

Town of Manchester Planning Board Meeting Minutes

November 16, 2021 – 7:00pm

Present: Scott VanAken, John Boeckmann, Lee Sanders, Steve Buerman, Julie Vanderwall, Jefferey Flower, Board members. Stuart Gwilt, Chairman, Steve DeHond, Code Enforcement Officer and Nichole Ruggles, Recording Secretary

Absent: None

Also, present: Stven Gardner, Todd and Cristie Rennie, and John Rutkowski

Preliminary Site Plan Approval #4621-21: Steve Gardner who is requesting site plan approval to sell used cars from a building on property located at 1022 State Route 21, tax map no. 20.00-1-47.111 in a(n) A1 district pursuant to Chapter 325-75.

Stuart Gwilt, Chairman: Opened the meeting by reading the public meeting notice.

Asked Mr. Gardner, are you planning on putting a sign by the road?

Steve Gardner, applicant: Yes, the entrance by the driveway as shown of the map I provided you. At this time Steve pointed to the board where the sign will be located on the map that was provided to all board members.

Jeff Flower, Board Member: There was a driveway put in on the property recently, right?

Steve Gardner, applicant: Yes about 2 years ago. I am currently looking to sell cars as possible retirement work. I work full time with the RR right now and will sell cars/ATV as part time work. Selling will be on line and no more than a ½ dozen cars at a time. No one would see the cars as my property sits back away from the road, but one of my neighbors, who are here with me this evening. Not looking at doing any repairs but sales only.

Scott VanAken, Board Member: There is no intention of cars sitting by the road for sale?

Steve Gardner, applicant: No, I plan to put up a sign so there is no need for cars to be up by the road. I just don't feel comfortable leaving cars by the road, or have the time to move them back and forth.

John Boeckmann, Board Member: I have a question on the assessment form #9. The question reads. Does the proposed action meet or exceed the state energy code requirements? If the proposed action will exceed requirements, describe design features and technologies. You answered yes.

Steve Gardner, applicant: I answered yes because the state regulations say you have to have running water and electric which I already have.

John Boeckmann, Board Member: This should be no because you already meet the required zoning laws. You also said yes to question #8b, Are public transportation services available at or near the site of the proposed action?

Steve Gardner, applicant: I answered yes, because its accessible if needed but currently no stops. I was thinking maybe a transit bus or ARC bus.

Steve Buerman, Board Member: So what we're looking at is how many cars will be on site, operation, sign, lights and hours of operation.

Town of Manchester Planning Board Meeting Minutes

November 16, 2021 – 7:00pm

Steve Gardner, applicant: There is a light on the side of the building now and looking at a solar light for the sign. It would be dusk to dawn light under the 4 by 6 size sign (or smaller). The sign will be double sided. As I currently work full time the hours will be 4-9pm Monday through Friday and Saturday 9-12noon, No more than 6 cars for sale at a time.

Scott VanAken, Board Member: I move to motion to approve the SEQR on the amendment of question #9 on the assessment form to change to the answer NO. Motion Seconded by Steve Buerman. All voted "Aye." Motion carried.

Steve DeHond, Code Enforcement Officer: We need to deny the site plan and send it to the ZBA for approval for a use variance. For the record I would like the county comments to be heard.

Stuart Gwilt, Chairman: At this time Stuart read the following comments from the county.

Site Plan:

The proposed auto sales display area would be adjacent to an existing building located approximately 430' west of SR 21 North of Hackett Road and the Thruway. The frontage is wooded and the building and proposed display area is likely not visible from SR 21. The proposed use would have a 10' high, 24 SF sign on SR 21 at the existing unpaved access point. The applicant owns a total of 74 contiguous acres.

Comments:

The site plan should identify the access point and identify size and location of display area and indicate that no site disturbance is proposed.

Use Variance:

The provided financial information relates to the economic difficulties of the applicant and does not document economic hardship from inability to obtain a reasonable return on investment from uses permitted on the lot with Agricultural zoning including residence/residential development, farm including forestry, and allowed special permit uses or sale of lot.

Findings:

County Planning Board has an interest in ensuring local boards carefully consider the implications of granting the use variances and adhere to the four prong unnecessary hardship test outlined in NYS statute. The provided financial information does not document economic hardship from inability to obtain a reasonable return on investment from uses permitted on the lot.

Board Motion:

To retain referral 224.2-2021 as a class 2 and return it to the local board with recommendation of denial.

Steve Buerman, Board Member: In preparation for meeting with the zoning board, get an accurate number of cars, size of the sign, lighting and the hours of operation. You should also assess if farming is possible on the property and if not, this could justify the alternative use of property for used car sales.

A motion was made by Scott VanAken to deny based on variance and recommendation of the County Planning Board. Motion was seconded by John Boeckmann. All voted "Aye." Motion carried.

Site Plan Approval #4622-21: The LDS Church who is requesting 90 square foot sign, on property located at 603 State Route 21, tax map no. 11.00-1-17.100 in a(n) Inst. District pursuant to Chapter 325-40-D-1.

Stuart Gwilt, Chairman read the public hearing notice along with reviewing the surrounding residents who were notified of the public hearing. 17 were notified.

Town of Manchester Planning Board Meeting Minutes

November 16, 2021 – 7:00pm

John Rutkowski, applicant: There was a revised map with the change to a 66 square foot from the original plan of a 90 foot sign. There will be an illumination from the ground up on the sign about 3 feet with two on each side from the center. The sign sits perpendicular to the road. At this time there was a visual of the sign presented with all the measurements meeting the code of a 30 foot set back from the right away.

Steve DeHond, Code Enforcement Officer: reviewed the zoning laws regarding the setback.

325-93 #4. No sign shall be located, erected or maintained within the front setback requirement of any district less than 30 feet or 1.25 times its height from the public right-of-way or other right-of-way; the greater distance shall prevail.

Also reviewed were the county comments states as the followed:

Town code allows maximum of 100 SF of signage based on 10% of 3,750 structures facing the street. Proposed sign is 90 SF. Submitted materials indicate proposed 12" letters are visible from 300', easily readable at a distance of 120' and would have maximum impact at distance of 60'. Sign proposed to be located 30' from the ROW. On November 9, 2021 the applicant submitted a revised proposed sign 9' tall with 67 SF.

Policy AR-7B: Signage complying with local limits on size and number.

The County Planning Board has long taken an interest in supporting local efforts to limit excessive signage. The Board has identified SR 21 as a primary travel corridor for tourist visiting Ontario County. The intent is to protect the character of development along primary travel corridors by encouraging local boards to adhere to their adopted laws as much as possible.

Final Classification: Class 1

Findings

1. Sign that complies with local dimensional requirements will have the minimal practical level of impact on community character.

Final Recommendation: The CPB will make no formal recommendations to deny or approve applications for signs that comply with local limits on size and or number.

Motion made by John Boeckmann to approve the site plan #4622-21 submitted by LDS Church requesting a revised 66 square foot sign, on property located at 603 State Route 21, tax map no. 11.00-1-17.100. Motion seconded by Lee Sanders. All voted "Aye." Motion carried

Site Plan Extension #4592-19: Mike Beckner and Mike Mantell from SunEast are requesting a site plan extension of the site plan approval to July 19, 2023 for property located 3169 County Road 13, Clifton Springs, tax map no. 45-1-6.110 in an A1 Agricultural district.

SunEast is requests that the Planning Board waive the limitation at 325-75(G)(2) to allow an eighteen (18) month extension of the site plan approval to July 19, 2023.

Article VIII, 325-75© (allowing the planning board to grant waivers from the requirements of 325-75)

A motion was made by Scott VanAken to approve the extension of time for SunEast to apply for a building permit and commence construction of the approved project.

The planning board also will also waive the limitation at 325-75(G)(2) to allow an eighteen (18) month extension of the site plan approval to July 19, 2023. Article VIII, 325-75© (allowing the planning board to grant waivers from the requirements of 325-75)

Motion was seconded by Steve Buerman. All voted "Aye." Motion carried.

Town of Manchester Planning Board Meeting Minutes November 16, 2021 – 7:00pm

Previous Minutes:

A motion was made by Steve Buerman to approve the minutes from the meeting which took place on October 19, 2021. Motion was seconded by Lee Sanders. All voted “Aye.” Motion carried.

At this time the meeting was stopped at 7:35pm.

Respectfully submitted,

Stuart Gwilt
Planning Board Chairman

Nichole Ruggles
Recording Secretary

Town of Manchester Planning Board Meeting Minutes
October 19, 2021 – 7:00pm