



explained that these are quick charging. A vehicle will obtain a full charge in approximately 30 minutes. In the meantime, there is adequate parking available to wait.

Chairman Taylor asked if Volta offers charging stations without changeable advertising copy. Mr. Apostoleris said the advertising is integral to their business model. It would likely not be financially viable to install the units without the advertising. They would need an alternative way to subsidize the cost, in order to offer free charging to the community.

Chairman Taylor asked if there was an option for slowing the time between image changes, from 8 seconds to 15 or 20. Mr. Apostoleris believes Volta may be willing to work with that.

Commissioner Hitchcock asked if the signs are to be displayed 24/7. Mr. Apostoleris said they would match the stores operating hours.

Commissioner Van Deusen said the advertising is proposed for a very busy area. She believes it will be too distracting to drivers and present a safety hazard. It is not a good location.

Vice Chair Beyer is in favor of the charging stations, but believes they belong off to the side, not near the main entrance.

Ms. Motel explained that the signs will be difficult to see from a vehicle. They are auto dimming, subtle, and self-regulating. They are no more distracting than a window sign.

Commissioner Turchetti would like to view an actual model before making a decision.

Commissioner Hitchcock asked if a smaller model is available. Mr. Apostoleris said no.

David Poteet, of 120 Park Street, spoke in opposition to the application.

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

Commissioner Van Deusen moved that the Planning Commission ***Deny*** the application.

Commissioner Manley seconded the motion, which carried with a vote (4-3).

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

**ITEM 02**      **Application #22-106B: 172 North Main, JAMES DAVERN, for Historic Alteration to construct a detached garage.**

James Davern presented the application. He would like to convert the existing garage to living space and storage. The visibility from the street is questionable, depending on whether or not the trees are in bloom. The new, detached garage would sit in front of the house. The overhead doors would face the house with the blank wall facing the street. The siding, roof materials, and colors would match those approved for the house at the last meeting.

Commissioner Manley has no issue with the application since the structure is unlikely to be visible from the street.

Commissioner Van Deusen appreciates the design details of the garage.

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 Turchetti seconded the motion, which carried with a vote (7-0).

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

**ITEM 03**      **(Public Hearing) Application #22-094: Chapel Street, PARKWOOD 2022, LLC, for a Major Subdivision to create 66 dwelling units on 22.6 acres. (Tabled from April 12, 2022)**

Commissioner Hitchcock moved to lift the item from the table. Commissioner Dorschel seconded the motion, which carried with a vote (7-0).

Andrew Spencer, of BME Associates, presented the application. The property owner, Jeff Levinson, and David Kruse, of SRF Associates were also present.

Mr. Spencer addressed concerns expressed at the previous meeting regarding drainage, wetlands and traffic.

The drainage system has been designed within the NYS DEC Stormwater regulations and it complies with local and regional agency requirements. The system will collect a majority of water that flows from the north to the south, and convey it to a stormwater management area on the east side of the site. From that point it will discharge at the same rate as it discharges from the site today, into the existing wetlands that are further to the east. The wetlands were reviewed by both the NYS DEC as well as the Army Corps of Engineers. The DEC did not take ownership of the wetland on the west side of the channel that runs north

and south from Chapel Street to the north. This man-made channel divides the natural drainage pattern. Instead, the US Army Corps of Engineers has taken jurisdiction on the wetlands to the west of the channel. Since this wetland is not being regulated by the NYS DEC, there is no 100-foot buffer requirement. The limits of the wetland have been shown on the plan and the development does not encroach within that area.

As for the concerns regarding subsurface water, water in basements, and the inability to construct basements, several test pits and percolation tests were completed on the site. There were only a few occasions, in two to three of the holes, that there was any type of moisture coming in. The remainder of the holes were dry.

Mr. Kruse spoke about the updated traffic impact study. They looked at the number of trips in the morning peak hour, the school dismissal peak period, and the commuter evening period. They found there were minor impacts projected at Chapel Street and Main Street, with delays of less than 3 minutes within any of the peak periods. An environmental capacity analysis was also completed to determine how a street can handle a certain amount of traffic. Chapel Street is classified as a minor residential collector street. The project will constitute less than 5% of the traffic traveling on Chapel Street.

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

- Larry Latini, 133 Chapel Street
- Ulana Fuller, 44 Chapel Street
- Joe Nacca, 109 Chapel Street
- Laurie De Santis, 93 Chapel Street
- William Rider, 190 Chapel Street
- David Poteet, 120 Park Street
- Maura Moore, 180 Chapel Street
- William Mehls, 33 Scotland Road
- Renee Carbary, 395 North Main Street
- Robert Hine, 178 Spencer Lane
- Jennifer Johnston, 220 Chapel Street
- Andrea Lippincott, 125 Deseyn Drive
- Stephen Siciliano, 164 Chapel Street
- Joel Freedman, 329 North Main Street

The following people submitted written comments:

- Jeffrey Adams, 165 Saxton Lane
- John (Jack) Farrell, 143 Deseyn Drive
- Terry & Timothy Lee, 159 Deseyn Drive
- Jacqueline Protano, 207 Sibley Court
- Patrick Flood, 177 Saxton Lane
- Ulana Fuller, 33 Chapel Street
- Vernon & Lori Kunes, 132 Chapel Street
- Kathleen Nacca, 109 Chapel Street
- Scott Vegder, 187 Chapel Street

Public comments included several issues. Common topics included drainage, wildlife preservation, and traffic congestion. Some additional concerns expressed were regarding renters versus homeowners, future property maintenance, pedestrian safety, tree preservation, and dedicated streets that do not conform to the

city's specifications. It was also mentioned that the traffic study failed to include Canandaigua Avenue, Seneca Drive, Cayuga Road and Kennedy Street, which are likely to see an increase from commuters avoiding Main Street.

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.

Chairman Taylor noted that the design requirements of the city Subdivision Regulations have not been met. A cul-de-sac should be less than 800 feet, but the applicant is proposing one at 1200 feet. The development plan is showing several incomplete roads, without curbing and sidewalks on both sides. This is also inconsistent with the city's Comprehensive Plan.

Commissioner Manley agreed. The project does not comply with Subdivision Regulations.

Commissioner Hitchcock also agreed, saying lesser standards should not be approved.

Commissioner Van Deusen believes the project is inconsistent with the character of the neighborhood and the Comprehensive Plan, which is meant to protect property values.

Commissioner Turchetti pointed out that one of the city's core values is stewardship. There are standards that must be maintained.

Vice Chair Beyer said the project does not comply to regulations and it must be held to these standards.

Commissioner Dorschel agreed, but added that it is important not to disparage renters.

Mr. Spencer responded by stating that the plan included interconnected streets to the greatest extent practical, but there are physical limitations to the site. The Comprehensive Plan states that this property should be allowed to develop in a medium-density, residential development. The goal for housing is to provide opportunities for a variety of rental units and price points, and permit higher density in the remainder of the undeveloped residential districts, close to downtown. This project does meet those requirements and a number of other factors within the Comprehensive Plan.

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

Commissioner Manley moved that the Planning Commission ***Deny*** the application due to the following components that do not comply with the city's subdivision regulations:

1. No cul-de-sac shall exceed 800 feet in length.
2. Granite curbs are required.
3. Sidewalks are required on both sides of the street.
4. Street lights and trees are required.

Commissioner Turchetti seconded the motion, which carried with a vote (7-0).

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

**ITEM 04 (Public Hearing) Application #22-119: 81 Foster Street, FRANK GULICK, for a Special Use Permit to operate a Short-Term Rental from his residence.**

Elizabeth Pool, the applicant's niece, presented the application. They are requesting approval to rent out the entire home as a short-term rental with Ms. Pool acting as manager. It is Mr. Gulick's primary residence, but he is not there on a full-time basis. The home has 3 bedrooms that can accommodate 6 to 8 overnight guests and 3 vehicles.

Chairman Taylor asked if the proposal includes cameras to monitor the number of guests and vehicles. Ms. Pool said there is a camera installed and fines will be imposed for exceeding the guest limit.

Commissioner Van Deusen inquired about the minimum time the property owner is required to reside at the home. Mr. Brown explained the definition of primary residence, is one that is occupied for a minimum of 51% of the year.

Mr. Brown said it is important to know how often they plan on renting the home. Ms. Pool said she is encouraging her uncle to rent it for week-long stays. He stays at his sister's home, or out of town, on a regular basis.

Chairman Taylor mentioned a concern for adequate parking. Ms. Pool said she plans to state, in her rules, that there shall be no on-street parking allowed.

Chairman Taylor added that excessive noise is a concern. Ms. Pool said that this property is in the business district and added that the existing den will become a designated work space to encourage more business travelers.

Chairman Taylor opened the Public Hearing.

Jill Myers, of 290 North Main Street, spoke. She stressed the importance of enforcing the six-month residency requirement. She asked how this would be enforced.

Chairman Taylor asked if there was anyone else wishing to speak to the application. No one came forward so the Public Hearing was closed.

Chairman Taylor said he is often concerned with these types of short-term rentals in residential neighborhoods. However, he believes short-term rentals on Main Street fit in very nicely with the city's Comprehensive Plan.

Commissioner Van Deusen is not a fan of short-term rentals. She believes they have a negative impact on the character of the neighborhood and adversely affects property values.

Commissioner Hitchcock believes this proposal does not meet the intent of regulations, with a temporary resident offering short-term rentals. The property owner should play a more active role. Chairman Taylor agreed.

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

Commissioner Van Deusen moved that the Planning Commission **Deny** the application.

Commissioner Hitchcock seconded the motion, which carried with a vote (7-0).

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

**ITEM 05**      **Application #22-120: 228 North Main Street, ROBERT MARVIN, for Historic Alteration to remove fence and concrete wall and replace with a fence.**

Robert Marvin presented the application. The back yard was enclosed by a 4-foot high, wood fence on top of a 4-foot high, concrete wall. He has already removed the fence and would like to remove the concrete wall, which is in poor condition. It is unlikely that it could be repaired for less than \$30,000. He is proposing an 8-foot fence to replace them.

Chairman Taylor noted that a portion of the concrete wall has already been removed or was previously damaged. He asked why the applicant chose to remove the wall. Mr. Marvin said it is crumbling. Chairman Taylor said he visited the property and believes the wall to be salvageable. Photographs taken over 50 years ago indicate there have been cracks in the wall for many years.

Chairman Taylor inquired about the plan for the area inside the existing wall. Mr. Marvin said he is planning a deck. He removed a tree from that area that was hollowed out. Trees and water damage have caused extensive damage to the roof.

Commissioner Van Deusen questioned the choice of vinyl of fencing, considering the applicant expressed his intent to restore the home as much as possible. Mr. Marvin said he chose vinyl because it was available in an 8-foot height. He plans to add landscaping to soften the appearance.

Commissioner Hitchcock expressed appreciation for the applicant's intent to restore the historical property, but does not feel vinyl fencing is appropriate in this area.

Commissioner Van Deusen said it seems as though the wall was just recently damaged. Mr. Marvin said a portion of the wall was damaged recently during his renovations, but the remainder was already in poor condition.

Commissioner Turchetti would prefer to see the concrete wall repaired, if feasible. He also said he is opposed to a vinyl fence in that area.

Mr. Marvin agreed to modify his proposal to an 8-foot wooden fence in a red-brick color to match the house.

Vice Chair Beyer said ideally, the wall could be saved. It would be helpful if the applicant returned with estimates on repairing the wall.

Mr. Brown asked Mr. Marvin if he could provide estimates for the repair. Mr. Marvin said he could.

Chairman Taylor agreed to permit neighbors to speak on this application although there is no Public Hearing. Because of the late hour, he indicated that this would be done at the next meeting that this application is to be reviewed.

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 Table the application to allow the applicant to obtain estimates on restoring the wall to determine practicality, and provide design and color samples of alternative styles of fencing.

Commissioner Dorschel seconded the motion, which carried with a vote (7-0).

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

**ITEM 06**      **(Public Hearing) Application #22-125: 261 Gibson Street, KEITH LAIRD, for a Special Use Permit to operate a Short-Term Rental from his residence.**

The applicant was not present. The application will be placed on the agenda for the next Planning Commission meeting.

**ITEM 07**      **Application #22-135: 333 North Main Street, COHEALING MASSAGE LLC, for Historic Alteration to install a wall sign.**

The applicant was not present. The application will be placed on the agenda for the next Planning Commission meeting.

**ITEM 08**      **Application #22-136: 439 North Main Street, MARK PORRETTA, for Historic Alteration to demolish a portion of the home.**

Mark Porretta presented the application. He is proposing to demolish the rear portion of the home that was previously approved for demolition and reconstruction. The previous applicant began demolition and then backed out of purchasing the home, so it is now open to the elements. He said he needs to complete the demolition and, while he would like to rebuild at some point, he is not prepared to do so at this time.

Chairman Taylor asked if the exposed part of the house would be resided to match. Mr. Porretta said yes. There will be no windows or doors on that side, although he may consider changing that in the future.

Chairman Taylor asked if the intent is to open a Bed and Breakfast and keep the existing sign. Mr. Porretta confirmed that his goal is to continue with rentals after renovations are complete, but he would like to remove the sign for now.

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

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

Commissioner Hitchcock seconded the motion, which carried with a vote (7-0).

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

**ITEM 09      Application #22-139: 101-107 Eastern Blvd., PARKWAY PLAZA LP., for Architectural Review to modify two storefronts.**

The applicant was not present. Mr. Brown explained that the application was fairly simple and asked the board to consider it.

Chairman Taylor questioned if it is the applicant's intent to modify the two storefronts to match the rest of the plaza. Mr. Brown confirmed. He showed the design drawings that were not part of the commission's packets

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

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

Commissioner Manley seconded the motion, which carried with a vote (7-0).

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Voting	YES
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES

Vice Chairman Beyer  
Chairman Taylor

Voting  
Voting

YES  
YES

**MISCELLANEOUS****ITEM 01      **Reconsideration of Meeting Day****

Mr. Brown explained that all boards now share a single room with the City Council holding all their committee meetings on Tuesday nights. After some discussion, the Planning Commission agreed to change the regular meeting day to the 2<sup>nd</sup> Wednesday of each month, beginning in June 2022. The time and place will remain the same.

**ADJOURNMENT**

Commissioner Hitchcock moved to adjourn the meeting at 11:04. Commissioner Turchetti seconded the motion which carried with a unanimous voice vote (7-0).

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Richard Brown  
Director of Development & Planning

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Stanley Taylor  
Planning Commission Chairman