

**MINUTES
CITY OF CANANDAIGUA
PLANNING COMMISSION
April 12, 2022**

PRESENT: Chairman Stanley Taylor Commissioner Bonnie Dorschel
Vice Chairman Anne Beyer Commissioner James Hitchcock
Commissioner Guy Turchetti (via Zoom) Commissioner Richard Manley

ABSENT: Commissioner Lindsay Van Deusen

ALSO PRESENT: Richard E. Brown, Director of Development & Planning

CALL TO ORDER

Chairman Taylor called to order the Regular Meeting of the City Planning Commission at 7:00 P.M.

APPROVAL OF MINUTES:

Chairman Taylor asked if anyone had any additions or corrections to the March 8, 2022 Meeting Minutes. Commissioner Manley moved to approve the minutes as submitted. Commissioner Dorschel seconded the motion, which carried by unanimous voice vote (6-0).

REVIEW OF APPLICATIONS

ITEM 01 **Application #22-062: 29 South Main Street, DAVID LEFEBVRE, for a Special Use Permit to convert the existing rooming house into five apartments and use these as Short-Term Rentals.**

David Lefebvre presented the application, via Zoom. He is proposing to convert the rooming house into five apartments: Two 2-bedroom apartments; Two 1-bedroom apartments; and one studio apartment.

Chairman Taylor inquired about the total occupancy for all 5 apartments. Mr. Lefebvre said the capacity is 14-16 people. The maximum number of vehicles would be 7.

Chairman Taylor opened the Public Hearing. No one came forward. Mr. Brown stated that no written comments were received. The Public Hearing was then closed.

Commissioner Dorschel asked about parking locations. Mr. Lefebvre said there are four designated spaces in the back of the building and there are city parking lots within walking distance.

Commissioner Manley said the changes proposed would be an upgrade to the property.

Chairman Taylor asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Hitchcock moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Manley seconded the motion, which carried with a vote (6-0).

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

ITEM 02 Application #22-063: 39 Eastern Boulevard (Parkway Plaza), KEYSTONE NOVELTIES, for Site Plan Review and Architectural Review to install a seasonal tent.

Rick Seery, of Keystone Novelties, presented the application, via Zoom. They would like to set up a tent for their annual Fourth of July tent sale, similar to what was approved last year. The proposed sale dates are June 23rd through July 5th. The tent would be set up a few days before and the site would be clear no later than July 10th. They are proposing to use the same tent, at the same location, as approved last month for Abundant Flowers.

Chairman Taylor inquired about the hours of operation. Mr. Seery said the proposed hours are 9:00 a.m. to 9:00 p.m., seven days per week. However, the final days of July 2nd, 3rd, and 4th, they would like to remain open until 10:00 p.m.

Chairman Taylor opened the Public Hearing. No one came forward. Mr. Brown stated that no written comments were received. The Public Hearing was then closed.

Commissioner Hitchcock asked if there is to be a generator on site. Mr. Seery said they did not use one last year, but would like to use a portable, 3.5 kw generator this year. It would run intermittently, after dark only.

Chairman Taylor asked if a port-o-john is included in the proposal this year. Mr. Seery said they would prefer to have one on site, but would consider contacting Subway to try to arrange to use their facilities, as done with the Abundant Flower tent. Chairman Taylor, along with Commissioners Hitchcock and Manley, prefer no port-o-john is included.

Chairman Taylor mentioned the signage for the tent. A maximum of two signs was approved last year. He pointed out that one of the conditions was for the skirting to be solid colors only, with no advertising. This condition was not followed last year. He stressed that all conditions must be adhered to. Mr. Seery stated that they intend to fully comply with all conditions.

Chairman Taylor asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Manley moved that the Planning Commission Approve the application as submitted and presented with the following conditions:

1. Orientation of the tent shall be north to south and the color shall be white.
2. There shall be no more than two signs displayed.
3. There shall be no generator or port-o-john on site.

4. The tent shall be placed two parking bays east of last year's location.
5. The skirting of the tent shall be red, white or blue, or any combination of those colors, with no advertising.
6. The approval is effective for one year only.

Commissioner Dorschel seconded the motion, which carried with a vote (6-0).

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

ITEM 03 Application #22-075: 35 Niagara Street, GREEN FRONT RESTAURANT, for a Special Use Permit to operate two Short-Term Rental units from existing apartments.

Robert Johnston, business partner, presented the application. Nicole Moore, general manager, was also present. Both of the existing apartments are being rented as 1-bedroom units. Both have pull out couches in the living room. Each would accommodate up to four guests, for a total of eight.

Chairman Taylor asked about parking. He estimates an average of four parking spaces needed at full occupancy. Ms. Moore agreed and said there is public parking available nearby. Mr. Brown added that overnight spaces are available in the Lafayette Avenue parking lot.

Chairman Taylor opened the Public Hearing. No one came forward. Mr. Brown stated that no written comments were received. The Public Hearing was then closed.

Chairman Taylor asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Dorschel moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Beyer seconded the motion, which carried with a vote (6-0).

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

ITEM 04 Application #22-078: 39 Coach Street, PEACEMAKER BREWING, for Site Plan Review to construct an outdoor stage for live music events.

Todd Reardon, property and business owner, presented the application. The proposed location for the stage is the southern corner of the lot, facing toward the building and away from the neighbors. It is triangular, measuring 15' x 17'. The construction will be a simple metal roof supported by posts. The roof will match the building.

Chairman Taylor opened the Public Hearing. No one came forward. Mr. Brown noted one written comment was received by Todd Henderson, of 32 Coach Street. He has an issue with patrons of the brewery parking on his property. Chairman Taylor asked if there was anyone else wishing to speak. Seeing no one, the Public Hearing was closed and the discussion was opened up to the commissioners.

Chairman Taylor inquired about days and hours for the live music. Mr. Reardon said they typically play two to three times per week from 6:00 p.m. to 9:00 p.m., with a hard stop at 9:30.

Commissioner Van Deusen was not present, but sent a written comment asking if the background of the stage would be exposed. She also is concerned with too much noise at a late hour. Mr. Reardon explained that the stage location was chosen to face away from the neighbors. It will be less obtrusive. He added that he is only aware of one complaint about the noise—a particularly loud band was playing. They will no longer be playing at this location.

Chairman Taylor expressed that he has never been in favor of live music in that area.

Commissioner Hitchcock said he has visited the establishment and did not find the music to be obtrusive. He added that there has been ample opportunity for neighbors to complain, but they have not. He believes relocating and reorientating the live music will lessen the noise.

Commissioner Beyer stated that she has walked that area on weeknights, and finds it to be relatively calm.

Commissioner Turchetti added that his experience playing in a band has taught him that the neighbors will not hesitate to complain if aggravated by excessive noise.

Commissioner Manley believes it is sensible to play toward the building, instead of the neighborhood.

Chairman Taylor asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Dorschel moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Manley seconded the motion, which carried with a vote (5-1).

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	NO

ITEM 05 **Application #22-094: Chapel Street, PARKWOOD 2022, LLC, for a Major Subdivision to create 66 dwelling units on 22.6 acres.**

Andrew Spencer, of BME Associates, presented the application. The property owner, Jeff Levinson, of Midland Management, was also present.

Chairman Taylor summarized the concerns expressed during a work session on the project in October 2021. He noted there are many working pieces to this application, including an environmental assessment that must be completed. There will likely be future meetings on this application. The Public Hearing will remain open. He encouraged the applicant to address prior comments in the presentation.

Mr. Spencer described the project as 66 adjoined, single-family, rental units within 33 buildings. All lot sizes and setbacks comply with current zoning. There is to be a dedicated road between Spencer Lane and Chapel Street. It will meet the city's requirements to the greatest extent practical. This includes trees, sidewalks, rear buffer and utility connections.

Three private road sections are also proposed. They will be designed at 24 feet wide with 2.5 feet concrete gutters and sidewalks on one side. Previously, there was concern that the private streets do not meet City specifications. Mr. Spencer mentioned several others within the city, that are similar: Rosepark Cottages, Yacht Club Cove, Island Lane, Midlakes Drive and Camelot Drive.

The Stormwater Management plan complies with NYS DEC guidelines and will alleviate challenges some residents are having with drainage. It will capture runoff along the private roads and direct it to the northeast stormwater management area. The southern portion will be discharged into a biofiltration area and piped underneath to send the overage to the northeast corner. In the east, swales will convey storm water to this corner. 95% of overland flow will be captured and released into the existing wetland. It will not discharge into a drainage ditch. For the record, Mr. Spencer noted that the existing wetland is not a NYS DEC Wetland. It is a federal Wetland, regulated by the Army Corps of Engineers.

Mr. Spencer addressed the issue of increased traffic on Chapel Street. The City's Comprehensive Plan states that interconnectivity is desired. The connection between Spencer Lane and Chapel Street will improve traffic conditions. An updated traffic study is currently being completed.

Mr. Spencer mentioned that the architectural design of the units has changed. In order to comply with architectural standards, the garages do not protrude beyond the front of the units.

In summary, Mr. Spencer referred again to the goals of the city's Comprehensive Plan. A variety of housing units and prices, including those that support higher quality rentals, are desired.

Chairman Taylor opened the Public Hearing. The following people spoke:

- Jennifer Johnston, 20 Chapel Street
- Beth Latini, 133 Chapel Street
- Dan Pitler, 200 Chapel Street
- Robert Moore, 180 Chapel Street
- Kay Muscato, 120 Chapel Street
- Melanie Poorman, 140 Chapel Street
- Chuck Protano, 207 Sibley Court
- Andrea Lippincott, 125 Deseyn Drive

Mr. Brown noted the following people submitted written comments:

- Robert and Maura Moore, 180 Chapel Street
- Michael Whipple, 34 Chapel Street
- Gordon Estey, 66 Chapel Street
- Jerome & Jenifer Cheney, 60 Chapel Street
- Scott Vegder, 187 Chapel Street

Public comments included drainage issues, wildlife preservation, and the accuracy of the traffic study completed in July of 2020.

Chairman Taylor asked if there was anyone else from the public wishing to speak to the application. Seeing no one, he reminded everyone that the Public Hearing will remain open.

Commissioner Manley moved that the Planning Commission **Table** the application. This will allow the applicant to address comments, provide feedback, be prepared to explain the lengthy engineer's report and results of the updated traffic study.

Commissioner Turchetti seconded the motion, which carried with a vote (6-0).

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

ITEM 06 **Application #22-077: 237 South Main Street, CARMELA'S BRIDAL, for Historic Alteration to install a wall sign.**

Ian Mac Donald, of Historic Sign Restoration, represented the application. The sign will have multiple dimensions. The letters are carved into a composite base and then gilded with gold leaf. The letters "Bridal and Prom" are individually cut and therefore, raised from the surface. This background surface is pink.

Chairman Taylor noted the red, brick, diamond insets within the façade. There is no sign board.

Commissioner Beyer mentioned a previous sign that was approved for this façade. It was required to be centered, to cover the diamond inset, in order to make it look balanced.

Commissioner Dorschel is unsure about the pink background color. She is concerned it may be too vibrant for this area. Mr. MacDonald said it will be a washed-out shade of pink and is designed so the name stands out, not the background.

Chairman Taylor asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Beyer moved that the Planning Commission **Approve** the application as submitted and presented with the following condition:

1. Sign shall be centered over the awning and symmetrical with the sign that is located on the north end of the building.

Commissioner Hitchcock seconded the motion, which carried with a vote (6-0).

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

ITEM 07 Application #22-088: 523 South Main Street, BUILDING 523, for Architectural Review to install a ground sign.

Andrew Buchanan, property owner, presented the application. He proposes to install a new sign panel in the existing ground sign structure. The sign is a solid board; it is not internally-illuminated. There is currently a fluorescent fixture above the sign. He would like to install new, lower LED lighting or two gooseneck down-lights.

Chairman Taylor inquired about the sign base. Mr. Buchanan said he would replace the existing rotting wood and stain it a light shade of brown. The remainder of the sign would be painted black. The box itself will be sealed off. There will be no soil or plantings.

Chairman Taylor asked about the hours of lighting. Mr. Buchanan mentioned that the hours of operation start as early as 6:00 a.m., but would not extend past 10:00 p.m. Commissioner Hitchcock feels the lighting should be consistent with business hours.

Chairman Taylor asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Hitchcock moved that the Planning Commission Approve the application as submitted and presented with the following conditions:

1. The sign may be lit during business hours, until 10 p.m.
2. Lighting shall consist of LED strip lights or two gooseneck lights.

Commissioner Manley seconded the motion, which carried with a vote (6-0).

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

ITEM 08 **Application #21-341A: 195 & 229 Parrish Street, LAKESIDE PROFESSIONAL PROPERTIES LLC., Minor Subdivision, to divide a 2.173-acre parcel from 195 Parrish Street to be consolidated with 229 Parrish Street. (Applicant seeks a second 90-day extension to approval granted on October 12, 2021)**

The applicant was not present. Mr. Brown explained that there are no changes proposed. This extension is purely administrative.

Chairman Taylor asked if there were any comments or questions. Hearing none, he called for a motion.

Commissioner Beyer moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Turchetti seconded the motion, which carried with a vote (6-0).

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

ITEM 09 **Application #22-104: 134 South Main Street, BRIDAL BY J, for Historic Alteration to install a wall sign.**

Ian MacDonald, of Historic Sign Restoration, represented the application. The sign is individually carved letters, which are then finished with gold leaf. The sign background is a light grey.

Chairman Taylor asked if there were any comments or questions. Hearing none, he called for a motion.

Commissioner Manley moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Hitchcock seconded the motion, which carried with a vote (6-0).

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

ITEM 10 **Application #22-105: 236 South Main Street, JAYDEGA, for Historic Alteration to install a wall sign.**

Ian MacDonald, of Historic Sign Restoration, represented the application. This is a 12 square foot, projecting sign made of reclaimed barn wood. No lighting is indicated.

Commissioner Dorschel asked about the color of the mounting bracket. Mr. MacDonald said it would have a black satin finish.

Chairman Taylor asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Dorschel moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Manley seconded the motion, which carried with a vote (6-0).

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

ITEM 11 Application #22-107: 144 Mill Street, CANANDAIGUA LAKE WATERSHED ASSOC., for Historic Alteration to install a wall sign.

Lindsay MacMillan, Association Director, of the Canandaigua Lake Watershed Association, represented the application via Zoom. The sign proposed is a flat aluminite panel with vinyl text applied to an existing sign board.

Chairman Taylor inquired about lighting. Ms. MacMillen said there are two existing, gooseneck lights over the sign, that will be lit no later than 10:00 p.m.

Chairman Taylor asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Hitchcock moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Manley seconded the motion, which carried with a vote (6-0).

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

ITEM 12 Application #22-106: 172 North Main, JAMES DAVERN, for Historic Alteration to replace siding and windows.

James Davern presented the application. He would like to replace the existing wood siding with a composite siding, known as ASCEND. It is a composite cladding, engineered with a combination of glass-reinforced polymer and graphite-infused polystyrene. The windows are wooden and clad in black aluminum. He would also like to replace the roof and doors.

Chairman Taylor asked if the application included the house and the garage. Mr. Davern said yes.

Commissioner Manley noted that both structures are quite a distance from the street, and not very visible. He has no objections.

Chairman Taylor inquired about the trim. Mr. Davern described a wood-clad trim with an oil-rub, bronze finish.

Chairman Taylor pointed out the finding that there is limited visibility to both the house and garage, due to the significant setback from the street.

Chairman Taylor asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Dorschel moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Manley seconded the motion, which carried with a vote (6-0).

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Absent	
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

ADJOURNMENT

Commissioner Turchetti moved to adjourn the meeting at 9:42. Commissioner Beyer seconded the motion which carried with a unanimous voice vote (6-0).

Richard Brown
Director of Development & Planning

Stanley Taylor
Planning Commission Chairman