

PRESENT Norman Machelor, Doreen Albee, Nick Schaefer, Josh Janese, Rick Haight, Shannon Fundis, Donna Vazquez, Building Inspector/Zoning Officer Candella

EXCUSED Joe Sorce

CALL TO ORDER Chairman Machelor called the meeting to order at 6:55pm.

MINUTES A motion was made by Doreen Albee seconded by Josh Janese and passed with four yes votes to approve the June 12, 2023 minutes. Nick Schaefer abstained.

OLD BUSINESS **Fence Proposal - 125 S. 1<sup>st</sup> St., 65 Center St., Corner of Center & Water St.** Architect, David Giusiana, spoke on the proposed 6 foot mixed material fence, 2 feet concrete barriers with a stone finish, and 4 feet of open metal fence.

A discussion ensued between Chairman Machelor and Building Inspector/Zoning Officer Candella on the determination of the height of the fence. Candella said that when originally proposed, the bottom portion was being treated as a barrier, similar to a retaining wall; I did not count the barrier as part of the fence height.

Doreen Albee asked if it was a retaining wall.

Property owner, John Kinney, said that the final grade of the South First Street property will require it to be retained. With the grading issues, I am trying to do something that works. If I put up a crappy chain link or a nice architectural fence, it would be destroyed.

Machelor said that is your opinion, and we do not deal in opinions.

A discussion ensued on whether or not this proposal is a fence or a retaining wall. Rick Haight asked if the dirt would be filled up to the wall to conceal the concrete barrier. Machelor said it is a fence, not a retaining wall. We do not feel empowered to send you to the Zoning Board of Appeals. We have no problem with you putting up a four-foot fence, which you were told at the last Planning meeting.

Josh Janese read Sec. 10 – General provisions and permitted modifications from the Village Code:

“The height of a fence, wall or hedge shall be measured from the ground level at the base of the fence, wall or hedge.”

Janese said that compared to the first proposal, this is much better visually and is softer. It is not as tough on the eyes, but it is taller than the required four feet.

Albee said we have to grant approval based on the Village Code, the Code we referred you to at the last Planning meeting.

Giusiana asked if the proposed fence had two feet of stone and 2 feet of metal fence if they would approve this. Machelor said yes, that is 4 feet. Come back to us with a plan for a fence that is four-feet tall.

Kinney said I am forced to do something that is not effective.

Machelor said that the Zoning Board of Appeals usually considers a 50% variance request a substantial change.

A motion was made by Doreen Albee and seconded by Josh Janese to not approve the retaining wall as proposed for 125 S. 1<sup>st</sup> Street. Albee withdrew her motion, and Janese withdrew his seconded motion.

A motion was made by Doreen Albee and seconded by Josh Janese to approve the fence proposal as presented for 125 S. 1<sup>st</sup> Street.

Shannon Fundis polled the board and the motion was denied with the following

results:

Janese – No    Schaefer – No    Haight – No    Albee – No    Machelor – No

A motion was made by Josh Janese and seconded by Rick Haight to approve the fence proposal as presented for 65 Center Street.

Shannon Fundis polled the board and the motion was denied with the following results:

Janese – No    Schaefer – No    Haight – No    Albee – No    Machelor – No

A motion was made by Doreen Albee and seconded by Josh Janese to approve the fence proposal as presented for the corner of Center and Water Street (Tax ID #101.10-1-65).

Shannon Fundis polled the board and the motion was denied with the following results:

Janese – No    Schaefer – No    Haight – No    Albee – No    Machelor - No

NEW  
BUSINESS

**115 S. Water Street Development Plan Revision**

Architect, David Giusiana, stated that there are no physical changes to the exterior, only that the windows on the waterside are larger than what was originally proposed. There is also a use change, originally to only be used for storage, and will now be used for an office and storage.

Doreen Albee asked if there were two egresses for the office space. Giusiana said no, that is not required.

Rick Haight asked if the office space was relative to existing use, or is the proposed office for new tenants. Giusiana said this office will be for use of the Jet Boat office, which is currently in the basement.

A motion was made by Nick Schaefer seconded by Rick Haight and passed unanimously to approve the minor revision to the previously approved development plans as presented.

**549 Center Street – Townie Football Shop**

A motion was made by Doreen Albee seconded by Nick Schaefer and passed unanimously to approve the window signs as presented.

DEPUTY  
CHAIR  
REPORT

Doreen Albee informed the Commission members of upcoming education opportunities. New York Planning Federation is holding a virtual training on July 12, 2023 on reading and interpreting site plans and on August 16, 2023 on the preparation for the future of electric mobility. There will also be an onsite training in Canandaigua, which will cost each member about \$100.00. The NYPF newsletter lists all available webinars for training.

Albee said that there has been continual work on the proposed sandwich board(a-frame) sign law, and that the Village Board of Trustees will be reviewing for possible approval at the next board meeting.

Albee informed Building Inspector/Zoning Officer Candella of a sign located at 444 Center Street for Three Sisters Garlic and Oil that has not come before the Planning Commission for approval.

There was a brief discussion on a small sign in the window at 547 Center Street. It was determined that it is not a business sign, only an informational sign.

ADJOURN

A motion was made by Rick Haight seconded by Doreen Albee and passed unanimously to adjourn the meeting at 7:32pm.