

Village of Webster
Planning Board Meeting Minutes

Meeting Minutes of March 5, 2015

Community Meeting Hall
29 South Avenue
Webster, NY 14580

Present:

Peter Adams, Kathy Bills, Judy Gurnett, Chris Krawiec, Peter Bowers
Attorney David Mayer, Building/Code Enforcement Officer Will Barham Secretary Carol
A. Moranz

Absent: None

The meeting came to order at 7:30 pm.

Motion was made by Kathy Bills, seconded by Peter Bowers to accept the minutes from the January 7, 2015 meeting. All in favor none opposed, motion passes.

Peter Adams asked if the Board members had had a chance to look over the Barrett Drive site now that things are in place there. He noted that it is now actually occupied and it looks nice. He also noted that he and David Mayer are still working on the letter to the Village Board regarding the demolition permit for the freight depot.

1. Paul Schieble, owner 135 East Main St. Tax ID # 080.10-3-14. Application to erect a 24' x 38' garage addition to existing 24' x 38' carriage house making the total square footage 1824 s.f. Current zoning allows 600 s.f. for garages. Applicant seeks relief from zoning by requesting a 1,224 s.f. variance. Applicable zoning section: 175-59, Accessory Structures. Property Zoned: R2-9.6. Applicant passed out renderings of the existing and the proposed structure. He stated that the current building is in poor condition. P. Adams noted that because the applicant is not tearing down the whole structure, the historical committee does not need to be notified regarding the shed part of the barn.

The Planning Board cannot grant variances. The Board will give ideas and recommendations on the site plan to the Zoning Board of Appeals. P. Adams also noted that it is a pre-existing, non-conforming structure. Discussion was held on distances from the lot line (12 feet). Any alterations on the structure will have to meet all the zoning requirements or have a variance for each zoning problem. That means side line, rear line, and height and size variances. So applicant might end up with 4 variances.

Mr. Schieble plans on using steel on the whole front of the building It will have vertical lines the current building has, however the lines will not be random

like they are now. It will probably be a light gray – some type of a neutral color. P. Adams said that they do not want it to look like a utility building on a nice looking carriage house. You may want to think about changing the color. Applicant stated that they want something that matches the house. They will keep the round window up on top.

The door design must be a roll up style so the applicant does not have a lot of choices for what the door design will look like as well as the trim design. It will have metal roofing. The awning will be wood with metal siding to cover the spool for the roll up door. C. Krawiec asked whether the metal roof will be suitable for the pitch. Per W. Barham, accord to the Metal Construction Association, a standing seam metal roof will be acceptable for a 3/12' pitch.

Opened to the Public

Jude Lancy – Historical Commission – Would like to see a copy of the rendering for the historic commission.

Eugene Giordano – 101 Curtice Park – My property backs up to the project. I do not have any problems with it.

Rick Walter – 20 Elm Street – What is the purpose of a building more than 3 times the code limit? Applicant said it is to park residential vehicles and for storage. I do not want to put vehicles inside the barn. I having been doing a lot of restoration to the barn and would like to maintain it. The old barn is being used for storage. 600 square feet is what is being added. Applicant also discussed door design.

Lynne Barton – 50 Elm Street – I have no problem adding on to the structure. My concern is the metal siding. Is there any way to make the front match so it has the same character as the barn? Applicant stated he will look into it, it might be a possibility. P. Adams had Lynne look at the color brochures provided by Mr. Schieble.

Closed to the Public

C. Krawiec asked if there was any engineering analysis done for loads on this building pushing on the old one. Can existing carriage house tolerate the lateral snow loads from the new structure? The existing carriage house has a gambrel style roof. You are proposing to tie a shed roof to it. W. Barham said owner will need blueprints for this project as I am sure it will be over \$20,000. The architect will determine the lateral load. Applicant said it is a pole barn construction (post and beam) and the quotes he has received are for \$17,000. W. Barham stated that applicant should call him to discuss this further.

J. Gurnett – Can you use any reclaimed items from other structures that have been torn down for the front of the structure? Applicant said he could look into doing that.

P. Bowers – it seems to me we are a step ahead of the conversation. We are not quite ready for it. I agree with the conversation that the entire front façade shouldn't be changed. I don't care about the other sides. I don't care that the roof is going to be standing seam metal. Seems like a good idea actually. My concern is that front façade.

K. Bills – it is just too much metal. I think it will detract from the look of that barn there.

C. Krawiec – I still have concerns about the structure load. As I understand it, you are asking for a structure that is 3 times the size of the current zoning with metal siding and roofing. This is a massive agricultural style barn in the middle of the Village of Webster. Do we want a 1,800' barn on the main street in the Village of Webster? Not opposed to the size of the structure I am just concerned with the look of it. Applicant stated the neighbor behind has no issues with it. He has not heard anything negative from any other neighbors.

P. Adams – Notes the front and sides should mimic the barn and should complement the house. This could be included in the recommendations to the Zoning Board of Appeals.

Motion was made by Chris Krawiec, seconded by Kathy Bills for a positive recommendation to the Village of Webster Zoning Board of Appeals for a 1,224 s.f. size variance, a 9' height variance and recommendation for the front façade to complement the existing barn. All in favor none opposed. Motion passes.

2. David Piergiacomi, proposed owner of 77 East Main St. Tax ID # 080.10-3-6. Application to change use of old Burger King building to the "Original Mac & Cheese" restaurant. Applicant also seeks use of current drive thru, requesting relief from current zoning which does not allow drive-thru's in the Central Business District. Applicable zoning section: 175-22(B) Permitted Structures and Uses. Property Zoned: Central Business.

Applicant described their business and noted they have 8 different macaroni and cheese products. They have been at the Rochester Public Market and then went to using a food truck. They are looking for a permanent home. The drive-thru is a big component for where they want to go in the next 5 years. As they are a family business, they would like to keep shorter hours. They do not want to be intrusive to their neighbors.

P. Adams wanted to confirm the intercom for the drive-thru won't be intrusive and the smells won't be a problem to the neighborhood. Applicant said there is no deep frying done so there will not be smells from that and that the cooking will be done in the building. P. Adams also noted they a site plan would be needed. He also stated that there should not be any problem with parking, there is plenty there. Maria Piergiacomi stated that they are not planning on changing any of the current structure except for the logo. A representative from the sound system company

presented a hand-out with information about the sound system for the drive-thru. He stated this system is the most up-to-date digital system available and will have very good audio adjustment levels that can be tuned to fit the needs of the surroundings. It can be adjusted for different times of day for levels of decibels needed. The clarity is there so the volumes do not have to be loud. There will be acoustical treatment in the form of landscaping in the area so that the audio will bounce off the shrubbery to contain it.

K. Bills asked about the hours of operation. Applicant said they plan on Monday – Saturday 11 am – 9 pm. The food truck on occasion will require us to be open to prepare for festivals, which are more seasonal – April through September. The first three months we will probably only start with dinner service. Perhaps 20 – 40% will be drive-thru service.

Opened to the Public

- Unknown commentator - Can't wait to try it
- Bob Steinorth -25 Dunning Avenue – If the menu is condensed, why can't people just go to the window and order it? Applicant said the choices are pretty wide so they will be able to have it ready when the person drives up to the window. Mr. Steinorth also asked about the packaging of the product. He was concerned about packaging left in his back yard. Mr. Piergiacomini said he will have staff go around the site and make sure nothing is thrown around.
- Rick Walter – 20 Elm Street –Asked about the propane tank on the property. Will Barham stated that the tank has been removed. Mr. Walter stated that he does not like any speaker system. He also said the trash from the dumpster at the hot dog place blows into his yard. Mr. Walter also asked what kind of lighting would be at the location. P. Adams asked what the existing lighting is. The landlord of the property said that it will use the existing lighting on the property. Mr. Walter said that he is not directly behind this property so it doesn't affect him.
- Mike Broikou– 83 North Avenue – The owners will be on the premises. I don't think it will be like the hot dog place that is open until 2 in the morning. This is a family oriented place. They don't have throw-away wrappers, it is containers. I don't see that the trash and garbage will be an issue.
- Lynne Barton – 50 Elm Street – concerned about the drive-thru. What about places like Uno's that have drive up spots for people to pick up their orders? Per applicant – the problem with those are that people are now sitting in their cars with them running which leads to exhaust problems and with their stereo systems being on. Ms. Barton said she liked the hours of operation. What time will the truck be coming back from events? Applicant stated it will not be late at night and it will only be mainly during the summer months.
- Paul Schieble – 135 East Main Street – How long has this building been empty and how many potential candidates have we had for this property? Per P. Adams said we have had two. It would be helpful if it is maintained. We need to get something there. I really like the cream cheese!
- Wayne Conklin – 36 Kathrene Court – I don't live near this, however if people have a problem with trash at this location they should see the building inspector to address the problem. Let these applicants have the American dream and let them move in.
- Darrell Byerts – 36 Elm Street – discussed the chain link fence. Applicant said that the plan he is looking at is for the old Burger King, not theirs. Also discussed landscaping location for the drive-thru acoustics. W. Barham discussed the

longevity issue for landscaping noting that plants die. Have you used any other method other than plantings that give you the same result? Applicant said no. J. Gurnett said that the winter months will need bushes that will still block sound.

- Jerry Spronz – 199 East Main Street – what type of drink containers will you be using? Applicant said they will be using cups and drink holders. They will not be using plastic bags. They are looking a couple of different paper bags.
- Matt Chatfield – Webster Community Coalition for Economic Development – We are excited they have chosen us as we like to have the variety of food choices here in the Village. We are trying to attract people and adding vitality to Webster Village. Happy to be using the building as a dining location and not just a retail location. This will be a family owned business not a chain and the owners will be onsite. They are going to care about their business and they are going to treat it like it is their second home.

Closed to the Public

Attorney David Mayer has the criteria for the USE variance. He described the 4 part test.

- Cannot receive a reasonable rate of return on the investment without the variance
- Is the hardship unique without the variance
- Will the variance alter the essential character of the neighborhood
- Is it a self created problem

One option that the ZBA has is to put reasonable conditions on the use of the property, if they are going to grant the variance.

P. Adams – applicant will need to have a site plan, number of tables (what the inside is going to look like) and number of customers you expect, hours of operation, plantings for the acoustic screening. The sound gentleman should also be at the Zoning Board meeting.

K. Bills – I think this will be a good use for the building, good restaurant; the owners are going to be right there. I am for it.

P. Bowers – I am happy with it.

C. Krawiec – With all due sensitivity to the neighbors, I am all go, yay.

J. Gurnett – Same!

P. Adams - I think it is a good use for this site. I did get a letter from Mr. Gustin who is right next door to this project, and he is in favor of it. He does like Mac and Cheese. It will be included in the record with the minutes from this meeting. I did hear from one other neighbor as well and she was also in favor of this type of business. I don't think the smells will be an issue.

Motion was made by Judy Gurnett, seconded by Chris Krawiec for a positive recommendation to the Village of Webster Zoning Board of Appeals for a use variance for a drive-thru. All in favor none opposed, motion passes.

Motion was made by Peter Bowers, seconded by Judy Gurnett to close the meeting. All in favor, none opposed, motion passes.

Respectfully submitted,

Carol A. Moranz
Planning Board Secretary