

PLANNING & DEVELOPMENT COMMITTEE

MINUTES

September 15, 2015 6:00 pm

Council Board Room
One Batavia City Centre, Batavia NY

Members present: *Edward Flynn, Matthew Gray, Alfred McGinnis, Rachael Tabelski, Duane Preston*

Others present: *Meg Chilano – Recording Secretary, Jason Molino – City Manager, Doug Randall – Code Enforcement Officer*

I. Roll Call

Roll call of the members was conducted. Five members were present and Chairman Preston declared a quorum.

II. Call to order

Mr. Preston called the meeting to order at 6:01 pm.

III. Previous Meeting Minutes

Mr. Flynn moved to approve the minutes; the motion was seconded by Mr. McGinnis, and on roll call, was approved 3-0-2

Votes in favor: 3 (Edward Flynn, Alfred McGinnis, Duane Preston)

Votes opposed: 0

Votes abstained: 2 (Matthew Gray, Rachael Tabelski)

RESULT: Approval of August 18, 2015 meeting minutes.

IV. Proposals

- A. Alterations to the exterior of this commercial building located within the Business Improvement District (BID)

Address: *206 Main Street* (Main Street Pizza)

Applicant: Ronald Viele (contractor)

- Actions: 1. Review application
2. Discussion and action by the board

1. Review Application

Mr. Preston read the summary of the proposal, as well as the recommendation for disapproval from the Genesee County Planning Board. Ron Viele, contractor for the project, explained that they are building into the vacant property adjacent to Main Street Pizza. He said that he is open to what the PDC wants and will accommodate their design suggestions.

2. Discussion and Action by the Board

Mr. Preston asked if there would be more glass in the new windows and Mr. Viele responded that they would be about the same size.

Mr. Preston asked if it would be possible to use the same marble-type material on the front. Mr. Viele replied that they might be able to find something to match.

Mr. Flynn commented that he thinks the brick is not compatible at the base level and asked if Mr. Viele could find some other material. Mr. Preston asked if the existent granite could be reused and Mr. Viele said he thought it could.

Mr. Flynn asked if Mr. Viele would be willing to recess the door. Mr. Viele agreed to move the door back 36”.

Mr. Flynn said that he did not like the proportions and divisions of the windows. He asked if Mr. Viele could change the division from six to three, or make the center piece thinner. Mr. Viele deferred to Mr. Marchese, the owner, who said that eventually he wants to change the other windows, which are old and thin, to match the new ones.

Mr. Flynn asked if the second door is necessary. Mr. Viele explained that one door is for take-out and the other is for the restaurant. Mr. Preston pointed out that the door would be necessary in case of a future sale and subdivision. Mr. Viele added that the second door is necessary to meet fire codes.

MOTION: Mr. Gray moved to approve the application with the following conditions:

1. The bottom of the windows are granite
2. The lines on the new windows match the ones on the other windows
3. The door is recessed 36”

The motion was seconded by Mr. Flynn, and on roll call, was approved 5-0.

RESULT: Approval of application with conditions.

B. Placement of a 37 sq.’ unlit wall sign on the east elevation of this school building located within the R-1A residential use district

Address: 73 Union Street
Applicant: Thomas Rapone (agent for Notre Dame School)
Actions: 1. Review application
2. Discussion and action by the board

1. Review Application

Mr. Preston read the summary of the proposal. Notre Dame High School was represented by principal, Wade Bianco, who explained that the sign is part of the Board of Trustees’ plan to renovate the entire campus.

2. Discussion and Action by the Board

Mr. Flynn stated that the sign is larger than what is permitted. He asked if the sign could be made smaller. Mr. Bianco replied that he could explore the possibility and asked Mr. Flynn what the projected size would be. Mr. Flynn answered that 4’ x 4’ would be more acceptable than 6’ x 6’.

Mr. Bianco asked the board to consider how much planning went into the design of the sign. He said that Trace George, who does the signage for the Buffalo Bills and the Buffalo Sabres, advised Notre Dame after visiting the school and checking out where the sign would be located.

Mr. Preston asked about the sign materials. Mr. Bianco answered that the sign is navy blue and gold vinyl. He said that the sign looks classy and the school is situated well back from the street. He added that many public schools are putting this type of signage on their buildings.

Mr. Randall brought the board's attention to the area calculations he had recorded for their information: the sign takes up 3% of the wall area.

Ms. Tabelski stated that she likes the sign. She said that she thinks the size of the sign is appropriate for the distance of the building from the street.

Mr. McGinnis said that he had no objections to the sign.

Mr. Flynn noted that approval for a sign for the school should be considered an exception and not intended to set a precedent for businesses in residential districts. The board agreed.

MOTION: Ms. Tabelski moved to approve the application with the understanding that it does not set a precedent as noted above; the motion was seconded by Mr. McGinnis, and on roll call, was approved 5-0.

RESULT: Approval of the Special Sign Permit.

C. Placement of a free standing digital reader board sign in the front (west) yard of this church property located within the R-1 residential use district

Address: *190 Oak Street*

Applicant: Donald Morris (agent for the First Free Will Baptist Church)

Actions: 1. Review application
2. Discussion and action by the board

1. Review Application

Mr. Preston read the summary of the proposal along with the referral from the Genesee County Planning Board. The Planning Board recommended approval with modifications which prohibit the sign from having flashing, intermittent, rotating, or moving lights, according to City zoning regulations.

2. Discussion and Action by the Board

Sandra Richmond, board member of the First Free Will Baptist Church, was available to describe the project. She said that the proposed sign is no larger than the current sign and will be much easier to change in the winter time.

Mr. Flynn asked about the rule on changing messages on signs and Mr. Randall answered once per day.

Mr. Gray asked if there are any rules on color use and Mr. Randall replied no.

MOTION: Mr. Gray moved to approve the application with the condition that there are no flashing, intermittent, rotating, or moving lights, and the sign is only changed once per day; the motion was seconded by Ms. Tabela, and on roll call, was approved 5-0.

RESULT: Approval of the Special Sign Permit.

- D. Site Plan Review – proposal for a 15,390 sq.' (171' x 90') one story warehouse addition to an existing industrial/business complex. The location of this planned building is in the southeast corner of this parcel and was the site of a previous demolition that resulted in the removal of approximately 25,832 sq.' of structure

Address: 29-33 Liberty Street

Applicant: Rick Mancuso (agent for Reinhart Enterprises Inc.)

Actions: 1. Review application
2. Public hearing
3. Discussion and action by the board

1. Review Application

Mr. Preston read the summary of the proposal. Mr. Mancuso explained that the plan was developed in response to the need of a tenant at this location for more space. The plan will double the tenant's warehouse space and create some new jobs.

Mr. Flynn asked if the footprint is smaller and Mr. Mancuso responded that it is. Mr. Preston added that it is about 10,000 sq.' less than the original building

Mr. Preston reported that the Genesee County Planning Board recommended approval of the project.

2. Public Hearing

Mr. Preston opened the public hearing at 6:35 pm. There were no calls or correspondence and no one present who wished to speak. Mr. Preston closed the public hearing at 6:36 pm.

3. Discussion and Action by the Board

MOTION: Mr. Flynn moved to approve the application as submitted; the motion was seconded by Mr. McGinnis, and on roll call, was approved 3-0-2.

Votes in favor: 3 (Edward Flynn, Alfred McGinnis, Duane Preston)

Votes opposed: 0

Votes abstained: 2 (Matthew Gray, Rachael Tabela)

RESULT: Approval of application.

- E. Placement of two 7.29' x 9.87' wall signs on this commercial use building, one on the west side and one on the east side

Address: 218 West Main Street

Applicant: Terry Smith (tenant)

Actions: 1. Review application

2. Discussion and action by the board

1. Review Application

The applicant was absent from the meeting.

2. Discussion and Action by the Board

MOTION: Mr. McGinnis moved to table application; the motion was seconded by Ms. Tabelski, and on roll call, was approved 5-0.

RESULT: Application tabled.

F. Replacement and expansion of the existing parking lot and construction of a dumpster enclosure on this medical office use parcel

Address: 264 Bank Street

Applicant: Randy Bebout (project manager)

Actions: 1. Review application
2. Discussion and action by the board

1. Review Application

Mr. Preston read the summary of the proposal. He reported that the Genesee County Planning Board recommended approval. Nathan Buczek, engineer for T-Y-Lin International, explained the project. He indicated on a diagram where the parking lot will be located and said that 15 new spaces will be created. According to Mr. Buczek, the current dumpster enclosure space is too confined to allow garbage trucks access. He showed where he is proposing to relocate the new dumpster enclosure with a utility shed on the back side of it. He described how the sidewalk will be shortened and more curbing will be added.

2. Discussion and Action by the Board

Mr. Buczek described the specs of the enclosure to the board.

Mr. Flynn asked why it is necessary to change the location of the enclosure. Mr. Buczek responded that it would not fit.

Mr. Gray asked about the hours of operation. According to Mr. Buczek, the hours are typically 8-4:30.

Mr. Gray asked about the primary construction material of the enclosure and Mr. Buczek said it is pressure-treated wood; however, the color has yet to be determined.

Mr. Preston asked about the removal of the lamp post. Mr. Buczek replied that the light will be relocated but no additional lighting had been planned because the building is lit by floodlights. Mr. Preston asked if the floodlights are shielded and Mr. Buczek answered that they are.

Mr. Flynn asked if there is a landscaping plan for the new parking area. Mr. Buczek answered that there is no plan except to replace any displaced grass. Mr. Flynn said he is concerned by the lack of a landscape plan because it will change the view coming down Bank Street. Mr. Buczek said that they could add some trees and shrubs.

Mr. Flynn told Mr. Buczek that the City has a landscape ordinance. He asked Mr. Randall if the board needs to table the proposal until the applicant submits a landscaping plan. Mr. Randall explained that the landscaping ordinance does not apply in this case because the property is located in a P-2 zoning district.

Mr. Flynn asked Mr. Buczek if he would consider landscaping as a buffer from residents and the view coming down Bank Street. Mr. Buczek said he would make the suggestion.

MOTION: Mr. McGinnis moved to approve the application with the following conditions:

- 10' of landscaping around the perimeter of the parking lot
- Evenly spaced shrubs based on the current landscaping ordinance

The motion was seconded by Ms. Tabelski, and on roll call, was approved 5-0.

RESULT: Approval of application with conditions.

- G. Sketch Plan Review – Presentation of sketch plan for a redesigned Dunkin Donuts submittal. The purpose of this meeting will be to familiarize the City with the proposed project and provide the applicant an opportunity to obtain direction and guidance from the Planning and Development Committee (PDC) prior to final submission of the site plan

Address: 401-409 West Main Street
Applicant: Robert Fitzgerald, PE (project engineer)
Actions: 1. Review application
2. Discussion

1. Review Application

Mr. Preston read the summary of the proposal. Mr. Fitzgerald was not in attendance. Kip Finley, from the Indus Hospitality Group, told the board that they were looking for input concerning two areas: the site plan and the architecture of the building.

2. Discussion

Following a presentation by Mr. Finley and Mark Donahoe, construction manager for the Dunkin Donuts, along with Mike Mikolajczyk, future operator of the proposed Dunkin Donuts, the board discussed possible merits of the new plan, as well as which of the building illustrations they found most appealing. The Dunkin group stated their intention to submit a new site plan at a future date.

V. Setting of Next Meeting: October 20, 2015

VI. Adjournment

Ms. Tabelski moved to adjourn at the meeting at 7:43 pm. Mr. Flynn seconded. All voted in favor.


Meg Chilano
Bureau of Inspection Clerk