

February 28, 2011

Village of Phelps Planning Board Meeting held at the Phelps Community Center; 8 Banta St., Village Meeting Room; Phelps, New York.

Present: Chairman: Randy Scott Board member: Bob Springer  
Board member: Ty Allen Board member: Mike Blair

Also present: Deputy Clerk/Treasurer Jill Seifert, Trustee Greg DeRuyter, Trustee Brian Hemminger (7:25p.m.) and Applicants Thomas Mitchell Jr. & James Merkle.

Chair Scott opened the meeting at 7:00 p.m.

Approval of November 18, 2010 meeting minutes: Mike motioned to approve the minutes as presented, Bob second. Unanimously approved.

Public Hearing opened at 7:02 p.m.

**PB 01-11 Old Mill Hot Dog Stand; 129 Main Street**

Tom Mitchell & James Merkle presented their application. They are proposing to upgrade currently enclosed dining area to allow for longer seasonal usage and patron comfort. Occupancy is not changing; the “footprint” of the business is not changing, no parking or lighting changes proposed. Due to the location of the business on State Route 96 the application was referred to the Ontario County Planning Board (CPB) for review at their meeting on February 9<sup>th</sup>, the CPB deemed the application a Class 1. A Class 1 application is returned to the referring agency, then the only requirement is that they consider any CPB comments forwarded to them; referring agencies are asked to read any Board Comments into the minutes of a meeting or hearing held for the subject application. CPB minutes regarding the application are shown below and provided to the Board.

**10-2011 Village of Phelps Planning Board Class: 1**

Type: *Site Plan*

Related Referrals: *n/a*

Applicant: *Thomas Mitchell Jr.*

Property Owner: *Thomas Mitchell Jr.*

Representative:

Tax Map Parcel #: *47.08-2-41.100*

Brief Description: *Site plan approval to convert a current covered outdoor seating area to a habitable space to be used as a dining area of the Old Mill Hot Dog Stand located at 129 Main St. in the Village of Phelps.*

**SITE CHARACTERISTICS**

Acres 0.23; Active Agriculture No; Land Use Commercial; Public Water Yes; Land Cover Building & Parking; Public Sewer Yes; Zoning C-2; Site Access Yes

**Site Comments**  Rural village setting; historical setting.

**ENVIRONMENTAL CONDITIONS**

***Hydrology***

Watershed Flint Creek

Flood Zone No

Aquifer

***Soils & Topography***

Permeability No

Erodibility No

Slope 0-15%

***Wetlands***

NYS DEC No

NWI No

Hydric Soils Pc

***Agriculture***

Active Ag No

Prime Ag Soils No

Ag District No

**Environmental Comments**

Flint Creek lies to the south of the parcel but is separated by other private property. Some steeper slopes to the north and south of parcel; Consider the impervious surfaces on the parcel in terms of future drainage, runoff, and stormwater management.

**COMMUNITY CHARACTERISTICS**

***Land Use-Cover*** Structure and parking area  
North Phelps Community Center

***Historical Site***  
National No

South Commercial  
 East Commercial  
 West Residential

State No  
 Local No

**Scenic Views**

**Transportation Corridor**

From Site No  
 To Site Village setting

CPB Gateway Yes  
 Corridor Study Rt. 9/318 study

**Community Comments**

Use materials and building design that are consistent with the existing structure and enhance the village character.

**SITE PLAN REVIEW**

**Aesthetics**

Lighting Application does not indicate if lighting is included. If lighting is included, sure that there is adequate, dark sky compliant lighting near the main entry and the parking lot for safety purposes.

Signage None included.

Noise Not applicable.

**Traffic & Circulation**

Access Management  One new main driveway configuration may help to define the entryway, improve access, and enhance safety; Traffic and pedestrian safety need to be considered in this driveway area;  
 This area may be difficult to pull in and out of due to reduced sight lines;  
 Consider techniques to minimize vehicle cut through to and from neighboring properties.

Site Circulation  Consider the safety of pedestrians in this high traffic area;  
 Make sure there is a plan for access, parking, safety, and circulation during construction of addition.

Parking  Make sure adequate parking is provided and configured.

Pedestrian Access  Consider additional signage to direct pedestrians to new building entry; this area could become congested and cause conflicts with vehicles;  
 Consider the addition of defined pedestrian walkways and signage throughout parking lot to improve pedestrian safety.

**Natural Features**

Stormwater Mgmt.  It looks as though the entire parcel is covered by an impervious surface; be sure that there is adequate drainage, grading, and slopes to handle runoff from the building and parking lot. Consult with the Ontario County Soil and Water Conservation District to discuss 'green stormwater infrastructure' options.

Open Space/Recreation  No dedicated open space indicated.

Landscaping/Buffering  Consider providing adequate landscape and buffering (vegetation) to enhance pedestrian and vehicular safety, increase the pervious surfaces to handle runoff, and to enhance community character.

Code Compliance Setbacks Yes Lot Size Yes

**General Comments**

- o The Village participated in the Rt. 96/318 regional corridor study which recommended measures to improve safety and reduce conflict points. The Old Mill Hot Dog Stand is an important community business and will be heavily used by vehicles, pedestrians and bicyclists.
- o The Village should use this site plan review as an opportunity to incorporate the principles of the corridor study into this project's plan. The Village should consult with NYS DOT for ideas on improving access to this site.
- o The Village should check for compliance with their site plan review criteria.

**Additional Information** There is informal shared parking between the Old Mill Hot Dog Stand and the Waterside Spirits and Wine Bar. Currently, Waterside patrons are using the Old Mill's parking area and the parcel that fronts on Rt. 96 between the two businesses. Patrons do not use the rear parking lot at the Wine Bar. To avoid future conflicts over parking, the Village should consider addressing the issue of shared parking and cross access easements.

**Board Action:** *George McCadden made a motion, seconded by John Palomaki to retain application*

**# 10-2011 as a Class 1 and to return it with comments to the referring agency. Motion unanimously carried.**

Discussion and questions followed between the Board and Applicants, no public comments.

Public Hearing closed at 7:15 p.m.

Ty – County has lots of suggestions with no real problems or issues; nothing’s changed on the property, has no issues with this application.

No further comments.

**Motion:** Bob motions that we accept application PB 01-11 as submitted; Mike seconded. All in favor – aye. Unanimously carried.

**Proposed Zoning Changes:**

Brian and Greg voiced the Village Board’s concerns regarding some of the proposed zoning changes; specifically concerned that it appears that R1 and R2 districts are virtually identical in what is allowed within them, believe that those differences need to be maintained. One of the two districts should not allow, as a principle use, two family or multi-family dwellings. They presented an idea of an R1 district going east from the Historic District (Downtown) down Main Street allowing only single family homes, hoping to preserve the larger, historical homes for future generations. The old P&C building at 61 Ontario Street continues to be a challenge to zone properly. Would suggest leaving 251, 253 & 255 Main zoned as C1, agree with 4 Miller Avenue being switched to an R. Also, retain C1 zone from Main to Mary on North Newark Street’s east side, although some properties are currently residences this would be the logical choice for further commercial development. Agree with the change to an R zone for 126 Clifton Street, due to the dead end street issue. Agree with the changes to the west end of Jay Street, should be R2 for conformity and the NYSEG substation should be an M1. In summary, requesting the Planning Board revisit the R districts and Main Street’s east end.

Jill to provide Greg with electronic copies of Code Chapters and attempt to schedule a workshop prior to the next Planning Board meeting on March 28<sup>th</sup>.

Bob motioned for adjournment of the meeting; Randy seconded; meeting adjourned at 8:18 p.m.

Respectfully submitted,

Jill K. Seifert  
Deputy Village Clerk/Treasurer