

VILLAGE OF HONEOYE FALLS PLANNING BOARD

March 1, 2004

MEMBERS PRESENT: John Hoffman (Acting Chairman), Earl Fontaine, Tom Judd, Betsy Taylor

MEMBERS ABSENT: Denise Heischman

ALSO PRESENT: Mike Tobin, Village Attorney; Greg Emerson, Village Administrator; Jim Turner, Village Code Enforcement Officer; Donna Nuccitelli and Bob Nuccitelli, Applicants; Mark and Donna Donahoe, Applicants; Marvin Vahue, Town of Mendon Board Member; Joan Charles, Mendon Library Chairman; Mike Simon, MRB Group; Members of Naturally Main Street – Neighborhood Association: John and Richard Haviland, Roseanne Judd, Caroline Haviland, Yolanda Foss, Martha and David Lenahan; Dave Primo and Konrad Hicke from Sunoco; Mark Petrowski, from Bergman Associates, Consultant for Sunoco; Neal Husaven, Sunoco HF store manager

Chairman Hoffman opened the regular meeting of the Planning Board at 7:30 p.m.

SITE PLAN REVIEW: 10 SOUTH CHURCH ST.: DONAHOE

Mark Donahoe outlined his proposal for addition of three items: family room - 448 sq. ft.; garage 672 sq. ft.; front porch 300 sq. ft. They will not be doing all three at once. There is no garage presently on the property; the face of the new garage will be behind the rear of the house. All trim will match the front of the house. Also shingles and siding will match as close as possible. Chairman Hoffman asked about lighting on the barn. Mark Donahoe says they will look into it at a later time and will make sure to meet Village requirements and be careful not to allow glare into neighbors' yards. Garage height will be 23 feet.

Chairman Hoffman asked if there were any comments from the public. As none was noted, the public hearing was closed at 7:45 p.m.

ACTION ON THE PUBLIC HEARING ITEM

Motion by Betsy Taylor, seconded by Tom Judd to grant site plan approval for addition to 10 South Church pursuant to plans received by the Village on February 2, 2004.

Motion Carried

CHANGE OF USE REVIEW: 19 WEST MAIN ST.: NUCCITELLI

Chairman Hoffman opened the public hearing at 7:50 pm.

Donna Nuccitelli and her father-in-law Bob Nuccitelli approached the Board to discuss the Coffee House and Organic Food Sales plan for 19 West Main St. This is the building which previously was "My Own Shop" They would like to purchase the building, but need to make sure the proposal is OK with the Board first. Chairman Hoffman addressed the topic of operating hours. Opening at 6:00 am would create a parking issue with winter snow removal, and parking is not allowed until 7:00 am. Mr. Nuccitelli said his son would encourage his patrons to use the parking lot in the rear and he will have a rear entrance to the building.

Chairman Hoffman addressed the issue of cooking on the premises and how they intended to vent. Ms. Nuccitelli stated there would only be ovens, no fryers, and venting would have to be out the roof. Applicants informed the Board that this business is not intended to be a restaurant, but will be more a café with resale of pre-packaged products. Chairman Hoffman asked the applicant about their method of Pasteurization and Mr. Emerson explained the BOD elimination requirements and the applicants said they would address this properly if the project goes through.

Bathrooms and entrances will be handicapped accessible. Mr. Hoffman inquired about the amount of seating for a restaurant and informed the applicants that they will need to check with the Dept. of Health about a permit to serve food.

The access door between this building and the hardware store is to be walled off. Applicants will need to look into disposal of garbage, possibly putting in a dumpster.

Chairman Hoffman inquired if there were any comments from the public. As none were noted, the public hearing was closed.

ACTION ON THE PUBLIC HEARING ITEM

Motion by Earll Fontaine, seconded by Betsy Taylor to grant conditional approval for change of use contingent on the following:

1. Building and Sign permits will be required;
2. Applicants must obtain a permit from the Monroe County Department of Health.

Motion carried.

SITE PLAN REVIEW: 40 NORTH MAIN ST.: SUNOCO APLUS

Chairman Hoffman opened the Public Hearing at 8:00 p.m.
Representing Sunoco: Dave Primo and Konrad Hicke from Sunoco;
Mark Petrowski, from Bergman Associates, Consultant for Sunoco;
Neal Husaven, Sunoco HF store manager.

Mark Petrowski gave a presentation explaining the community benefit to the village. The lot south of the Sunoco Gas Station is a 73 ft. wide lot, 50 ft. will be donated to the Town of Mendon for use as a driveway to the Mendon Public Library and 20 ft. will be retained by Sunoco to relocate the four parking spaces on the south end of the business property and relocate the sign, which will conform to village code. Moving the parking spaces further away from the gas pumps and the building will create a better traffic flow for incoming and outgoing cars. The landscaping will be done according to village recommendations.

Tom Judd stated that the property was approved for special use as a repair garage several years ago and was not supposed to have parking available. This property wasn't supposed to be used for cars parking to allow patrons shop.

Chairman Hoffman opened the meeting for public input.

Roseanne Judd informed the Board she woke up early one morning and the house that was on the property next to the gas station was knocked down and dumped into the basement of the home. She inquired as to whether the land is solid enough to support a driveway. Also she heard there was a gas leak and would like to know if that is true. Konrad Hicke said to the best of his knowledge there is no leak problem and DEC has cleared the property. Dave Primo said the demolition of the house was done by professionals and would have been done properly according to the Demolition Permit acquired, but the Town will have to do soil testing before putting down pavement for the driveway.

Tom Judd asked if there was going to be one or two lanes of driveway going into the library. In the original proposal from the library consultant only one lane into the library was presented. Marvin Vahue said they are looking into making it two. Michael Simon with MRB group showed the board a site plan. The town would

like request that the subdivision give more width to the Town at the rear of the lot in order to match up with the property line of the property for the Library. Mark Petrowski said that would not be a problem. Chairman Hoffman asked what would happen if there was no access to the library from N. Main St. Mr. Vahue indicated that the Fire department cannot get good access to the library on the present driveways at Monroe St.

Joan Haviland, residing at 37 Ontario St. owns the property just south of the proposed subdivision and stated that it has been stressful owning this property. One time there was a gas leak and her understanding is that Sunoco settled with the owner of that house, nothing happened to clean up the site, and then the house was torn down. No one in the neighborhood knew about the demolition permit. She questions how the clean up and demolition was done. She also has a concern about traffic.

Tom Judd expressed his feeling that there is no cooperation from the Village or Sheriff's Department to enforce the traffic problem. It has been discouraging that Sunoco has not been a good neighbor and something needs to be done. The village should take a more active part.

Richard Haviland, 37 Ontario St. said when we bought his house, all the properties were zoned residential and he doesn't understand how we can change zoning to allow this plan. Chairman Hoffman indicated that this Board will have to deny this request tonight so applicants can go to the Zoning Board and get that cleared up first. The lot created to be given to the Town will be less than allowable lot size. Putting commercial use on a lot zoned R-2 will require zoning change of use and this proposal will become an expansion of non-conforming use. If they do get approval from the Zoning Board on these issues, the matter will come back to Planning Board. Deb Donahoe, 10 South Church St. asked that if Sunoco does go to Zoning Board, can they address the fencing and landscaping issues to meet village requirements.

Harry Vanburen, residing at 37 1/2 North Main St. lives across the street from the gas station and has problems turning in his driveway. He asked - isn't everything contingent on DOT approval and shouldn't we wait for their OK before proceeding? Chairman Hoffman stated that the Zoning Board could make their approval contingent on DOT approval.

Tom Judd complimented the Hamlet of Mendon on signs and lighting at the Sunoco location there.

Chairman Hoffman said the Board would like to have the Village Conservation Board look at a landscaping plan.

Konrad Hicke stated that Sunoco is extremely flexible and would put in recessed canopy lighting if this is what the Village would like to see.

Kathy Lenahan, residing at 41 North Main St. stated that the neighbors are not trying to be difficult, we did not expect to have the traffic that now exists and we are just trying to protect our interests on this issue. Ms. Haviland says it sounds as if it is a gift to the Town, yet the lot would be very hard to sell in the future if the Town does not continue to use it as a driveway.

Chairman Hoffman said we have to leave the public hearing open

Tom Judd wanted to make one last comment. The master plan for village known as the CAC report should be addressed and continued expansions of commercial property into residential property should be stopped. This goes against the master plan.

Motion made by Tom Judd, seconded by Betsy Taylor to deny application.

Motion Carried

APPROVE MINUTES

Motion by Earll Fontaine, seconded by Tom Judd, to approve minutes of the January 5, 2004 Planning Board Meeting as presented.

Motion Carried

Motion by Earll Fontaine, seconded by Betsy Taylor to approve minutes of the February 2, 2004 Planning Board Meeting as presented.

Motion Carried

Respectfully submitted,

*Gerianne P. Alford
Planning Board Secretary*