

November 13, 2017

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

EXCUSED N/A

OTHERS K. Candella, E. DeVantier, B. Sutherland

Ch. Machelor called the Planning Commission Meeting to order at 6:40 PM.

P. H. Ch. Machelor called for the Public Hearing at 6:30 PM on the advisability of re-subdividing M #101.15-1-19, 240 Portage Road, measuring 114.16 ft. along Portage Road, then 135.86 ft. east, then 50.00 ft. south, then 96.00 ft. east, then 50.00 ft. along S. Ninth St., then 176.77 ft. west into two lots. The first measuring 114.16 ft. along Portage Road, then 113 ft. east along the north side, then 42.007 ft. south, then 11.4217 ft. east, then 57.84 ft. south, then 67.51 ft. west. The second lot measuring 50.00 ft. on S. Ninth St, then 108.8 ft. west, then 57.84 ft. north, then 11.4217 ft. west, then 42.007 north, then 23.56 ft. east, then 50 ft. south, then 96 ft. east.

D. Gusiana presented for the owner, Herbert Richardson. A. Welch commented that as drawn there is no 15 foot rear setback for the building bordering on Portage Road as required by code. There is only 5 feet between the buildings. The owner has the opportunity to sell that building to be used for medical office space.

With no public comments, a motion to close the Public Hearing was made by A. Welch and seconded by J. Krupp. The motion passed unanimously.

MINUTES Minutes for the Planning Commission Meeting of October 10, 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 Application #2017-82 – 441 Center St. – Dr. Monteleone – Sign Application
Dr. Monteleone was presented his plan to change the signage on the front of his office. After a brief discussion, the Board found his request to be in good order. A motion to approve the application as presented was made by A. Welch and seconded by J. Sorce. The motion was passed unanimously.

C. Marasco asked if Edward Jones was going to come forward with a sign application that has been tabled twice. The owner had been contacted and indicated he was not ready to bring an application to the Board.

C. Marasco asked about Lewiston Redemption Center and their sign application that had been brought forward 4 times. The owner had been contacted and indicated he was not ready to bring his application forward.

C. Marasco also inquired about Niagara Crossing Hotel and their sign application. They were contacted and were not ready to bring their application in for consideration.

NEW BUS.

SIGN APP. Project Application #2017-94 – 401 Ridge St. – Hardison's Funeral Home – Sign Application
Brad Hardison presented the design by Cooper Signs for 2 identical signs on the sides of his building. After a very brief discussion, the Board found the application to be in good order. A motion to approve the application as presented was made by A. Welch and seconded by C. Marasco. The motion was passed unanimously.

VARIANCE Project Application #2017-89 – Lot #210, S. 3rd St., Side and Front Setbacks

Jim Fittante presented for the owner requesting approval of side and front setbacks to bring the property forward closer to the S. 3rd St. Fittante indicated that the owner wished to sell the lot to have a small house built on the lot. Fittante requested a 14 foot setback variance on the front to establish a six foot setback from the S. 3rd St. A. Welch indicated that she did not have a problem with the setback, but they would need engineering approval because of the severe slope of the lot. Fittante is also requesting a side setback of 6 feet. Fittante also indicated that the lot is considered buildable and has been taxed as such. Fittante indicated that a number of properties in the area have received setback variances up to the front property line. J. Krupp made a motion to approve sending the project to the Zoning Board of Appeals to obtain the variances requested. A. Welch seconded the motion. Ch. Machelor called for a voice vote and the result was not clear. Interim Secretary Walker requested permission to poll the Board. Ch. Machelor assented. The results of the poll are as follows:

J. Krupp “Yes”
A. Welch “Yes”
J. Sorce “Yes”
C. Marasco “No”
Ch. Machelor “Yes”

The motion was approved by a vote of 4 to 1.

RE-SUB Project Application #2017-92 – 240 Portage Road – Re-Subdivision

David Gusiana presented for the owner, Herbert Richardson. The owner has the opportunity to sell the office building fronting on Portage Road to be used for medical offices. The owner would like to retain the building fronting on S. Ninth St. for his printing business.

A motion to approve the following resolution was made by A. Welch and seconded by J. Krupp:

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 the Subdivision Regulations) on Monday, November 13, 2017 at 6:30PM in the Municipal Building, 145 N Fourth Street, Lewiston, NY on the advisability of re-subdividing TM #101.15-1-19 measuring 114.16 ft. along Portage Road, then 135.86 ft. east, then 50.00 ft. south, then 96.00 ft. east, then 50.00 ft. along S. Ninth St., then 176.77 ft. west into two lots. The first measuring 114.16 ft. along Portage Road, then 113 ft. east along the north side, then 42.007 ft. south, then 11.4217 ft. east, then 57.84 ft. south, then 67.51 ft. west. The second lot measuring 50.00 ft. on S. Ninth St, then 108.8 ft. west, then 57.84 ft. north, then 11.4217 ft. west, then 42.007 north, then 23.56 ft. east, then 50 ft. south, then 96 ft. east as shown on the attached survey, 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:

1. The petition dated November 13, 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 13th day of November, 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 Board was polled and the results are as follows:

J. Krupp "Yes"
A. Welch "Yes"
J. Sorce "Yes"
C. Marasco "Yes"
Ch. Machelor "Yes"

OTHER

1. Project #2017-09 20 Tuscarora St. - Rivers Edge at Lewiston – Amended 2nd Submission
Sam Talarico and Jim Fittante presented an amended site plan to accommodate a center entrance to the parking lot to allow large vehicles such as fire trucks, deliver vehicles, etc to turn around safely. A motion was made to approve the new site plan by A. Welch and seconded by C. Marasco. The motion passed unanimously.
2. C. Marasco expressed concerns about the apparent lack of progress being made on the Ellicott and Fairchild projects. After a lengthy discussion, Ch. Machelor and A. Welch indicated that they would give Bill Paladino & Jim Jerge a call to see where they are at on the projects. The Board also requested that they receive copies of the reports submitted to the Village Board by Skip Hauth, the Project Coordinator for these developments for the village.
3. A. Welch addressed the Board about continuing to work on amending the sign regulations, especially with regard to projecting signs. After much additional discussion, A. Welch made a motion to recommend the following amendment to the Village Board for approval:
"Amend the village code Sec. 13.D.3.a.2 to read as follows:
A projecting sign shall not exceed six square feet in face area for a single face and shall be subject to the following:" The motion was seconded by J. Sorce.
The motion was passed unanimously.

ADJOURN A. Welch moved and J. Krupp seconded a motion to adjourn the meeting at 7:50 PM. The motion passed unanimously.

Edward L. Walker, Interim Secretary