

**MINUTES
CITY OF CANANDAIGUA
PLANNING COMMISSION**

February 11, 2020

PRESENT: Chairman Torsten Rhode Commissioner Guy Turchetti
 Vice Chairman Stanley Taylor Commissioner Lindsay Henehan
 Commissioner Jeff Ayers Commissioner Thomas Lyon
 Commissioner Anne Beyer

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

CALL TO ORDER

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

Chairman Rhode welcomed Thomas Lyon to the commission. Mr. Lyon will be replacing Adrienne Kantz who resigned at the end of last year.

APPROVAL OF MINUTES:

Chairman Rhode asked if anyone had any additions or corrections to the January 14, 2020 Organizational and Regular Meeting Minutes. Vice Chairman Taylor moved to approve both minutes as submitted. Commissioner Beyer seconded the motion, which carried by unanimous voice vote (7-0).

REVIEW OF APPLICATIONS

ITEM 1 **Application #18-108C: 770 South Main Street, THE LAKE HOUSE, Architectural Review, to install signage.**

David Crowe of HB Cornerstone presented the application. The proposal includes five signs plus several on-site, directional signs that will not be visible to the general public. The entire sign package proposes a traditional design, understated, with a light touch.

On Main Street, they are proposing a 32 SF ground sign that will be in the same location in the entrance median as the current “Inn on the Lake” sign. The sign is to be illuminated with gooseneck “farm-style” light fixtures. A smaller sign is to be included for the secondary entrance, south of NY Kitchen. Then, there are modest wall signs on each of the buildings; “The Lake House”, “Rose Tavern”, and the “Sand Bar”. An additional sign, “The Spa”, will be hung under the covered walkway. The remaining signs are small directional signs located at secondary building entrances or along walkways on the property.

Chairman Rhode asked if there were any comments or questions. Hearing none, he called for a motion. Vice Chair Taylor moved that the Planning Commission **Approve** the application as submitted and presented.

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

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 2 Application #19-104C: 195 South Main Street, NICK'S CHOPHOUSE, Historic Alteration to add rooftop dining to the existing restaurant. Amendment to approval granted on May 14, 2019, with regard to exterior lighting.

Architect Dan Long presented the application. The owner, Peter Fabbio, was also present. They are proposing to cut back the existing roofing material that is overhanging the frame structure over the bar and add painted trim board to down-play the appearance. This will eliminate the unfinished overhang that is now present and provide a more complete result over the bar area.

They are also proposing two, 5'- 9" lamp post fixtures to be installed in the centerline of the deck area and 3-watt, post-cap lights on the railing posts to light the perimeter. Mr. Fabbio presented a sample of the lights. All lights are LED type and the central, post fixtures will not be visible from the street.

Vice Chairman Taylor confirmed the lights to be placed on the tables and the post-cap lights would be solar. Mr. Long explained that only the center posts will be hard-wired.

Chairman Rhode asked about the material and finish for the fascia board around the pergola roof. Mr. Long described wood trim that is to be painted a taupe color. It will match the paint on the elevator shaft, masonry block and stairway.

Commissioner Ayers noted that candles placed on the tables would not require Planning Commission approval. He feels the lights proposed for the table are not designed for that type of use and would not work out well. Mr. Long explained that the lights would be mounted onto brackets on the tables for stability.

Ian McDonald presented the sign portion of the application. The application includes a proposal for a new sign that will be the same size and location, but a different design. He is proposing a two-layer dimensional sign with a hand carved oval stacked on the sign board.

Chairman Rhode asked about the main color of the sign and whether it would be complementary to the existing blue awning. Mr. McDonald described the proposed color as a dark blue, although the exact shade has not yet been chosen.

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

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented.

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

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 3 Application #19-197B: 254 South Main Street, MEAGAN AND DAVID D'ALLESANDRO, for a Historic Alteration to modify existing building exterior and create outdoor seating area. (Amendment to approval granted on July 9, 2019 with regard to exterior lighting)

David D'Allesandro represented the application. The lighting consists of string lights over the outdoor dining area, with vintage "Edison bulbs", down-lit sconces around the exterior dining area, and seven, up-and down-lit sconces on the south face of the building. The interior and exterior of the fence would display two-watt, down-accent lights. The brick piers would display down-lighting as well. On the north side of the building, above the exit, they propose a 12-watt down light to illuminate the exit door. On the back, west side of the building there would be a 38-watt, LED wall-pack to illuminate the back of the building. There are currently three, LED gooseneck fixtures on the Main Street side, which would remain.

Commissioner Henehan inquired whether the lights would be turned off at a certain time, noting that there is a residence near the back of the building that may be affected. Mr. D'Allesandro stated that they plan to have them turn off at closing; however, the parking area in the back is illuminated by an existing pole light, owned by the City.

Commissioner Ayers asked how far the overhang will extend over the up and down sconces. Mr. D'Allesandro said the eave extends out four feet. Chairman Rhode feels this is adequate to prevent light pollution. Commissioner Ayers believes that four feet is a lot of overhang and negates the benefit of the upward lighting.

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

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

1. The exterior lights will be off at closing.

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

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 4 Application #19-244A: 336 North Main, CHENEY LAW FIRM, for a Historic Alteration to remove awnings.

Don Cheney presented the application. When the signage was approved last summer, they intended to replace the fabric on both awnings. They now propose to simply remove the awnings all together. Mr. Cheney provided a photograph showing evidence of no awning on the prior *Wood Cutter's Loft*.

Vice Chairman Taylor believes it looks cleaner and better without the awning. He inquired about the existing awning over the adjacent *Crane Realty*. Mr. Cheney explained that that awning is to be removed as well.

Chairman Rhode 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.

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

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 5 Application #20-020: 170 South Main, GLEASON'S, Historic Alteration to install a 21 SF wall sign on the rear of the building and to display a 6 SF portable sign.

Patrick Gleason represented the application. He wishes to amend the application to change the wall sign to 16 SF. In addition, he is proposing a portable, changing sign. He also is planning to display a temporary banner to hang on the front of the building for the approved two-week period until the permanent sign can be hung.

Chairman Rhode inquired about the material for the portable sign. Mr. Gleason stated it would be a chalk board with a metal or wooden frame.

Vice Chairman Taylor confirmed the wall sign will be white with black lettering.

Chairman Rhode asked about lighting. Mr. Gleason said it is currently lit and he is not proposing any changes to the lighting.

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

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

Vice Chair Taylor seconded the motion, which carried with a vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 6 Application #19-382: 76 Howell Street, SCOTT RESTON, for a Historic Alteration to construct a 280 SF addition to the barn. (Tabled on January 14, 2020)

Scott Reston, the homeowner, presented the application. The project is for a 10' addition to extend from the back of the existing barn. The siding is wooden clapboards. The roof is asphalt shingle. The application was tabled at the last meeting to allow commissioners an opportunity to review the property.

Chairman Rhode said the project is visible from Howell Street. Mr. Reston said the project is not visible from his property, but acknowledged that it might be visible from other vantages.

Chairman Rhode asked if the siding would be painted to match the existing barn. Mr. Reston confirmed that it would be painted to match, once the weather permits.

Chairman Rhode 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.

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

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 7 Application #20-008A: 300 Eastern Boulevard, TOWNE CENTER PLAZA, for Architectural Review to install accent lighting on the plaza.

No one was present to represent the application. Mr. Brown explained that after the same application was denied by the Planning Commission at the January 14, 2020 meeting; the owner requested the opportunity to address the board again to have the proposal reconsidered.

Chairman Rhode asked if anyone had comments or questions. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission Deny the application as submitted, since no additional information has been provided since the denial.

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

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 8 (Public Hearing) Application #20-015: 41 South Main Street, CHOSEN SPOT APARTMENTS LLC, for a Special Use Permit (Residential Use in Combination with Other Permitted Uses) to convert second-story office space into two apartments.

Robert Taylor, the property owner, presented the application. He is proposing to convert the abandoned office space on the second floor into two, additional apartments. One apartment will be a small studio and the other will be a large, one bedroom. There are currently three, occupied apartments on this floor. No exterior walls will be changed or impacted for this project.

The 512 SF studio will require an Area Variance since 550 SF is required. He plans to seek approval for this variance at the next Zoning Board of Appeals meeting if the Special Use Permit is approved.

They have space in the parking lot to handle the trash totes needed for trash removal and their parking lot accommodates seven vehicles, which is shared between apartment residents and storefronts. This will be adequate parking since several tenants do not have vehicles. Also, there is public parking available nearby, off of Niagara Street, if needed.

Chairman Rhode opened the Public Hearing.

Denise Chaapel, Downtown Manager, and local property owner, spoke in favor of the application. What Mr. Taylor is proposing is in line with what the Business Improvement District is seeking for these types of properties in the downtown area.

Chairman Rhode asked if there was anyone else wishing to speak. Seeing no one, the Public Hearing was closed.

Chairman Rhode believes the use is consistent with the City's Comprehensive Plan, which promotes mixed use development in the downtown area. Vice Chairman Taylor agrees.

Commissioner Ayers asked if the new tenants would be expected to park in the public parking lots the majority of the time. Mr. Taylor said there would be a designated spot for each unit assigned in the lease agreement, with public parking available if additional space is needed.

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

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

Vice Chairman Taylor seconded the motion, which carried with a vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 9 Application #20-016: 699 South Main, FF THOMPSON HOSPITAL, Architectural Review to install an 81 SF wall sign.

Stephen Guida represented the application. They are proposing an internally lit wall sign and window graphics for the new Urgent Care Clinic. The design is consistent with the University of Rochester's branding for an urgent care center.

Commissioner Lyon asked if branding gives an option that is more linear to provide more consistency with the other signs in the plaza. Mr. Guida answered no, this is the only option that fits with their branding.

Vice Chair Taylor asked if Wegmans has approved the sign. Mr. Guida confirmed they have.

Chairman Rhode asked if the timing for the lighting is controlled by the landlord or the tenant. Mr. Guida believes the tenant controls the lighting, but they are proposing to keep it consistent with the other tenants of the plaza.

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

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

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

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 10 **(Public Hearing) Application #20-018: 106 South Main Street, SWEET SOLUTIONS, for a Historic Alteration and Special Use Permit (Carryout Restaurant) to relocate existing bakery and signage.**

Pamela Rosone represented the application. She is proposing to move her existing bakery from 88 South Main Street to 106 South Main Street. She will be keeping the same equipment and will simply be moving the existing letters for the wall sign. There is no sign proposed for the north side of the building at this time.

Chairman Rhode opened the Public Hearing. As no one was present, the Public Hearing was closed.

Chairman Rhode 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 (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 11 **(Public Hearing) Application #20-022: Adjacent to 134 North Main Street, BELL ATLANTIC MOBILE, for Historic Alteration and Special Use Permit (Public Utility) to replace existing 26' utility pole with a 39' pole with attached antenna to establish a small cell wireless facility.**

Nathan Vander Wal, from Nixon-Peabody represented the application. With him were Josh Doolin, an RF engineer with Verizon Wireless, and Lisa Maas-Vangellow, from Airosmith Development.

This project was previously submitted in February 2019. At that initial meeting, the Commission reviewed and accepted the RF need for the project, but raised concerns regarding the aesthetic impact of the project as proposed. The application was then withdrawn so Verizon Wireless could explore alternate design and siting locations. However, they are now returning to the original proposal of a facility to be co-located on a replacement wooden utility pole in the same location as an existing wooden utility pole owned by RG&E off Wilcox Lane. They believe the pole will be less obtrusive than the flag pole design that was previously discussed.

Chairman Rhode opened the Public Hearing.

Kris Key of North Main Street spoke. She feels the proposed site is already too cluttered and there are too many lights.

Chairman Rhode asked if anyone else wished to speak. Seeing no one, the Public Hearing was closed.

Vice Chairman Taylor inquired about potential glare or whether reflective tape would be used to minimize any glare. Mr. Vander Wal explained that the tape is not recommended for this type of installation. It does not have the same benefit on pole sites. Mr. Doolin said he does not expect there to be any glare.

Commissioner Henehan asked about the color of the antenna. Mr. Doolin described it as an off-white or gray color.

Commissioner Ayers inquired about the proposal for a flag pole at the library that was previously being considered. He asked if the library was agreeable to that proposal. Mr. Vander Wal explained that the library was amenable to the design; however, the concerns raised by the Planning Commission led them to choose a different option.

Chairman Rhode discussed the option of integrating the antenna and equipment on a new, decorative light fixture as part of the plan to upgrade the light poles on Main Street. The details of this plan are unclear, however, and would need to be confirmed with City Manager, John Goodwin.

Commissioner Ayers feels it would be odd to have one ornate light on this area of Main Street.

Mr. Vander Wal is familiar with this type of design using decorative light poles; however, there may be constructability issues. There may be a problem with compatibility relating to the equipment available in this region. Timing is also a concern, as it could delay the project considerably, waiting for approval and installation of new street lights.

The commission determined the project to be a Type 2 action under SEQR, not requiring an environmental assessment. Mr. Brown also noted that the project was referred to the Ontario County Planning Board when the original application was made in 2019.

Vice Chairman Taylor confirmed that the equipment cabinet is to match the color of the pole.

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

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented.

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

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 12 (Public Hearing) Application #20-025: 290 Eastern Boulevard, 300 EASTERN BOULEVARD, LLC, Site Plan Review, Architectural Review, and Special Use Permit to construct two buildings (4,400 SF and 3,600 SF), one of which will contain a Drive-through Restaurant.

Eric Drazkowski of Excel Engineering represented the application. Matt Lester was also present. They are proposing to develop the existing paved site by constructing two buildings; the first, a stand-alone *wellNOW* urgent care clinic and the second building will be a multi-tenant retail/restaurant with drive through use. The fronts of the buildings are to be oriented toward Eastern Boulevard and will be in line with the existing plaza to the east.

The architectural design for both buildings will include stone veneer, brick veneer and EIFS. The proposed design for the *wellNOW* Urgent Care Clinic will also include red canopies.

Parking and drive aisles will be provided. There are existing utilities to the site, which are expected to be reused.

Chairman Rhode opened the Public Hearing.

Dan Fuller of Roseland Water Park spoke. He is concerned about the orientation of the buildings, specifically the view from the back and how it could negatively impact the entry into the Water Park. He would like to see a different orientation or a substantial landscaping plan that would completely screen the back of the buildings. He also asked for more landscape screening.

Chairman Rhode asked if there were anyone else wishing to speak. Seeing no one, the Public Hearing was closed.

Matt Lester discussed the orientation that was proposed when the property was acquired. It reflected a perpendicular 18,000 SF strip center. The rear of that building would have run parallel to the entrance to the Water Park. The new proposal is significantly smaller with an improved layout which has the store fronts facing Eastern Boulevard.

Mr. Drazkowski described the plan for dumpster screening on the north-west side of the buildings. They plan to shield the back with a wall, arborvitaes, and additional landscaping.

Chairman Rhode confirmed that the planting plan includes removing some of the existing trees.

Commissioner Lyon noted there are two dumpsters planned. He inquired whether they could be consolidated and shared by the tenants. Mr. Drazkowski said it is a possibility, but further explained that the tenants would prefer to have the dumpsters placed as close as possible to the buildings for easier access.

Commissioner Henehan asked why there are two separate buildings. Mr. Drazkowski explained that the prototype for a *wellNOW* urgent care clinic is a stand-alone building.

Vice Chairman Taylor feels the architectural design for the buildings is not consistent with the area. He does not support the proposed red, vertical, metal panels in the *Chipotle* location. In addition, he finds the *T-Mobile* design rather plain and stark. Also, the red accents on the urgent care clinic are not a good choice. He feels a considerable redesign of these buildings is necessary.

Commissioner Henehan agrees, noting that each of the buildings has a drastically different design. She also suggested the possibility of installing a privacy fence to screen the view from the water park.

Vice Chairman Taylor researched the different exterior designs of *Chipotle* restaurants and noted that there is a minimum of thirty styles. Some include stucco or brick. T-Mobile also has several different exterior designs.

Mr. Drazkowski asked for examples of local designs that would be considered compatible. Vice Chairman Taylor referred to Rite Aid, Wendy's, and Walgreens; also, the adjacent plaza itself. He referred to their earth tone colors. Mr. Drazkowski agreed they could tone it down to better fit in with the fabric of the community.

Commissioner Ayers asked about the walk-ability from the plaza. Mr. Drazkowski said they could add sidewalks and will work on a connectivity plan.

Chairman Rhode asked if the width of the drive-through would accommodate a full-size pickup truck. Mr. Drazkowski said it would; also there is to be a 12-foot-wide bypass allowing ample turning radius.

Chairman Rhode noticed a Cleveland Pear tree is noted on the landscaping plan. He advised that they are considered invasive and are not recommended. Vice Chairman Taylor recommends the landscaping plan be reviewed by the Tree Advisory Board.

Vice Chairman Taylor asked if there would be any ground signs. Mr. Drazkowski explained that there is a reciprocal agreement to share signage with the adjacent shopping center. They will be allotted two tenant signs on the existing ground sign. They are not proposing a ground sign.

Vice Chairman Taylor acknowledged the location of in-ground, sub-surface grease traps. He has concerns with the safety of these fixtures. Mr. Drazkowski described standard, solid, sanitary type covers built into the concrete pad. He confirmed that they will be sufficient to handle the weight of a tractor-trailer.

Vice Chairman Taylor requested that the hours of operation be included on the updated plans.

Mr. Brown confirmed that the Department of Public Works has reviewed the project and provided comments addressing any concerns. He has also referred the plans to the Fire Department and they have submitted positive preliminary comments.

Chairman Rhode summarized the changes requested from the applicant as follows:

1. Screening and landscaping options
2. Alternatives to architectural designs for the buildings
3. Review of the landscaping plan by the Tree Advisory Board
4. Pedestrian Connectivity plan

The applicant requested a supplemental meeting to discuss alternate architectural designs prior to the next meeting in March. The Planning Commission agreed to meet on February 25, 2020 for a working session.

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

Commissioner Ayers moved that the Planning Commission Table the application, awaiting the outcome of the Ontario County Planning Board's review of the project.

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

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 13 (Public Hearing) Application #20-026: 318 Fort Hill Avenue, CLARK MANOR HOUSE, Site Plan Review, Architectural Review, and Special Use Permit to construct a 2,577 SF addition to provide supporting services to the existing 17-bed Adult Care Home.

Robert Wolfe, of Wolfe Architecture, represented the application. He explained that this proposal was part of their plans to establish themselves as an “enhanced assisted living facility”, which would allow the residents to age in place—they will not be required to move out of the facility once they reach a threshold where they need more care. The number of beds for the facility will remain at 17.

The proposal is for an addition on the west elevation of the existing facility. There will be an exercise room, a unisex toilet, and a three-season room. The plan is to match the existing style of siding, roof and windows.

There are three trees which will need to be removed as a result of this expansion. In the future, they hope to restore some of the gardens in the area as well.

Chairman Rhode opened the Public Hearing. Seeing no one, the Public Hearing was closed.

Chairman Rhode noted that the new addition appears to block the view from the west porch. Mr. Wolfe explained that the additional windows will still allow for a favorable view.

Commissioner Henehan asked about the current siding on the building. Mr. Wolfe said they are proposing vinyl siding for the addition. Chairman Rhode said he does not support the vinyl. He would prefer to see Hardiboard. Mr. Wolfe is agreeable to that request.

Chairman Rhode inquired about the material of the windows. Mr. Wolfe said they would be vinyl as well. Chairman Rhode feels the implied dividers in the windows do not look authentic. External dividers would be preferred.

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

Commissioner Ayers moved that the Planning Commission Approve the Site Plan Review and Special Use Permit portions of the application as submitted and presented, and Table the Architectural Review to allow the applicant to return with material samples.

Vice Chair Taylor seconded the motion, which carried with a vote (7-0).

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

ITEM 14 Application #20-031: 127 North Main Street, KRIS KEY, for Historic Alteration, to reconstruct fence.

Kris Key, the homeowner, represented the application. She said she removed portions of the fence that were deteriorated. She had purchased materials to replace in kind, but then did some research on the history of the home and the original homeowner, and now feels that a different style of fencing would be more historically appropriate. She believes a picket fence is the best choice for the Main Street frontage, but with a graduated rail fence for the Dungan Street side.

Commissioner Taylor displayed a book with evidence showing a picket fence on both the Main Street and Dungan Street sides of this property, near the date of original construction. He acknowledged that perhaps there was a horizontal-rail fence in the rear yard, where animals were kept.

Chairman Rhode said he also researched historic photos and illustrations from the vicinity. The only examples he saw of horizontal-rail fencing was in agricultural uses, to keep in animals. On Main Street, only picket fences are shown.

Commissioner Ayers asked about the unpainted, horizontal rails that have been added to the porch. Ms. Key said these were only a temporary, safety measure until she can restore the porch railing. This will be done in the spring.

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

Commissioner Ayers moved that the Planning Commission **Deny** the application and require that the existing fence be removed within a week. In addition, the existing, temporary rails on the porch are to be removed and replaced to match the previous design within 90 days.

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

Commissioner Ayers	Voting	YES
Commissioner Beyer	Voting	YES
Commissioner Henehan	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Lyon	Voting	YES
Vice Chairman Taylor	Voting	YES
Chairman Rhode	Voting	YES

WORK SESSION**ITEM 1** **Midlakes Drive, LEGION HEIGHTS; Subdivision, Site Plan Review, Architectural Review, and Special Use Permit to construct 47 townhouse units and supporting infrastructure. (Amendment to 1988 approval)**

Robert Cantwell of BME Associates represented the project. Frank Affronti was also present; he is the owner and contractor for the site work. The property is zoned multi-family residential and the total project area is 14.3 acres. The original Legion Heights project was approved in 1988 for a total of 81 townhouse lots. As part of the initial development phase, 42 townhomes were built. In addition to the built units and roads, the subsurface infrastructure to support the entire project was installed.

The current proposal is for the 39 unbuilt lots to be re-subdivided into 47 lots and 47 two-story townhomes with single car garages to be constructed. The footprints of the new units are about 30% smaller than the existing units and the driveways are for single cars instead of two cars. Therefore, the impervious surface coverage is less than previously approved.

The roads will be completed consistent with the original design with a looped connection to the existing Midlakes Drive to the north and east. Street trees will be provided. Sidewalks are proposed for one side of each of the two roads and will connect to the existing sidewalk network. There are to be no street lights, but mandatory lights on the buildings will light the roadway. Potential building elevations were presented.

Chairman Rhode noted that a Public Hearing had not yet been scheduled, but said he would take comments from those present to gain more information about the project and its potential impacts.

Rick Bradley, Board President of the Legion Heights Homeowners' Association asked if construction access could be limited to North Road. Mr. Affronti agreed to that request.

Mr. Bradley inquired whether the new roads would be completed prior to the construction of the new townhomes. Mr. Affronti answered yes.

Additional concerns of Mr. Bradley's are accommodation for overflow parking and consideration for snow storage. Mr. Cantwell explained that these factors will be included in the final site plan.

Finally, Mr. Bradley asked who would be responsible for the maintenance of the retention basin. Mr. Cantwell suggested that perhaps it could be part of a modified Home Owners' Association responsibility. But he also said that the City engineer requested an easement over the limits of that pond, so perhaps it might be dedicated.

Donald Rensberger, resident of Midlakes Drive, expressed concern over providing only one-car garages as opposed to two-car garages. This will reduce the size of the driveways and will not be provide enough room to accommodate visitors or even homeowners that have two cars but use their garage for storage. He said the 20-foot wide street is too narrow to support on-street parking. Chairman Rhode agrees that this is a concern.

Vice Chairman Taylor asked if the new homes will be part of the existing Home Owners' Association. Mr. Affronti believes they will, but needs to confirm that with the HOA attorney.

Mary Miller, resident of Midlakes Drive, asked for confirmation that the proposed 47 townhomes will be built within the boundaries of the 39 vacant lots. Mr. Cantwell explained that the footprints themselves

are not coincidental, but the total coverage is actually less. A resub and modification of the common lands would be required.

Mr. Brown questioned, then, if the current HOA would need to authorize the re-subdivision, as well as the construction of the roads and basin, which are not on lands owned by Mr. Affronti.

Commissioner Henehan noted that the proposed house designs were very different from that of the existing homes and questioned the compatibility between these designs. Mr. Cantwell explained that their intent is to offer a different product as the market is demanding.

Vice Chairman Taylor would like to see the architectural designs include front porches on these homes. A front porch is a new urban building trend that helps bring people out to the streetscape.

Chairman Rhode summarized the main points that need to be addressed:

1. HOA role in Retention Pond Maintenance
2. HOA role in Common Land
3. Sidewalk configurations
4. Single vs. two-car garage
5. Overflow parking
6. Snow removal and storage
7. Construction access
8. Architectural options
9. Automated house lights

MISCELLANEOUS

Vice Chairman Taylor reported on his attendance at the Comprehensive Plan Committee. They have finished their review and are now completing their final edit prior to submittal to the City Council, followed by a series of Public Hearings.

Vice Chairman Taylor noted the Adrienne Kantz represented the city on the Town's Comprehensive Plan review committee. He questioned if she would be continuing in the role after resigning from the City Planning Commission.

ADJOURNMENT

Commissioner Ayers moved to adjourn the meeting at 10:37. Commissioner Henehan seconded the motion which carried with a unanimous voice vote (7-0).

Richard Brown
Director of Development & Planning

Torsten Rhode
Planning Commission Chairman