TOWN OF EAST BLOOMFIELD

## Planning Board Minutes

**May 16, 2019**

**Planning Board Members Present**: Fred Fink, Julie Pellett, Daniel Compton, Matt Rogers, Fran Overmoyer, Michael Donohoe, Steve Lester. Alternate Michael Woodruff.

**Others Present**: Kimberly Rayburn (Secretary), James Kier (Building & Zoning), Andrew Cook (Agent for Dredger) Ben Testa (Aqua Source)

**Fink opened the public hearing at 7:30 pm, the public notice was read.**

**I. TS2-19 Final 2 Lot Subdivision Public Hearing for CY Plastics Works, Inc**. (agent) Costich Engineering (injection molding business) to be located on Westpark Drive Industrial Park

The Board accepted the maps for final at the sketch plan, there has been no changes to the maps.

**SEQR Review ~ Rogers made a motion and Pellett seconded the motion to declare SEQR Type II, no further action required.**

There were no public comments, Rogers made a motion and Pellett seconded the motion to close the public hearing. All Board members present voted Aye

**Donohoe made a motion and Overmoyer seconded the motion to approve the final 2 Lot Subdivision for CY Plastics Works, Inc**. (agent) Costich Engineering (injection molding business) to be located on Westpark Drive Industrial Park

**Record of Vote**:

**Fink** Aye **Pellett** Aye **Compton** Aye **Overmoyer** Aye **Rogers**  Aye **Lester** Aye **Donahoe** Aye

**All Board members present voted Aye, Vote was carried unanimously.**

**II. SPL4-19 Site Plan review for accessory storage** structure located at 6610 St Rt 5&20 Owner William Duerr, Agent Ben Testa, owner of Aqua Source

Testa stated that he would like to have a storage shed placed out behind the space he currently rents from Duerr for his business Aqua Source, his business sells/rents and installs water treatment equipment. A discussion was held. The structure will be placed on a hard-packed surface and the shed will be used for non-chemical storage. The shed is a temporary structure, it won’t be a permanent foundation and can be moved at any time if the need arose. The placement will be past the west side of the building and to the right of the existing dumpsters.

**Tv5-19**

**III. TV5-19 Area Variance signage 6610 St Rts 5&20 Owner William Duerr, Agent Ben Testa**

Testa is requesting additional signage for his business as he only rents a small portion of the structure and he needs exposure. The existing building houses a restaurant and a new tenant, Aqua Source, Testa is occupying space formerly occupied by EMP Collectibles.  The restaurant has a pre-existing non-conforming sign pole 52” x 72” a building mounted sign and lettering on the front window.  There is also an existing broken 12’ x 3’ wall mounted sign on the west facing side of the building.  This sign complies with the size requirements of the Town code. Town Code allows either a building mounted or window signage as well as a sandwich board sign and pennants or banners displayed when the business is open.  The allowable size of building mounted signage is based on building frontage and distance from the right of way.   Window signage shall not exceed 25% of window area or 5 SF.  Aqua Source would like to repair the wall mounted sign, add a sign of similar size under the existing pole, and have two window signs.  They would need area variances to exceed a single type of permanent signage.  A discussion was held, lighting was discussed and the Board agreed all lighting should be downward facing and dark sky compliant. Woodruff addressed the Ontario County comments and stated that they always suggest denial for all signs on the 5 & 20 corridor. However, the Board feels they need to do what they can to help businesses thrive.

**Compton made a motion and Donahoe seconded the motion to forward to the ZBA application #TV5-19 Area Variance for signage for Aqua Source** located at 6610 St Rt 5&20 Owner William Duerr, Agent Ben Testa, owner of Aqua Source

**Whereas:**

**1. The ground mounted sign will not obstruct the line of site**

**2. Lighting will be dark sky compliant**

**3. To promote local business**

**4. The unused sign on the side of the building would be an improvement and help beautify the view of the corridor**

**Record of Vote**:

**Fink** Aye **Pellett** Aye **Compton** Aye **Overmoyer** Aye **Rogers**  Aye **Lester** Aye **Donahoe** Aye

**All Board members present voted Aye, Vote was carried unanimously.**

**IV. TV4-19 Expansion of a non-conforming structure 3190 Baily Rd** Andrew Cook from Premier Home Solutions (Agent for home owner John Dredger)

Cook explained that the existing house does not conform to todays front setback requirements and Town code states that if you want to enlarge a non-conforming structure you have to get Board approval first. The home owner is interested in doubling the size of his living room, adding a first-floor master bedroom with bath and the addition of a three (3) car garage. Woodruff stated that the proposal does not increase the non-conformance and does not encroach on side or rear setbacks. Compton asked about the design, Cook stated that dredger would like the front of the garage to line up with the existing barn. The garage doors will face Bailey Rd. Overmoyer asked if the separation of the structures was up to code. Kier stated they are.

**Compton made a motion and Overmoyer seconded the motion to forward to the ZBA application #TV4-19 Expansion of a non-conforming structure 3190 Baily Rd** Andrew Cook from Premier Home Solutions (Agent for home owner John Dredger)

**Whereas:**

**1. The Board recognizes the applicant will not be increasing the non-conformity.**

**Record of Vote**:

**Fink** Aye **Pellett** Aye **Compton** Aye **Overmoyer** Aye **Rogers**  Aye **Lester** Aye **Donahoe** Aye

**All Board members present voted Aye, Vote was carried unanimously.**

**V. Discussion:** Kier brought a request to the attention of the Board that he received from Labella (agent for Abundant Solar) He stated that the project is live and they would like to finalize the screening. The request is to change the original type of tree that was approved from Scotch Pine to a Subalpine Spruce as the Scotch Pine is susceptible to

Disease. The trees will be eight feet in height. Woodruff stated he has Scotch Pines in his yard that are dying, Fink stated he was steered away from buying them recently at Bristol’s as well. The Board discussed the fence, it was lowered from ten (10) feet to eight (8) feet in the approval therefore they feel the eight-foot trees will be fine as they will continue to grow in height.

**Lester made a motion and Overmoyer seconded the motion to allow the change in the type of tree as long as the approved screening is maintained by height and density. All Board members agreed and voted Aye.**

Compton asked about the clean up for the Valley Motel, Kier stated that he is working with the owner and clean up should begin shortly.

Rogers asked about the status of the mini storage special use permit for David Spencer, Kier stated that he has received a email from Greg Trost that the NYS DOT sent to Greg. Kier stated he felt the letter was a little vague so he called Trost. Trost basically stated that the storage facility flow rate would be less than the existing flow rate so it is in agreement with the NYS policy. The Board suggested getting a e mail from Trost stating they have no objections with the plan. Spencer can be added to the next meeting agenda for his final review.

Kier handed out verbiage from Penfield and Brighton on signage for multi businesses as they need to provide adequate signage regulations for the industrial park on West Park Drive, the Board also discussed looking into changes in the current code for the Community Commercial District as well as Industrial districts.

Woodruff gave a brief update on the Comprehensive plan. Paul Hudson has been hired to consolidate the document to save the town approximately twenty-five (25,000) thousand dollars. The new document will be user friendly, and also business friendly. The Town would like to make it easier for business to thrive here. There is also a community survey that can be obtained by going to the town website. The committee would like feedback on key items and they felt this was the best way to obtain it.

A brief discussion was again held on a previously approved site plan application for putt-putt golf to be located at Shiver Shakes and Cones. Sandy Jackson needs to reapply as the construction of the put putt was not started within a year of approval. Compton feels there could be an issue with the west exit/entrance as its too close to the intersection with the addition of the Irish Mafia and The Other Half Brewery. He also feels it may be necessary for the Town to ask the state for a reduction in speed on State Routes 5 & 20 around the area to make the area consumer friendly and safe.

 **VI**. **Minutes:**

 **Minutes of April 4, 2019**

**Overmoyer made a motion and Lester seconded the motion to approve the minutes 4/4/2019**

**All board members present voted Aye, Vote was carried unanimously.**

 **Minutes of April 18, 2019**

**Overmoyer made a motion and Pellett seconded the motion to approve the minutes of 4/18/2019**

**All board members present voted Aye, Vote was carried unanimously.**

**VII. Meeting Adjourned:**

**Lester made a motion and Pellett seconded the motion to close the meeting @ 9:00 pm.**

**All Board members present voted Aye, Vote was carried unanimously.**

Respectfully submitted,

Kimberly Rayburn

Planning & Zoning Board Secretary