

PRESENT Norman Machelor, Doreen Albee, Joseph Sorce, Joshua Janese, Shannon Fundis

CALL TO ORDER Chairman Machelor called the meeting to order at 6:54pm.

MINUTES A motion was made by Doreen Albee seconded by Joe Sorce and passed unanimously to approve the February 13, 2023 minutes.

OLD BUSINESS **421 Center - All Dolled Up**
A motion was made by Doreen Albee seconded by Joe Sorce and passed unanimously to table this discussion to the next meeting.

453 Center – Gather

Gather owner, Michael Hibbard, presented a new rendering of the façade of 453 Center with the sign included in the image, as well as super-imposed white removable posts in the windows.

Norman Machelor said that at the last meeting, we agreed to table this and requested a comprehensive plan with a sign and lighting. I don't see a resubmission.

Hibbard said the rendering that was presented at the last meeting did not have the signage on it; we resubmitted the same rendering with the sign. From my and Jim's (Fittante) understanding that is what you are looking for.

Machelor said it is and it isn't; the sign is what it is, and we wanted to see what it would look like. We never approved the installed lighting, and the whole concept of the windows; replacing the windows originally proposed was never accepted as what we want to happen to that building. The work that has been done is not a minor modification; it is a complete difference in how the windows work and look. Our options here are to say no, come back with another plan that may be more acceptable to this, or go back to the original plan.

Clerk Fundis asked the board to clarify their request; Fundis said at the last meeting, as stated in the minutes, that even though what was done to the building was not what was proposed, that you were not opposed to the design, and only asked for Hibbard to resubmit a comprehensive plan. Comments were made by Nick Schaefer and Doreen Albee that there was no issue with the design, you only wanted a proposal stating the plan; because you can't do what you want, then come to the board asking for forgiveness after the fact, and Nick's major point was that he needs to follow the proper procedures.

Machelor said that is where we are at now; he did not bring in what he said he was going to bring in.

Hibbard said I did bring in what you asked me for; Doreen said we just want to see the sign on the building with that image that was proposed at the last meeting.

Albee read the minutes stating 'pending resubmission of a comprehensive plan with a sign and lighting.' You have given us a picture with sign and lighting. I know there was a discussion with HPC about the vertical additions you were proposing, and perhaps not even being permanent. We are not privy to that other than your discussion with HPC.

Fundis said I just want Hibbard to have clear instructions on what you want from him because last month he was told you were ok with the current design, and to come to this meeting with a detailed plan, and now it sounds like you are requesting that he go back to his originally proposed design.

Machelor said I thought about this a lot since the last meeting; we don't like it, and we don't think it was done properly, and whether these vertical columns belong here at all, this is also something we need to think about. What we want is something close to what you originally proposed, which we feel is productive for the village. It looks like it belongs in the village.

Hibbard asked for clarification on what the original design looks like it belongs in the village. There is a disconnect here because there is no solid guideline as to what a building should look like. There are historic buildings that need to look a certain way, and this is not a historically designated building. Fittante was here at the last meeting explaining that this building does not need to be made to look historic.

Machelor said no there is not; and this is not the Historic Preservation Board, this is the Planning Board. We do not have the same rules that they do.

Hibbard asked Machelor what are your rules.

Machelor said the rules are that when you come forward and bring a plan and we approve the plan, we can't un-approve the plan.

Hibbard said I am blindsided because at the last meeting I was told everything is ok and we are ready to go, and now I am hearing something completely different.

Machelor said well that may be, my board has been talking to me about this since then. I want to go back to where we were when you first presented your plan. The new plan that you brought to us is what you have already installed, and you really put us on the spot. Maybe we made a mistake with what we did; maybe we should have said this is what you proposed, bring us that.

Hibbard said you stated at the last meeting to bring you a plan with what I did, and that is what I brought. And now you are saying you were put on the spot, so now we are back to square one.

Machelor said we can really get into this but actually what it says is a comprehensive plan.

Hibbard said the comprehensive plan was never explained to me.

Machelor said that is because you don't like the answer.

Hibbard said that is not what is stated in the minutes.

Machelor said this is a new board, a new time.

Hibbard said to Machelor, 'you weren't here at the last meeting?'

Machelor said yes, this is a new day.

Hibbard said you are reprimanding me for something I wasn't clearly asked for.

Albee said it appears that this statement was captured in the minutes: 'to table your request pending the resubmission of a comprehensive plan with a sign and lighting.' You have provided a picture; a comprehensive plan is in writing.

Fundis said what Hibbard was told at the last meeting is not the same as what is being said today; it is confusing for me, so I can imagine it is confusing for Mike. What comprehensive plan do you want him to come back with? Do you want him to submit a plan for what is on that building now? Do you want him to submit something completely different, or something he submitted 6-8 months ago?

Machelor said I want him to come back with the plan that was already approved and submitted.

Clerk Fundis asked what if he decided to withdraw that plan and go with a new plan.

Machelor said if it's a new plan and we don't like it we are going to vote no. If it is the original plan and we do like it we are going to say come back with something that looks like the new plan. Machelor said to Fundis 'get all that down, because this is going to be real life here.'

Machelor said I like the original plan, and this not what the building currently looks like. The current windows look nothing like the windows that were approved.

Hibbard explained the change in the windows, stating that they changed from 'four over fours and two over twos'. That is the big change.

Machelor asked Hibbard why he did not follow through with the original proposal. Hibbard explained that the windows became an issue because they opened outward and impeded on the traffic lane and that is state property. We came up with this idea because they open from the inside and go into the building.

Machelor said I do not like the garage doors on that building. I am trying to negotiate something here. What the Planning Board would like is for you to go back to the original design and submit a plan similar to this so that we can say "close enough for government work"; and for the plan to not include garage doors that go back into the building. You put those in without permission, without asking our approval; that is on you.

Hibbard said there is more to the story; you don't know the back story involving somebody that is not here. Machelor said we are not responsible for somebody that is not here, he is not here to defend himself. Hibbard said you technically are because he is part of the village, so you are attacking me. Machelor said I am not attacking you, you did this not me. Machelor added that if the Planning Commission says no, I don't know what happens after that; does this go to the Village Board? I want to see the prior approved plans. I would like to motion to say no to this, and you do the next thing you feel you need to do.

Albee asked if the façade grant applied to this property. Hibbard said no it did not, because we did not own the building at the time. This cost was out of pocket. Albee asked if the Historic Preservation Commission tabled this request. Loretta Frankovich, present in the audience, said yes, we want a formal proposal.

Sorce said you came to us two meetings ago, and my proposal was to go back to the original plans that were approved, and everybody voted yes. You aren't going back to the original plans are you? We are looking at windows versus garage doors.

Machelor said 'put lipstick on a pig'. We liked the original plan; you did not do it. As far as I am concerned, even if we made a mistake, you caused this.

Janese noted the major differences between the original submission and the current rendering. Janese commented on the color of the awning and the lighting. It would be nice if you notified us prior to making the changes or along the way while doing the work.

Albee commented on the request that the windows not open in or out; if there is more to the story with approval of the garage doors that should be addressed.

A motion was made by Norman Machelor and seconded by Joe Sorce to deny the current design proposed, and ask the owner to come back with a proposal that more closely resembles the originally approved design.

Clerk Fundis polled the board and the motion passed with the following results:

Sorce – YES Janese – YES Albee – NO Machelor - YES

NEW
BUSINESS

401 Center Street – Gallo

A discussion ensued regarding a proposed outdoor covered bar at 401 Center St. Gallo owner, Michael Hibbard said the proposed covered bar will be made with the same materials as the primary structure.

Albee stated the Village Code indicates Hibbard is required to notify the abutting properties in writing that alcohol will be served outside of the enclosed structure.

Hibbard stated that there is already an outdoor bar in place, and this has all been approved by the State Liquor Authority.

Machelor discussed the proposed design exceeding the area coverage of 208.11 square feet, with a total of 51.4% area coverage. Machelor said he would like to send this to the Zoning Board of Appeals with a positive recommendation for the 1.4% area coverage request. Janese agreed, and said he thinks this will be a nice space, and would like to request that the same materials be used as the existing structure.

A motion was made by Joe Sorce seconded by Doreen Albee and passed unanimously to send a positive recommendation to the Zoning Board of Appeals, as the amount of the variance is insignificant. The Planning Commission recommends approval.

A motion was made by Josh Janese and seconded by Doreen Albee to approve the structure as presented optically, and to comply with the Village Code's requirement to notify abutting neighbors about serving alcohol outside.

Clerk Fundis polled the board and the motion passed with the following results:

Albee – YES Janese – YES Sorce – YES Machelor - YES

315 Center Street

A motion was made by Doreen Albee seconded by Josh Janese and passed unanimously to schedule a public hearing in the Municipal Building, 145 N 4th Street Lewiston, New York on April 10, 2023 at 6:30pm per Article III, Section 2E of the Subdivision Regulations on the advisability of granting a request to Herbert Richardson to subdivide TM#101.10-2-50; measuring 55ft x 99ft into two lots measuring 40ft x 99ft and 15ft x 99ft. and to add the 15ft x 99ft to TM# 101.10-2-53 into one lot measuring 35ft x 99ft x 35ft x 132ft x 72ft x 132ft x 66ft

Architect, David Giusiana, explained that the proposed subdivision was to take a portion of one property to add to the abutting property to allow for widening a driveway for a proposed development to meet the Fire Inspector's requirement of a width of 20 feet. This will reduce the residential property to an, even more, substandard lot, but is comparable to its surrounding properties. The potential buyer is fully aware that the lot will be reduced in square footage, and that there is a proposal for a parking lot and structure to be built next to the property.

DEPUTY
CHAIR
REPORT

Doreen Albee said that the New York Planning Federation has a conference in Saratoga Springs from April 14, 2023 to April 16, 2023. Registration ends on March 29, 2023.

DISCUSSION

Code Amendment Proposal - Sandwich Board Signs

A discussion ensued on proposed laws for sandwich board signs. Albee thanked Rita Geiben for her help and feedback.

Machelor brought up his concern on the issue with policing sandwich board signs; the Zoning Officer is only one person.

Mayor Welch suggested that in the approval process, that the placement of the sign be approved as well.

The proposed laws limits the number of signs to one per building. Clerk Fundis said that by enforcing this limitation, it hinders the two businesses that have no street presence and who have expressed the most concern and need for sandwich board signs.

Machelor said I am not sure why we are doing this if a business can come in and ask for a variance.

Janese suggested issuing a special use for the sign upon application, with an annual renewal period. I do not like the idea of limited to one per building; we could potentially be turning the businesses against one another when they benefit from working together. I also don't like the idea of limiting these signs based on the size or success of the business. Janese also suggested changing the time frame for removal to dawn to dusk; the signs are a tripping hazard concern.

A decision was made to alter the proposed regulations to stipulate sandwich boards could be permitted upon approval from the Zoning Board of Appeals, after a referral from the Planning Commission, with a hardship clearly defined. No action was taken.

ADJOURN A motion was made by Joe Sorce seconded by Josh Janese and passed unanimously to adjourn the meeting at 8:14pm.

Shannon Fundis, Clerk