

July 25, 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: Mike Blair

Also present: Deputy Clerk/Treasurer Jill Seifert, Deputy Clerk/Treasurer Melissa Westfall, Village Code Enforcement Officer Jim Murphy, Village Mayor Jim Cheney, Bonnie Detro, Vincent Maslyn, Phyllis Maslyn, Jan Goldberg, Thomas L. Baker, Glenn Thornton, David Gwynn, Vivian Scioiabba, Joe Scibona, Bob Hussar, Ed Kieda, Scott Greenwood, Lawrence Tillack, Ramon A. Howard, David Clark, Stephen Baker & Laurene Holcomb.

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

Approval of May 23, 2011 meeting minutes: Bob motioned to approve the minutes as presented, Randy second. Unanimously approved.

Approval of July 20, 2011 workshop minutes: Mike motioned to approve the minutes as presented, Bob second. Unanimously approved.

Public Hearing opened at 7:03 p.m.

PB 14-11 Charnell Properties – Minor Sub-Division; 274 Main Street

David Clark of Clark Surveyors presented the sub-division on behalf of Charnell Properties. The applicants are looking to create a larger lot by subdividing a 22.966 acre parcel (35.19-1-18.1 Village & 35.00-2-35.11 Town) and combining 3.764 acres of said parcel (A) with parcel 35.19-1-18.2 (Village) .855 acres (C) thus making a single property of 4.619 acres. The Town Planning Board will be reviewing an application regarding this sub-division also; the majority of the property in question is outside the Village boundaries. This application will be referred to the Ontario County Planning Board per that Board's Draft Meeting Minutes of July 13th.

No public comment.

Motion: Mike motions to table the sub-division application pending Ontario County Planning Board comments; Bob seconded. All in favor – aye. Unanimously carried.

PB 09-11 Goldberg / Parts Plus 7 Pearl Street

Jan presented his proposal for putting in a Parts Plus store. He is seeking a special use permit for a wholesale & retail auto parts distributor. He is not planning on changing a whole lot to the building other than new out swinging doors & new windows. The Planning Board is looking for some sort of buffering or fencing surrounding the parking lot. Parking is not an issue; the number shown on the site plan is required by the square footage of the building. They have ample parking for the small amount of walk-in customers that they are anticipating. The lighting is not shown on the site plan and the Planning Board would like him to update the site plane to see some sort of fencing and parking lot lighting. The hours of operation will be Monday- Friday 7:30am-6pm, Saturday 8:00am-2:00pm & Sundays Closed. He is more than willing to negotiate hours of operation if needed.

Randy- How often will there be deliveries and with what types of trucks will be doing them?

Jan- About 1-2 times per week with either a small sized pick up like the size of a Ford Ranger or a small van.

Randy- Are these normal hours for all of your stores?

Jan- Yes. Would be willing to adjust them if necessary.

Public comment:

David Gwynn- feels that this is going to deflate his property value and would like the Town Assessor present at this type of public hearing. He is also worried about external lighting coming onto properties.

Scott Greenwood- With regards to flammables/solvents; what type of fire suppressant/protection is in place?

Jim Murphy- there is a very small quantity of flammables therefore there is no requirement for a fire suppressant/protection plan.

Joe Scibona- Do you have other stores in residential areas?

Jan- Yes. We have stores right on main streets with apartments above, such as row houses. He believes they would be good neighbors and will work with the residents and their concerns. This retail establishment won't even come close to the noise of previous businesses run at this site; Caves Lumber for example.

Joe Scibona- What are your plans with the sheds and the rear of the property?

Jan- The sheds are in disrepair and will eventually come down, no plans to put anything in the rear of the property.

Scott Greenwood-Are you required to take back old oil, batteries and tires?

Jan – Yes to all. We are obligated to take them back, it is New York State law. They will be stored internally.

David Gwynn- Will your employees be locals?

Jan – Hopefully. We need 3 full time people and 1 part time person and we would like them to be local.

Joe Scibona – Are you planning on paving the parking lots? What is the current zoning of this property?

Jan – No, we are not planning to pave the lots.

Jill – Split zoned; M1 (building area) and R2 (parking lot).

No further comments.

Motion: Randy motions to table the application pending responses to the Planning Board requests; Bob seconded. All in favor – aye. Unanimously carried.

PB 12-11 Family Dollar Sign/Special Use & PB 13-11 Family Dollar Commercial Site Plan Review

Lawrence Tillack presented his plan being a pre-engineered steel building; single story five and dime store containing roughly 20% food and 80% merchandise. Our hours will be Monday – Sunday 8am-8pm 7 days a week. We plan to have about 6 employees. Glenn Thornton has gone to DOT and explained that it is a challenging intersection with many curb cuts. There would only be one incoming shipment per week and it would be by tractor trailer truck; deliveries would be from Route 88 by an easement thru the BOCES building property to access the loading dock station at the back right of the building. DOT is concerned about water runoff, they would prefer it not run out on to Route 96 as shown on the submitted site plan, but would like to see it off to the rear of the building and to the west, as shown on the conceptual plan presented at this meeting. The building has been moved farther back on the lot creating more green space; and low growth shrubbery would be used so as not to obscure the line of vision to the store; similar to Wegmans or Tops.

Public Comment:

Stephen Baker/Vincent Maslyn: As long as the water is pushed away from their property and has no chance of flooding their basements they are ok with the general plan.

David Gwynn- How do you address the Left hand turn lanes?

Glenn Thornton- DOT does that.

Glenn Thornton- With regard to lighting; we plan to have 2-3 shoebox style light poles in our parking lot, staying compliant with Dark Sky rules.

Jim Cheney- What type of construction will the building be?

Lawrence Tillack- Block front wall and steel remainder.

Ramon Howard- In his opinion, the county comments are non-issues.

Glenn Thornton- Does the Village have a comprehensive plan?

Jill – Yes, I will provide it to you.

Jim Cheney- The Route 96 & 318 Corridor study would also be helpful.

Glenn Thornton- We will need to see the Zoning Board in order to get the use variance we need for the sign?

Jill – Yes, due to the number of signs requested on the property.

No further comments.

Motion: Randy motions to table the application pending comments and further discussion; Mike seconded. All in favor – aye. Unanimously carried.

Next meeting: Regular Monthly Meeting – Monday, August 22, 2011.

Randy motioned for adjournment of the meeting and closing of the public hearing; Bob seconded; meeting adjourned at 8:15 p.m.

Respectfully submitted,

Jill K. Seifert
Deputy Village Clerk/Treasurer