drive

Chairman Powell led the Pledge of Allegiance.

Public Hearing

The application of Trowbridge Properties, LLC 120 Erie Canal Drive, Suite 210, Rochester, NY for a Special Use Permit to remodel and convert a portion of the existing building located at 67 Lyell Ave, Spencerport, currently a daycare, church sanctuary and a fitness center to apartment units.

Mr. Gollel: The gym area will be converted into apartments, no additional parking; the landscaping will be spruced up around the building.

Jack Crooks: Rick you said that you were only going to do the gym area, what about the daycare and fitness center areas?

Mr. Gollel: Those areas will remain the same.

Jack Crooks: Have you looked into the necessity of sprinkling that side of the building with what you are adding with your engineer?

Mr. Gollel: I will check with the engineer if it needs to have a sprinkler system, one will be installed.

Jack Crooks: My understanding is that council has reviewed the parking and it meets the criteria.

Chairman Powell Keery: Are the parking spaces clearly marked?

Mr. Gollel: It might need re-stripping.

Jack Crooks: The other issue is the ADA requirements, how many handicap spaces etc., that will be a construction permit issue.

Chairman Powell Keery: In our material it says that no apartment house shall have contained within its walls more than 8 units, you are proposing 14.

Mr. Gollel: Actually, there is going to be a total of 46.

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Attorney Olson: It would all be in the same building. That is one of the reasons that we are here.

Jack Crooks: It would be this board's jurisdiction to offer relief from that statute.

Attorney Olson: Which they have already gotten before.

Mr. Gollel: This plan is the exact plan approved at one point. When the gym moved in, I came back and received a special permit.

Michael Flavin: Will you be coming back to put apartments in the daycare and church areas?

Mr. Gollel: I don't think so; I hope those tenants will always be in there, they are a nice addition not only to the apartment building but also to the community. The auditorium would not lend itself to apartments.

Jack Crooks: When I went back and reviewed the minutes from those meetings the board granted the approval for the units with the condition that there would be no additional units unless they came back in front of the board. This is an option for this board to place conditions that any added apartments would have to come back for board approval.

Jackie Sullivan: Is the main building fully rented?

Mr. Gollel: That building always stays 95-98 percent rented.

After board discussion, the following resolution was offered:

Resolution 150
May 19, 2005

Introduced by John Dole
Seconded by Michael Flavin

Resolved by the Zoning Board of Appeals that the Trowbridge Properties, LLC application to remodel and convert a portion of the building to property located at 67 Lyell Ave be deemed an unlisted action. Furthermore, the Zoning Board has accepted and completed the Short Environmental Form and finds that such action will not result in any significant adverse impact on the environment.

Resolution No 151
May 19, 2005

Introduced by John Dole
Seconded by Michael Flavin

Resolved by the Zoning Board of Appeals that the application of Trowbridge Properties, LLC 120 Erie Canal Drive, Suite 210 Rochester, NY for a Special Use Permit to remodel and convert a portion of the existing business currently a fitness center into 14 apartment units be approved.

Such approval is contingent upon the following condition:

1. Any other change of business activities or change of use must come back in front of the Zoning Board for review and approvals.

Ayes: Powell-Keery, Dole, Flavin, Sullivan
Nays: none

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Other Business:

At this time, George Fellow received a plaque from Trustee Rauber recognizing his years of service to the Zoning Board of Appeals and his continued commitment to the Village of Spencerport.

Approval of Minutes:

Motion made by John Dole seconded by Michael Flavin and carried unanimously to approve the March 17, 2005 minutes as read.

Adjournment:

Motion made by Chairman Powell Kerry seconded by Jackie Sullivan and carried unanimously to adjourn the meeting at 7:30 p.m.