

October 10, 2017

PRESENT Ch. Machelor, C. Marasco, J. Sorce, J. Krupp, D. Lewandowski, Interim Secretary E. Walker

EXCUSED A. Welch

OTHERS N/A

Ch. Machelor called the Planning Commission Meeting to order at 6:32 PM.

P. H. Ch. Machelor called the Public Hearing at 6:33 PM on the advisability of re-subdividing TM #101.10-3-18 measuring 66.0 ft x 132.0 ft x 66.0 ft x 132.0 and TM#101.10-3-19 measuring 198.0 ft x 462.0 ft x 132.0 ft x 132.0 ft x 132.0 ft x 66 ft x 330 ft. into one lot measuring 198 ft x 462.0 ft x 198.0 ft x 462.0 ft.

The resulting property will have the following legal description:

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE Village and Town of Lewiston, County of Niagara and State of New York, and according to a certain map prepared by David E. Mix in 1856 filed in the Niagara County Clerk's Office on October 16, 1857 in the Niagara County Deed Atlas, is known as Lots 157, 158, 159, 172, 173, 174, 187, 188 and 189 in Block GG bounded by the north line of Center Street, the east line of North Sixth Street, the south line of Onondaga Street and the west line of North Seventh Street.

Kristen Savard of Advanced Design Group presented the plans for the final phase of re-subdividing the property to incorporate the last lot in the existing block. If approved, St. Peter's will have ownership of the entire block from 6<sup>th</sup> St. to 7<sup>th</sup> St. and from Center St. to Onondaga St.

Commission members asked several questions that were adequately addressed by Ms. Savard with regards to parking spaces provided, access to the playground from the building, and creating better traffic flow during student pick-up & drop-off.

With no public comments, a motion to close the Public Hearing was made by J. Sorce and seconded by C. Marasco. The motion passed unanimously.

RESUB. A motion was made by J. Sorce and seconded by C. Marasco to approve the following resolution, with the added notation requested by K. Savard, that SEQR is unchanged from the previous re-subdivision:

WHEREAS, the Village of Lewiston Planning Commission has held a Public Hearing as provided for in Article III, Section 2 E of the Subdivision Regulations of the Zoning Ordinance (hereinafter referred to as Subdivision Regulations) at the Municipal Building, 145 N Fourth Street, Lewiston, New York on Tuesday, October 10, 2017, at 6:30 PM on the advisability of re-subdividing TM #101.10-3-18 measuring 66.0 ft x 132.0 ft x 66.0 ft x 132.0 and TM#101.10-3-19 measuring 198.0 ft x 462.0 ft x 132.0 ft x 132.0 ft x 132.0 ft x 66 ft x 330 ft. into one lot measuring 198 ft x 462.0 ft x 198.0 ft x 462.0 ft. as shown on the attached survey,

The resulting property will have the following legal description:

ALL THAT TRACT OR PARCEL OF LAND, SITUATE IN THE Village and Town of Lewiston, County of Niagara and State of New York, and according to a certain map prepared by David E. Mix in 1856 filed in the Niagara County Clerk's Office on October 16, 1857 in the Niagara County Deed Atlas, is known as Lots 157, 158, 159, 172, 173, 174, 187, 188 and 189 in Block GG bounded by the north line of Center Street, the east line of North Sixth Street, the south line of Onondaga Street and the west line of North Seventh Street and

WHEREAS, the Planning Commission has found, upon careful review that the proposed re-subdivision will result in the development of the resulting lot substantially in conformance with the Zoning requirements of the respective district in which the resulting lot would be situated; and,

WHEREAS, substantial compliance with this Subdivision Regulations will result,

NOW, THEREFORE BE IT RESOLVED, by the Planning Commission of the Village of Lewiston as follows:

The petition dated October 10, 2017 to re-subdivide the above property as shown on the attached survey, is hereby approved.

Approved by Resolution of the Planning Commission of the Village of Lewiston on the 10<sup>th</sup> day of October, 2017 subject to all requirements and conditions of said Resolutions. Any change, erasure, modification or revision of this plat, as approved, shall void this approval.

The resolution was duly put to a vote with the following results:

Poll:

D. Lewandowski	voting	“Aye”
J. Krupp	voting	“Aye”
J. Sorce	voting	“Aye”
C. Marasco	voting	“Aye”
Ch. Machelor	voting	“Aye”

The resolution was declared adopted.

MINUTES Minutes for the Planning Commission Meeting of August 14, 2017 were presented for approval. A motion to approve the minutes was made by C. Marasco with a second by J. Sorce. The motion was passed unanimously.

OLD BUS.

SIGN APP. Project #2017-59 – 110C N. Seventh St. – Purely Pediatrics – Sign Application  
Dr. Weipert of Purely Pediatrics returned with new photos of her property and after consulting with Zoning Officer DeVantier to seek approval of her sign. The sign has been reduced to 15.5 square feet from 16.63 square feet. The Zoning Officer measured the entire building and recommended that the reduced sign be approved. The Commissioners discussed at some length what to base the size of the sign on, the whole building or the attached garage where the sign will be attached. Dave Gusiana asked to speak on the application and was granted permission by the Chair. Mr. Gusiana commented that the logo and sign meet precedents set by several other businesses in the village. There are no other letters on the sign as presented. J. Sorce moved to approve the sign as presented with a second by C. Marasco. The motion was approved by a vote of 3 to 2.

SIGN APP. Project #2017-70 – 220 Portage Road – DeGuilio’s Pharmacy – Sign Application  
Richard & James DeGuilio returned to request approval of a reduced main wall sign of 32 square feet from 40 square feet. This would offer them 8 additional square feet to display 6 words on the wall above the awnings. The words occupy 6.7 square feet. They have also removed the projecting sign that was approved at the last meeting. There was a great deal of discussion about whether the six words counted as words only or whether the actually were six additional wall signs. There were also concerns expressed in detail about trimming the number of words to 5 or less. The owners expressed concerns that the only place in the sign regulations that concerned itself with number of words is under window signs, not wall signs. There was a good deal of discussion about trying to use only 4 words. The owners felt that using only 4 words would look unbalanced. J. Sorce made a motion to reduce the number of words to 4 and was seconded by C. Marasco. The owners inquired about how they could stay with 6 words or perhaps 4 words and 2 symbols. Ch. Machelor indicated that they would need to appeal to the Zoning Board for a variance. Dave Guisana interjected that because the words were enclosed in borders that they actually constituted 6 separate signs. After much discussion, the motion made by J. Sorce to reduce the number of words to 4 was rescinded by unanimous vote of the

board. J. Krupp made a motion to refer this issue to the Zoning Board to allow the six separate words to be considered as wall signs totaling less than 8 square feet and the large wall sign already approved totaling 32 square feet for a grand total of under 40 square feet. The motion was seconded by C. Marasco. The motion was approved unanimously.

SIGN APP. Project #2017-71 – 738 Cayuga St. – Edward Jones Investments – Sign Application  
No one was there to represent the owner, so no action was taken. The applicant will be contacted for next month's meeting.

DEV. PLAN Fairchild Place Apartments – 765 Fairchild Place – Roof Line & Color Scheme  
Renderings were presented showed the roof line had been amended to meet the request for a peak roof with two examples of color schemes representing “light over dark” and “dark over light”. After a short discussion, the entire committee recommended that the developer use a “dark over light” color scheme.

NEW BUS.

SIGN APP. Project Application #2017-81 – 335 Center St. – Vita Bella Photography – Sign Application  
Owner Jessica Dolly presented renderings showing a wall sign of 14 square feet. The sign is being transferred from their current location. A motion to approve the sign as presented was made J. Sorce and seconded by J. Krupp. The motion was approved unanimously.

SIGN APP. Project Application #2017-82 – 441 Center St. – Dr. Monteleone – Sign Application  
No one was there to represent the owner, so no action was taken. The applicant will be contacted for next month's meeting.

SIGN APP. Project Application #2017-84 – 100 Center St. – Niagara Crossing Hotel – Sign Application  
Nicole McCoy, representing the Hotel, presented renderings of the new sign and the placement they would like to have next to the sidewalk on Center St. It appears that the sign will be on the village right-of-way. Much discussion ensued regarding sign placement and color scheme. Ch. Machelor suggested that the hotel obtain a survey and use that as reference for sign placement and return with a full rendering showing actual color actual color schemes for the sign and frame. The owners want the sign on Center Street so that it can be viewed while descending or ascending Center St. There are also concerns about how the state will review the sign and whether the state has jurisdiction on that part of Center St. A motion was made to table the request by J. Krupp and seconded by J. Sorce. The motion was approved unanimously.

OTHER David Gusiana presented two conceptual plans for two projects seeking the Board's opinion. Mellen Press on Portage Road has the opportunity to sell the building that is closest to Portage Road for medical office space, but the potential buyers do not want the building that Mellen owns directly behind the front building. He presented a site plan to re-subdivide the property using the three foot space between the buildings to create the new property line. The facing walls would need to be fire-rated to meet code. The Board did not render an opinion other than they could not see any reason to not approve the re-subdivision if it is brought forward.  
David Gusiana also presented a site plan for 494 Ridge St.; on the corner of Ridge & 5<sup>th</sup> St. This property was recently purchased by Mellen Press. A house is located on the Ridge St. side very close to the road. The 5<sup>th</sup> St. side slopes dramatically downhill approximately 12 feet. He is proposing that he put a plan together to excavate the rear portion of the lot and build a retaining wall, then build a small income single family home on the re-graded rear part of the property. He is seeking an opinion of going forward with this plan. The Board asked several pointed questions, but wished to see much more developed plans before rendering an opinion.

ADJOURN J. Krupp moved and C. Marasco seconded a motion to adjourn the meeting at 8:15 PM. The motion passed unanimously.

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Edward L. Walker, Interim Secretary