

**Minutes of the Town of Perinton
Planning Board Meeting of October 1, 2014**

Planning Board Members Present

Mark Anderson, Chairman
T.C. Lewis
James P. Brasley
Kenneth O'Brien
Craig Antonelli
Norm Gardner
Sandra Neu

Conservation Board Members Present

David Belaskas

Town Officials Present

Robert Place, Town Attorney
Robert Kozarits, Town Engineer
Michael Doser, Director Code Enforcement & Development (CED)
Lori Stid, Planning Board Clerk

Absent

Thomas Beck, Commissioner, DPW

Mr. Anderson called the meeting to order at 7:30 pm, introduced the Board and staff present, and explained the procedures.

Sign(s):

Hertz – 1177 Fairport Road

rescheduled to 10/15/14

New Application(s):

584 Whitney Road West – Antonelli Mini Storage - modification of previously approved site plan. Costich Engineering, as agent for Antonelli Storage Facility, LLC, owner of property located at 584 Whitney Road West, (tax id # 152.07-1-16), requesting preliminary and final site plan approval to modify previously approved site plan.

Presenter: Costich Engineering, Michael Montalto
Zoned: Limited Commercial & Industrial

Mr. Antonelli, seated in the audience, states that he has a conflict of interest for this application.

Mr. Montalto presents the application to the Board as per application submitted to the Town. He gave a history of the project.



**COSTICH
ENGINEERING, P.C.**



August 29, 2014

Project No. 4502

Ms. Lori Stid
Planning Board Secretary
Town of Perinton
1350 Turk Hill Road
Fairport, New York 14450

Re: Antonelli Mini Storage
584 Whitney Road
Modification of Site Plan Approval



Dear Lori:

On behalf of our client Antonelli Storage Facility, LLC, we are submitting materials to the Planning Board for Site Plan approval for the above reference project. We are requesting the project be added to the Planning Board's October 1st agenda for Site Plan approval.

The project is located on the north side of Whitney Road approximately 330 feet west of the intersection of Whitney and O'Connor Road. The project entails the conversion of approximately 600 square-feet of the existing building space for a Karate Studio.

The project previously obtained approvals from the Town Board, Zoning Board of Appeals and Planning Board for the development of the storage units and additions to the building.

The previous site plan approval for the property was granted for the development of six (6) storage buildings and two (2) building additions to the existing building and associated utilities, site lighting, pavements and landscaping. Four (4) of the storage units have been developed and the associated stormwater management facility, pavements and fencing. The site plan approval was conditioned that the "Applicant will not be able to obtain a building permit for the 5th and 6th mini warehouse buildings, unless they have already applied for a building permit for the renovations to the existing building at the same time or previously".

Since receiving site plan approval, the new building addition space for lease has been being marketed. There has been no interest in the space whatsoever. There has been difficulty leasing the current existing vacant building space, until the interest by the Karate Studio. There is a pending lease in place for use of a portion of the building as a Karate Studio. Application has been made to the Town Board for a Use Permit for the Karate Studio.

The four (4) storage buildings, that have been completed, are fully occupied and there is demand for the additional two (2) storage buildings.

The site plan has been revised to depict the site configuration without the previously planned building additions, revised parking layout, site lighting and landscaping.

We are requesting a change to the previously approved site plan to eliminate the two (2) building additions as previously approved. Improvements to the building facade and roofline similar to that which was previously approved would be made to the existing building. Where the 1,920 square-foot building east of the existing building was proposed, a landscape buffer is to be created to screen the rear of the property. The proposed site plan modification will decrease the amount of impervious surface area associated with the buildings and parking areas. The requested site plan modification would allow the client to complete the development of the site.

They were proposing to build the parking area primarily south of the existing building utilizing the existing gravel area that is there and using the area that is to the west that is on the previous plan as banked parking expansion plan. They received comments from Town staff, and there were comments regarding screening. As a result, they have developed an alternate to the site plan that they submitted to the DPW earlier today. He submits a copy of that revised site plan into the record. He states that

it mimics the previous approval in that it primarily has the parking south of the building along the roadway and provides the area in which the building expansion was previously planned with landscaping. It has the same parking elements as the 2010 plan. The departure from the 2010 plan is that there was a sidewalk proposed along the entire edge of the pavement. The client would like to reduce the amount of that sidewalk and only provide it at the entrance. It is a relatively small parking lot and a low generator of traffic, they don't feel it is necessary to provide a separation between the vehicular and pedestrian access as it is common for people to walk down drive aisles. They have proposed some additional landscaping and have carried the theme from 2010 out to the sidewalk. There are some additional evergreens at the western end of the parking lot. They show 5 banked parking spaces. They have not counted the ability to park at the northern edge like the original plan did. They are comfortable with the parking spaces that are being generated. The stormwater management facility already exists and they are proposing no changes to that. He submits an elevation package into the record. As a condition of the Town Board approval, they will be making improvements to all four sides of the building rather than just the front of the building. This plan provides a decrease in impervious surface. The grading will be identical to what it was in 2010. The utilities will be the same from a stormwater standpoint. They are providing enhanced landscaping/buffering. There was a comment from CED (see below) relative to when these buildings could be built and that it be contingent upon the site improvements happening.

Proposed site work and structure modifications should be completed before building permits are issued for warehouse buildings 5 and 6.

They ask that it be the same as it was in 2010 (see below) and have it be tied to the building permit for the renovations due to the time of year and the ability to pave. They may not be able to get that in before the end of fall construction season. There is a letter of credit already in place for this project. The two building permits would be contingent upon making the renovations to the building and not tied to the paving of the area.

Applicant will not be able to obtain a building permit for the 5th and 6th mini warehouse buildings, unless they have already applied for a building permit for the renovations to the existing building at the same time or previously.

Mr. Place inquired what is different on the elevations. Mr. Montalto states that the Town Board approval for the SUP for the Karate studio and the conditions of that approval came after the submission for site plan approval. There are improvements to all facades of the building that are consistent with the conditions imposed by the Town Board on 9/10/14.

Mr. Anderson asked for questions or comments from the Conservation Board. Mr. Belaskas states that the Conservation Board is in favor of this request as it is a re-use of an existing building and is consistent with current zoning, the most current Master Plan, improves the appearance, and the stormwater management facility is already constructed and sized for the proposed construction. They did notice some erosion by the stormwater management pond and have discussed it with the applicant and they are in agreement to address that.

Mr. Anderson asked for questions or comments from CED. Mr. Doser states that CED issued comments as follows:

CED Comments:

1. **The Town Board approved a special use permit for a martial arts studio on Sept. 10, 2014, with the following conditions:**
 - a. **The structure is to feature tan siding, green fabric awnings, red/tan/brown stone/brick veneer base, and a peaked parapet as shown on the "proposed front elevation," submitted and dated "July 7, 2014."**
 - b. **The remaining south, east and west elevations are to match the main front façade with tan siding, red/tan/brown stone/brick veneer base, and a peaked or decorative parapet.**
 - c. **The area between the gravel and asphalt parking areas is to be separated by some type of landscaped feature/island that will soften the transition between the two surfaces.**
 - d. **All construction equipment is to be hidden from street view and behind the building.**
2. **Proposed site work and structure modifications should be completed before building permits are issued for warehouse buildings 5 and 6.**

Mr. Doser states that they are ok with reverting back to the condition from 2010 approval regarding building permits for buildings 5 and 6. (see below)

Applicant will not be able to obtain a building permit for the 5th and 6th mini warehouse buildings, unless they have already applied for a building permit for the renovations to the existing building at the same time or previously.

He would like to see the additional five parking spots on the final plans as it is important to show that there is capability for 25 parking spots.

Mr. Anderson asked for questions or comments from the DPW. Mr. Kozarits states that DPW issued comments as follows:

DPW Comments:

General

1. **The original Letter of Credit obtained for the overall site improvements at 584 Whitney Rd is still in place, with \$113,980 remaining to be released. As such, no additional financial security will be required for the modified site plan.**
2. **Include on base mapping existing large shrubs, signage, lighting and hydrant in vicinity of proposed landscaping and parking lot, and label whether items will be relocated or to remain.**
3. **Label parking setback (60' min) per variance note on plans.**
4. **Provide 6' wide integral curb/concrete walkway adjacent to parking spaces at front of building and provide curbing around island at parking lot entrance.**

5. **The 5 parking spaces on the east side of the building do not have sidewalk access to the front of the building. Move these 5 spaces to be accessed directly off the gravel area adjacent to the overhead doors, and provide a wider lawn/landscape area between the front parking spaces and the gravel area. If the 5 spaces are intended to serve the karate studio, provide a concrete walkway connecting the front of the building to the parking spaces.**
6. **Revise parking totals along the south building face to show 9 proposed parking spaces with 6 banked spaces.**
7. **Correct site data table to show required parking for karate studio as 1 per 140 sf (Town Code Section 208-16B, personal service establishment), $600/140 \times 1 = 4.3$, say 5 spaces. The parking calculation for the rest of the building should be 5 spaces per 1000 sf (Town Code Section 208-16B, business/professional), $(4600-600)/1000 \times 5 = 20$ spaces.**
8. **Grading plan currently states "Match existing pavement elevation" at new front parking lot entrance, however, proposed grades show grading within the main driveway.**
9. **Confirm landscape quantities are correct on drawing CA120.**
10. **Large Box Elder shown at east property line near Whitney Rd entrance has been removed and should be taken off base mapping. Provide additional landscaping along east property line to complement the proposed landscaping along the Whitney Rd frontage.**
11. **Provide roof downspout connections from existing building to the storm sewer.**
12. **During a recent inspection of the stormwater management facility to the rear of the property, several deep rills were observed along the pond bank and transporting sediment into the pond. This pond bank erosion should be corrected when the proposed improvements for this application are constructed.**

The revised sketch that was provided today meets the intent of the concerns of the DPW in regards to screening the two separate areas from parking in the front to the gravel area in the back. He inquires why the applicant doesn't feel the walkway is appropriate to put in as was approved in 2010. Mr. Montalto states that in 2010, it was running the full length of the building and the only access to the building was in the front. That is no longer an issue. Mr. Kozarits disagrees. Having the sidewalk there for this type of parking configuration next to the building would enhance the identification of where people should be going to get to the entrance. The karate studio will likely be used primarily by adolescents, and it is a good idea to have them out of the drive aisle. Is it an integral curbing sidewalk or flush? Mr. Montalto states integral; it is not wide enough. Mr. Kozarits asks if the perimeter around the parking lot is proposed to be grass. Mr. Montalto states lawn. Mr. Kozarits asks them to reconsider the parking adjacent to the sidewalk along the frontage.

Mr. Anderson inquired if the contribution to the sidewalk fund was made based on the October 2010 approval. Mr. Kozarits states that in lieu of the contribution, the sidewalk was replaced along the frontage of the property. Mr. Antonelli states that they paid for the sidewalk, tore it up and replaced it. Mr. Kozarits states that it is asphalt.

Mr. Anderson asked for questions or comments from Attorney Place. Attorney Place states that the site plan does not show a sidewalk easement to the Town and needs to be shown on the final plans.

Mr. Anderson supports the project. It is a good use of the building. He understands the economics of the situation that is driving the need for the modification of original approval. The addition of the landscaping will help to shield the gravel area. He inquires if the tenant has agreed to the condition of approval by the Town Board for all construction equipment is to be hidden from street view and behind the building. Mr. Antonelli states yes. Mr. Anderson inquires if there is enough space to identify 5 additional parking spaces and Mr. Montalto states yes. Mr. Anderson feels that the sidewalk is appropriate, rather than have people go out into the travel lane. He supports the change from CED proposed condition to be condition #10 of approval from 10/20/10(see below)

10. Applicant will not be able to obtain a building permit for the 5th and 6th mini warehouse buildings, unless they have already applied for a building permit for the renovations to the existing building at the same time or previously.

Mr. Lewis is in favor of the plan and it makes good use of the site.

Mr. Brasley supports the plan. Even though it is smaller than what was approved a few years ago, it will still be an improvement to the neighborhood. The Town Board made some good conditions of approval. He is indifferent about the sidewalk in the front. It is a very small lot and an existing building and the benefit to the Town will be that the site is being improved by the façade modifications. He is comfortable with the revision submitted this evening and is prepared to go forward.

Mr. O'Brien supports the plan. He inquires if E & F are more narrow storage buildings than the original 4. Mr. Montalto states that they are about ½ the depth. Mr. O'Brien supports the sidewalk for safety reasons.

Mr. Gardner states that it appears that the original addition on the east side would have acted as a significant screening for the buildings behind it. He feels that the storage buildings should be screened to the best of our ability. There was a discussion as to what the proposed screening is. Mr. Gardner inquired if 2 handicapped parking spaces are required by Code. Mr. Doser states that 1 is sufficient. Mr. Gardner supports the sidewalk in the front. He inquires if there will be a ramp to get up to the sidewalk as there is a 6" drop in the elevations along the front. Mr. Montalto states that developments as large as Wegmans has people walking down drive aisles funneling to the front of the building. A collector sidewalk is common, but is also not prevalent on all projects. They would prefer, if they add a sidewalk in that area, that it be flush with parking blocks to delineate how far forward they come because there will be less grade change on an existing site. The finished floor of the parking lot is already there, and the drainage patterns exist. A sidewalk is additional money and the economy is tight and doesn't necessarily add value to the project. The client does not wish to construct the sidewalk. In 2010 a sidewalk was shown because it was connecting a portion of the eastern side of the building and with that element gone it doesn't seem necessary.

Ms. Neu supports the plan. She agrees with Mr. Kozarits comments and would like to see the sidewalk. She appreciates all the additional landscape that is being proposed.

Mr. Belaskas states that the Conservation Board recommends a Negative Declaration of SEQR based on the following findings:

1. The building is a re-use of an existing building
2. The use is consistent with the current zoning and Master Plan
3. The existing stormwater management system has been sized to accommodate the proposed improvements to the site.

Mr. Anderson made a motion to grant a Negative Declaration of SEQR for the reasons as cited by the Conservation Board.

Mr. Lewis seconds the motion.

Motion carries 6 – 0, with one abstention of Mr. Antonelli.

Mr. Brasley made a motion to grant preliminary site plan approval to modify previously approved site plan from 10/20/2010 for Antonelli Storage Facility, LLC, owner of property located at 584 Whitney Road West, (tax id # 152.07-1-16), for plans received by the Town on 8/29/14 and revised site plan sketch and architectural elevations submitted tonight (10/1/2014), subject to the following conditions:

1. Satisfaction of any remaining concerns of the DPW.
2. As to memo from DPW to Planning Board dated 9/26/14, CED comment #2 shall not be required and shall revert to original approval from Planning Board dated 10/20/2010 – condition #10, which is as follows:

Applicant will not be able to obtain a building permit for the 5th and 6th mini warehouse buildings, unless they have already applied for a building permit for the renovations to the existing building at the same time or previously.

3. Applicant shall show on the final plans submitted for signature the Special Use Permit for the allowance of a martial arts studio, the date granted (9/10/2014) and the conditions of approval by the Town Board, which are as follows:
 1. The structure is to feature tan siding, green fabric awnings, red/tan/brown stone/brick veneer base, and a peaked parapet as shown on the “proposed front elevation,” submitted and dated “July 7, 2014.”
 2. The remaining south, east and west elevations are to match the main front façade with tan siding, red/tan/brown stone/brick veneer base, and a peaked or decorative parapet.
 3. The area between the gravel and asphalt parking areas is to be separated by some type of landscaped feature/island that will soften the transition between the two surfaces.
 4. All construction equipment is to be hidden from street view and behind the building.

4. All of the conditions of the Town Board Special Use Permit dated 9/20/2014 shall apply to this approval.
5. Applicant shall show on the final plans submitted for signature the capability to provide 25 parking spots, although only 15 shall be constructed and 10 will be banked.
6. Applicant shall show on the final plans submitted for signature the sidewalk easement to the Town along the frontage along Whitney Road.
7. Applicant shall construct a sidewalk along the full length of the parking lot between the parking spaces and the existing building.

Mr. O’Brien seconds the motion.

Motion carries 6 – 0, with one abstention of Mr. Antonelli.

Mr. Brasley made a motion to grant final site plan approval to modify previously approved site plan from 10/20/2010 for Antonelli Storage Facility, LLC, owner of property located at 584 Whitney Road West, (tax id # 152.07-1-16), for plans received by the Town on 8/29/14 and revised site plan sketch and architectural elevations submitted tonight (10/1/2014), subject to the following conditions:

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4. All of the conditions of the Town Board Special Use Permit dated 9/20/2014 shall apply to this approval.
5. Applicant shall show on the final plans submitted for signature the capability to provide 25 parking spots, although only 15 shall be constructed and 10 will be banked.
6. Applicant shall show on the final plans submitted for signature the sidewalk easement to the Town along the frontage along Whitney Road.
7. Applicant shall construct a sidewalk along the full length of the parking lot between the parking spaces and the existing building.

Mr. O’Brien seconds the motion.

Motion carries 6 – 0, with one abstention of Mr. Antonelli.

Discussion:

Minutes:

Mr. Lewis made a motion to approve the minutes of 8/20/14 as submitted.

Ms. Neu seconds the motion.

Motion carries 5 – 0, with two abstentions of Messrs. Gardner and O'Brien, due to absence.

Mr. Brasley made a motion to approve the minutes of 9/3/14 as submitted.

Mr. Lewis seconds the motion.

Motion carries 7 – 0.

There being no further business before the Board, the meeting adjourned at 8:00 P.M.

Respectfully Submitted,

Lori L. Stid, Clerk