

VILLAGE OF HONEOYE FALLS PLANNING BOARD

June 2, 2003

MEMBERS PRESENT: Denise Heischman, Chair
Earll Fontaine
John Hoffman
Betsy Taylor
Tom Judd

ALSO PRESENT: Michael Tobin, Village Attorney; Jim Turner, Village Code Enforcement Officer; Greg Emerson, Village Administrator; Michael Schafron, Village Administrator; Jim O'Kelly; Gary Robb; Tim Poley, Larry Rolles, Max Stoner, Brooks Hale, Mathstone Corporation; Dwight Herringer, Dufresne-Henry; Raymond Andrew; Barb & Jack Dick; Beth Reiter, Attorney; Scott Pundt, Dorschel Automotive; John August, David Dworkin, Monroe Village Associates; Jerry Goldman, Fix Spindleman Brovitz & Goldman; Gary Smith, Parrone Associates.

Chairman Heischman called the regular meeting to order at 7:35 PM.

PUBLIC HEARING: SITE PLAN REVIEW: NEW HOME : 85 EAST STREET : ROBB

Mr. Robb approached the Board to discuss his plans to build a new home at the 85 East Street location, currently a vacant lot. The Board reviewed the site plans and noted a City of Rochester water main that was located on the property, Mr. Robb stated he had received comments from the City of Rochester that stated they had no problem with constructing a driveway over the water main, but that no excavation should occur at a 4 to 6 foot depth and that no vibratory compactors were to be used in this area in order to avoid rupture of the main. Chairman Heischman noted the front setbacks were 37'; Mr. Robb stated they were actually 30' due to a discussion between his engineer and the Department of Transportation regarding the actual location of the right-of way. Mr. Robb stated that the DOT's calculations showed 60' to the right-of-way, and those calculations would add a maximum of 6'. Mr. Hoffman inquired as to the effect the new house would have on the neighbor to the east of Mr. Robb's property. Mr. Robb stated that there were no effects noted, but that could be verified by his engineer if necessary.

Chairman Heischman noted that the proposed driveway was located near a busy intersection with the high school driveway on East Street. She inquired if Mr. Robb had thought of reversing the driveway location. Mr. Robb replied that due to the location of the water main, the location on the site plan was the only location possible. A discussion ensued regarding different possible locations for the driveway. Mr. Judd inquired as to visibility from the proposed driveway. Mr. Robb stated that his engineer had studied the site and stated visibility was good due to higher topographic elevations. A discussion ensued regarding possible topographic changes due to sanitary sewer engineering. Mr. Emerson confirmed that there could be contour changes due to sewer line hookup and excavation.

The Board next reviewed elevation drawing of the proposed house. Chairman Heischman noted that there were no windows shown on the left (east) side of the house. She suggested that Mr. Robb planned to use some architectural feature in order to break up the façade, such as corner windows or plantings. Mr. Robb stated that the area in question was to be his daughters' rooms, and that there was a desire for privacy, hence the lack of windows. Chairman Heischman stated that she understood Mr. Robb's intentions, but that something should be done to mitigate the lack of windows. Mr. Hoffman inquired if the bumpout for the chimney shown on the plans were going to reach to the ground. Mr. Robb stated it would. Mr. Hoffman inquired what the siding was to be. Mr. Robb stated it was vinyl. Mr. Hoffman stated that a fan piece or vent should be added to add detail to the gable ends. Mr. Robb stated that the trim would be wide width, approximately 4" all around, the same as was used in the new Cranmer home recently built on High Street.

Chairman Heischman inquired if there were any comments from the assembled. As none were noted, the public hearing was closed at 8:05 p.m.

ACTION ON THE PUBLIC HEARING ITEM

Motion by John Hoffman, seconded by Earl Fontaine, to grant site plan approval to Gary Robb for a new home to be built at 85 East Street, pursuant to plans received May 5th, 2003, dated 3/28/03, with the following contingencies:

1. Applicant will comply with Monroe County DOT regulations and recommendations in regards to this application.
2. The fireplace bump-out will extend to ground level.
3. Front window trim will be used around the entire house.
4. Drainage from the new home will not have an adverse affect on neighboring property to the east.
5. Plantings to reach a height of 15' will be used to mitigate the lack of windows on the east side of the house.
6. A decorative vent or detail will be used on gable ends.

Motion carried.

PUBLIC HEARING: SITE PLANE REVIEW: POLE BARN : 1 LIVINGSTON STREET : O'KELLY

Mr. O'Kelly approached the Board to discuss plans to tear down an old barn on his property, and build a new barn in its place. The Barn would be used for storage, to house animals, and a tractor, with a window facing the back field. Chairman Heischman noted that setbacks were approximately 45' from the property line, and 150' from the house.

The Board reviewed drawings submitted by Mr. O'Kelly. Chairman Heischman noted that the building height was 20'. Mr. O'Kelly stated that the siding would be T-111 and the roof would be shingled to match that of the house. Mr. O'Kelly stated that trim would match that of the house, and garage in color and size, approximately 3.5" wide. Mr. O'Kelly stated that the dimensions of the doors would be changed to 9' by 7'. Mr. Tobin stated that the setback on the side of the new shed should remain the same as the current structure due housing the animals.

Chairman Heischman inquired if there were any comments from the assembled. As none were noted, the public hearing was closed at 8:17 p.m.

ACTION ON THE PUBLIC HEARING ITEM

Motion by Betsy Taylor, seconded by Earl Fontaine to grant site plan approval to James O'Kelly for a new pole barn to be built at his 1 Livingston Street residence, pursuant to plans received May 5th, 2003, with the following contingencies:

1. Trim on the barn will be 3 ½ inches.
2. Setbacks on the easterly side of the property shall remain the same.

Motion carried.

PUBLIC HEARING : SITE PLAN REVIEW : TEARDOWN AND RECONSTRUCTION : NEW HOME : 152 CHEESE FACTORY ROAD : DICK

Chairman Heischman opened the public hearing at 8:20 p.m.

Mr. and Mrs. Dick approached the Board to discuss plans for the teardown of their 1460 sf home and the rebuild of a single-story 2178 sf new home with a new three-stall garage. Featured noted on the new house included an outside stair to the basement, relocation of the entry, back porch, a column front and "prairie" windows. Mr. Dick stated that the windows would have 4" trim with crown wide boards. A chimney located at the house would also be removed.

Chairman Heischman inquired if there were any drainage concerns. Mr. Dick stated that there was an existing swale on the property that would be used, and that any problems incurred in building would be addressed thorough grading, and mitigated through terracing, landscaping, etc. Mr. Dick stated that they also intended to use a "french drain", but that using the terrain of the property it could be possible to naturally direct runoff toward the creek. Chairman Heischman noted that the Dick should not direct drainage areas toward the property to the east of their property.

Chairman Heischman inquired if there were any questions or comments from the assembled. As none were noted, the public hearing was closed at 8:32 p.m.

ACTION ON THE PUBLIC HEARING ITEM

Motion by John Hoffman, seconded by Betsy Taylor to grant site plan approval to Jack and Barbara Dick for a teardown of their existing home and rebuild of a new home to be built at their 152 Cheese Factory Rd property, pursuant to plans received May 5th, 2003, dated 5/5/03 by Mark Mueller, architect, with the following contingency:

1. Debris resulting from the teardown process will not be allowed to run toward the creek.

Motion carried.

PUBLIC HEARING : SITE PLAN REVIEW : SEQR REVIEW : NEW PAVING : 103 WEST MAIN STREET : DORSCHEL AUTOMOTIVE

Chairman Heischman opened the public hearing at 8:35 p.m.

Beth Reiter, attorney for Dorschel Automotive, and Scott Pundt, representative of Dorschel, approached the Board to discuss the SEQR and site plan for a parking lot that had been done at their 103 West Main Street property without review or permit from the Village. Ms. Reiter explained that a catch basin tie-in had been done to attach the Dorschel system to that on Canandaigua National Bank. The back of the Dorschel lot had then been covered with hard-packed gravel back to the property line. Ms. Reiter stated this had improved the lot, raising the elevation, and allowing for improved drainage. Ms. Reiter stated that Dorschel was in the process of obtaining a license from CNB for the catch basin tie-in. Chairman Heischman inquired if Dorschel was going to obtain an easement for the tie-in. Ms. Reiter explained upon investigation, it was discovered that during the paving process, a small portion of the CNB property was inadvertently paved over, and that a license was being obtained to use the drainage system as well as to use that portion of the CNB property that was inadvertently paved. Chairman Heischman inquired how the CNB property could have been paved over inadvertently. Mr. Pundt replied that the contractor was unsure of the location of the property lines.

Mr. Emerson stated that an engineering review would be necessary in order to verify flow data for the catch basin tie-in. Mr. Emerson explained that Dorschel's had tied in to a Monroe County system and that would possibly require an easement. Mr. Tobin stated that an easement would be needed to ensure that the drainage system and paved area remained perpetuative as, a license could be revoked after the property was sold. Ms. Reiter stated that Dorschel Automotive leased the property, and did not own it. Mr. Tobin stated that an easement would be needed nonetheless in place of a license agreement. Chairman Heischman inquired of the applicants whether there were and lot line issues with the GM property, as they were proposing fencing their lot line off with Dorschel. Mr. Turner stated that Dorschel had paved over the lot line into the GM property, extending 3'-4' into GM property. A discussion of the proposed fence on the GM property ensued.

After much review, it was determined by the Board that an engineering review of the drainage calculations for added capacity to the Canandaigua National Bank system needs to be done by Dorschel and submitted to the Village Engineer. It was also determined by the Village attorney that easements need to be obtained from CNB and recorded by Dorschel Automotive for the storm sewer system. It is also the responsibility of Dorschel Automotive to contact General Motors regarding that area paved by Dorschel which extends onto the General Motors property.

Chairman Heischman stated that while the issue of lighting was not addressed in the application, there was a general consensus among the Board that the Dorschel property was over-lit. Mr. Pundt stated that timers were installed to prevent burglary and vandalism on the lot, and they were set to go off at 3 a.m. Chairman Heischman stated that while the Board was sympathetic with and understood the reasoning behind the lighting, it was a general requirement in the Village that lighting not spill onto neighboring properties, and should not leave the property. A discussion ensued regarding the use of shields for the light fixtures located at the Dorschel Automotive property. The Board noted that the representative from Dorschel Automotive agreed to install shields on pole lights in the rear of the property to keep light from those fixtures on their property.

Chairman Heischman noted that drainage calculations needed to be submitted prior to the SEQR review. The representatives from Dorschel were instructed to return to the July meeting after completing the engineering study and meeting with GM to discuss the lot line encroachment.

The public hearing was left open.

PUBLIC HEARING : SUBDIVISION AND SITE PLAN REVIEW : NEW CONSTRUCTION : NORTON STREET : NORTON MILLS TOWNHOUSES : MATHSTONE CORPORATION

Chairman Heischman opened the public hearing at 9:05 p.m.

Tim Poley, Mathstone Corporation representative, and Dwight Herringer approached the Board to discuss plans for a subdivision and site plan for Mathstone's Norton Mills townhouse project, a previously approved project. Mr. Poley reviewed the history of Mathstone projects in the Village, and presented plans for the 11-lot subdivision for the project. Chairman Heischman and the Board reviewed the proposed subdivision, including sewer and water service, reconfigurations of lot layouts and lower topography by a foot due to different cellar depths.

Chairman Heischman reviewed comments submitted by Mr. Michael Schaffron, Village Engineer regarding the project. She inquired of Mr. Herringer what he considered to be significant changes to the project. Mr. Herringer cited some of the following as changes: changes to the footprints of the buildings, to allow for options such as porches for each unit; square cul-de-sacs with pavers to provide more efficient maintenance and keep with TV zoning; and improvements to damaged culverts on Carriage Street. Mr. Schaffron noted that the stormwater system originally submitted by Mathstone was advanced in its design for its time and only minor modifications would be needed to conform with new regulations. Mr. Schaffron stated there were still technical issues that needed to be ironed out with Mathstone in regards to the project, but inquired if the Board was comfortable with the Planning issues that were addressed in the original 1997-1998 application. Mr. Herringer stated that he hoped there were no major changes or requests from the Board in regards to the application.

Mr. Emerson replied that work was needed on the road widths. He stated that while the 20' width was within the acceptable range in specifications, curbing of the street would cut down the width quite a bit. Mr. Emerson stated he would look for a minimum 22' width. Mr. Schaffron inquired if the Board were comfortable with the square cul-de-sacs. Mr. Emerson stated that he was not comfortable with them but that he would be willing to work with the applicants in modifying them to allow for emergency vehicles and maintenance equipment. A discussion ensued regarding widths on Village streets.

Mr. Poley presented elevation drawings and materials lists for the project. He asked the Board to note first floor bedrooms and a configuration of 2- two-story / 2- one-story townhouses. Mr. Poley stated that all

units would have garages tucked away to the side, and that all units would have porches, which were not noted on the plans. Chairman Heischman inquired as to the size of the porches. Mr. Poley replied they would be 6'x8' minimum for each unit. Front elevations were reviewed. Chairman Heischman cautioned MR. Poley to avoid a "storefront" look with facades due to the use of differing building materials. Mr. Poley stated that the siding would be clapboard-look vinyl with a seamless look. Mr. Judd inquired if the units would be for sale or rent. Mr. Poley replied it would depend on what the market demands were at the time.

Chairman Heischman inquired where the applicant was in terms of the subdivision, which had previously been approved and re-approved. Mr. Herrerger stated that the applicants wished to rekindle the subdivision action, as no significant changes had occurred since its original submission. Mr. Schaffron stated that he was looking at this application as a fresh application due to the length of time that had passed since its first approval. Mr. Tobin agreed that since so much time had passed since the original approval, legally this was to be considered a new application. He added that the approval process could be expedited, but that an updated SEQR might be needed. Mr. Tobin stated that a conditional approval could be granted, but that there would be many conditions, and that the tardiness of the applicants in the completion of this approved project was not the fault of the Village. A discussion ensued regarding updated information that would be required by the applicants. Mr. Schaffron stated that stormwater regulations would require attenuation up to 100 years, and that would have to be reworked. Mr. Hoffman noted that an open space plan was needed for the project. Mr. Schaffron inquired if the proposed pathway was to be installed in Phase I of the development. A discussion ensued regarding the pathway.

Chairman Heischman inquired if there were any comments from the assembled regarding the application.

Raymond Andrew, 65 West Main Street

Mr. Andrew expressed concern regarding the proposed pathway which would abut his property. Chairman Heischman explained to Mr. Raymond that adjacent properties on West Main Street would be buffered by plantings, and that the pathway would be used for pedestrian and bicycle use only.

Chairman Heischman inquired if there were any further comments. As none were noted, the public hearing was closed at 10: 03 p.m.

ACTION ON THE PUBLIC HEARING ITEM

Motion by Betsy Taylor, seconded by Tom Judd to grant conditional site plan and conditional subdivision approval for this project contingent upon the following items being resolved:

1. All engineering concerns will be addressed and resolved to the satisfaction of the Village Engineer.
2. The subdivision map will be completed legally and to the satisfaction of the Village Attorney.
3. A supplemental SEQR will be filed with the Village stating any changes to the project that was approved in the previous SEQR for subdivision, submitted 1/26/95 and for site plan, submitted 11/29/95.
4. An open space plan will be submitted for the development.

Motion carried.

PUBLIC HEARING : SUBDIVISION AND SITE PLAN REVIEW : WEST MAIN STREET : ESL ATM : MONROE VILLAGE ASSOCIATES

Mr. Goldman approached the Board to discuss subdivision and site plan for a proposed Eastman Savings and Loan ATM kiosk to be located at the Monroe Village Associates site on West Main Street. This building would be the first building in the proposed development. Chairman Heischman inquired if the subdivision would include a separate lot for the proposed 7500 sf retail building also proposed by the applicants; Mr. Goldman stated it would not be subdivided. Mr. Goldman reviewed the history of the

applicants' submissions, with preliminary subdivision approval for a two-lot subdivision being granted at the January 6, 2003 Planning Board meeting. Mr. Tobin reminded the applicants that final subdivision approval had not been granted as of the present time. Mr. Goldman went on to explain that the current subdivision application included a separate lot for ESL, making a total of three lots in the development.

The Board reviewed comments from Mike Schaffron, Village Engineer, and the Monroe County Planning and Development Department regarding the application. Mr. Goldman reviewed comments from Mr. Tobin regarding minimum lot size in the development. Mr. Tobin stated that the zoning law creating the MUCLID was written with the idea that one developer would be developing the property, and the Board was at a loss as to why the developers were further subdividing lots for development. Mr. Goldman stated that previously they had discussed re-subdividing for specific tenants, and although the intent was to develop the entire plot as a single owner, re-subdivision might be necessary for financial reasons. Chairman Heischman expressed concern regarding subdividing the parcel into too many lots, which would require easements between lots for access and parking. Mr. Goldman stated it was the intent of the applicants to have the buildings owned by Monroe Village Associates and not carve up the development, but that all options could not be anticipated, such as having a tenant who wished to own their own building lot. Mr. Dworkin stated that they were seeking approval for the 7500 sf retail building as part of the total plan.

Mr. Tobin and Mr. Judd cautioned the applicants against piecemeal development of the land. Mr. Tobin stated that it did not seem good planning to start to subdivide lots and sell them as a development plan in this area. Mr. Goldman stated that subdivision was not an issue in conflict with the issue of ownership, and it was not necessarily going against the concept plan. A discussion of the subdivision of Monroe Village Associates properties ensued.

The Board next discussed the ESL submission, reviewing drawing SL-1 from the plans. Chairman Heischman inquired if it were possible to continue with the ESL subdivision without going to the Village Board of Trustees first. Mr. Tobin stated he did not think it would be possible until minimum lot size and signage regulations were established. Chairman Heischman stated that ESL would need to get an area variance from the Zoning Board of Appeals for setbacks on the ESL building, and that traffic flow should be addressed prior to any approval issued. Mr. Goldman stated that the initial plan showed access from the to-be-dedicated roadway, and that screening would be addressed through site plan approval process.

Lighting of the proposed ATM facility was next discussed. Mr. Leve, attorney for ESL stated that all lighting would be reviewed by ESL security. Mr. Schaffron commented on the streetlight design. Mr. Gary Smith, project engineer, stated that there was a glitch on the plans and that the streetlights shown were not the lights to be used; that the lights would be the same throughout the development. Mr. August stated that he would set up a meeting with Niagara Mohawk in regards to specific light fixtures. Mr. Schaffron stated that the Board should offer some direction to the applicants in regards to lighting fixtures. Mr. Smith stated to Mr. Schaffron that he would provide lighting calculations. Mr. Schaffron stated that the Board would recommend .7 footcandles at the perimeter.

The driveway at Rite Aid, 133 West Main Street was next discussed. Mr. Tobin, Mr. Schaffron and Mr. Emerson all cited the driveway as a problem in construction of the access road to the ESL kiosk. Mr. Dworkin and Mr. August stated that they had no contact with the property owner, as the property had recently been sold. The Board and the developers discussed at great length the Rite Aid driveway relocation

The Board reviewed the elevation drawings for the proposed 7500 sf building. Chairman Heischman stated that pedestrian access was still an issue. Mr. Judd also noted the lack of front access to the building, and the desire to maintain a Village streetscape. The Board and applicants discussed entry configurations for the proposed building facing Main Street. Chairman Heischman reminded the applicants of early informal discussions in which the developers presented multiple buildings with a late 19th century design and rural character. She stated that this application was lacking in features which would make it integrate well with Village character. Mr. Simonetti, architect for the developers stated that tenant needs and other issues cause a more generalized architectural flavor for the building. A lengthy discussion regarding various design

elements of the building ensued. Mr. Benetti, architect for the developers, stated that the drawings would have to be reworked.

The ESL building was reviewed. Chairman Heischman stated the applicant would have to obtain a variance from the Zoning Board for setbacks, as they were in excess of the maximum 40' allowed. Chairman Heischman noted the Conservation Board should review the application as well for plantings in the landscaping. The planting of street trees was discussed.

The applicants were instructed to complete a zoning variance application and return to the next Planning Board meeting.

ADJOURN

Motion by Earll Fontaine, seconded by John Hoffman to adjourn the meeting at 12:03 a.m.

Motion carried meeting adjourned.

Respectfully submitted,

*Sheila Byrne Coleman
Planning Board Secretary*