

**PUBLIC HEARING AND
REGULAR PLANNING BOARD MEETING
HELD MARCH 06, 2007**

Present: Sean Schumacher, Chairman
Michael Chase
Vincent DelGatto, Jr.
Judy Robinson, Alternate

Absent: Dan Cianfoni

Others attending: Doug Burton, Constance Zona, Lisa Burton, John Lombardi, Dominic Lisi, Joe Frasca, Mike Murphy, Chris Nill, Lynn Johnson, Josh Allen, John Barry, Joe Pullen, P.E., Matt Schaertl, Sue Murphy, Teresa Palmeri, Barbara Hansen, Don Eastman.

Recording: Rita J. Gurewitch, Deputy Clerk/Treasurer

Before the Public Hearing was opened Chairman Schumacher announced that Village Police Officer William Dean passed away this morning and called a moment of silence in tribute to his memory.

The Public Hearing was called to order at 7:05 pm. This hearing is for Sherburne DG, LLC (Contract Vendee of Douglas Burton property at 80 & 86 South Main Street) for using the site for a retail store and a single family home. This hearing is to get input from village residents and to hear comments. Chairman Schumacher directed that a person stand up, state their name, give comments and keep to less than five minutes.

Susan Murphy – Stated she was interested in how DG would orient itself to the property, as to parking and things like that. Her concerns would be that the property be pedestrian friendly.

A discussion broke away from the Public hearing to inquire on meeting notification to enable the public to be more aware of what is happening within the village. Planning Board member Judy Robinson stated that meetings are listed in the newspaper and if she wanted to call the clerk's office she could inquire as to the agenda. This hearing is notifying the public and was posted in the Daily Messenger and sent to all property owners within 500 feet of the project.

Susan Murphy – Stated she would like to see the building to the front, with the parking behind the store. She questioned the reason for tonight's gathering, is it the moratorium for new business', do they have to be held to a certain code?

Chairman Schumacher – Tonight is to get input and public opinion, take comments for DG.

Judy Robinson – The moratorium was something separate presented to the Village Board.

Chris Nill - Suggested a summarization as to the current status and plans and approvals to aid in awareness of this project.

Chairman Schumacher – The plan presented is shown on these plans (on the table) and have been granted preliminary approval. They are awaiting final approval. That is why we are having this public hearing so to get input from the public. We still are waiting for comments from the Ontario County Planning Board and our village engineer along with the public comments from tonight. All comments and opinions will be assessed and discussed.

Susan Murphy – Reiterated her desire to have the building in front, similar to Canandaigua Main Street, with the parking out back. She feels the front parking lot will gather trash. With the building in front and parking in rear she feels it would be more pedestrian friendly. She stated other people she spoke with have issues with the parking up front and the safety of kids on bicycles.

A discussion followed as to the actual property location. There was confusion as to the full width of frontage. Some were thinking that the Poinan property was included in the DG proposed property. Maps were presented and shown at this time. Explanations were given as to accessing DG off Merrick Circle and no Route 21(S. Main St.) entrance, the building facing Main Street, with the parking to the front. A five-foot sidewalk would be in front along Main Street. Also noted at this time is that the bridge project will be in the same vicinity and Merrick Circle and South Main Street will become a “+” intersection. Ms. Murphy presented photos of what she would like the plans to show.

Dominic Lisi – James Henry Development, the company building the property, stated that they were told not to put the building up front. He state that at this time the building plans cannot be changed.

Susan Murphy – Inquired as to the reasoning why the building couldn't be in front.

Chairman Schumacher – The building did not fit within the setback lines. Lines that are defined by village code for any building to stay within from other properties.

Mr. Lisi – Stated that a set type of building is used for Dollar General. To have the building up front would subject the view to the sides of the Dollar General.

Mr. Nill & Ms. Murphy – There are different styles of Dollar General.

Mr. Lisi – There is one main one now. They have retro fitted in the past. This building is being changed to have the brick all along the front so it will look a lot nicer and that they have met the code requirements and are well within safety limits.

Chairman Schumacher – Inquired as to any other comments?

Susan Murphy – Negative comments presented as having to look at an unappealing building.

Chairman Schumacher – If codes are met, we work within those codes. The codebook is currently being upgraded and design guidelines will be set. They have not been completed at this time. Input will be taken and what can be done will be discussed with the developer. The Planning Board will talk with the developer. Only certain things can be done. As to the parking to the rear of the building, there is no code to enforce it. Dollar General is following the code that is in place at present.

A discussion followed on Architectural codes and Design Guidelines and that the Village of Manchester does not have them at this time and are presently working on them. They will not be done prior to the conclusion of a decision for Dollar General.

Chairman Schumacher – The Planning Board is not rushing or pushing this application through, we are following the procedures as presented. There is no possibility to have guidelines adopted prior to this applications processing.

Susan Murphy – Nothing against Dollar General, but will have to look at it for years to come.

Chris Nill – Your board reviewed and rejected plans, which showed Dollar General up front near Main Street.

A discussion followed on why the decision was made to work with the building to the rear with the parking to the front. Including facing, view, landscaping, hiding less appealing aspects, that putting the building to the rear was the optimum placing.

Mr. Nill - His feeling is that DG is playing games with the Planning Board and that they are being victims.

Matt Schaertl – His interpretation to what he sees is that certain people want DG to invest more money than building. He is grateful that they want to build here. If they are meeting the code, which was voted in by residents of the village, which is the current law, and they are abiding by it, there is nothing to say. If you want to change the code, change the code.

Chairman Schumacher – Addressed the group stating they shouldn't be going back and forth. (Shouting, interrupting, unable to discern dialog)

Teresa Palmeri – Asked if the whole front of the building was going to be brick. So it's not going to look like a barn. It sounds like the parking will be in the front; they are still willing to make it look nice.

Chairman Schumacher – This hearing must be kept to one person at a time.

Dominic Lisi – They want the building to look nice as well. They will build in other communities as well. Their reputation is important. They don't build every Dollar General in this area.

Susan Murphy – Re-stated her concerns about how it's going to look.

Chairman Schumacher – Spoke to Ms. Murphy stating that the Planning Board is aware of her views and opinions. There are more people in attendance that would like to speak.

Ms. Murphy continued to address the Planning Board feeling her recommendations would be ignored. Chairman Schumacher stated he understood, but the Planning Board will not force DG to turn the building 90 degrees and place it to the front. He stated final approval has not been given at this time. The Public Hearing was scheduled to invite the public, so to listen to comments, to include them in the process to reaching final approval. The Planning Board will continue working with the developers to accomplish the final results. No final decision is being made this evening and the public hearing will remain open to next month's meeting date.

Chairman Schumacher asked if anyone else would like to address the board.

Mike Murphy – He feels that members of the community are concerned with pedestrian accessibility. Today is difficult with a car driven culture, he feels the board has to preserve communities that are pedestrian friendly and that Manchester has that right now. Manchester has many walkers. Mr. Murphy feels the codebook is obsolete and doesn't reflect in the codes that need to be there in order to preserve the pedestrian accessibility. He thinks there are codes in the book that would support parking in back and he thinks that at the point in this process where public opinion is still being heard there should be more than one proposed design on the table. He feels that there should be more than one proposal at this stage. He emphasized that all really want DG to locate here. He just doesn't want to cross a parking lot to get into the store. He wants Manchester development to proceed without mistakes. He feels that Manchester has the opportunity to have urban planning in place. The codebook is on the fence. Some codes reflect what we want and some don't. His main concern is to pay attention to pedestrian friendly concerns.

Lynn Johnson – She doesn't want this to become a shouting match. She came to just find out what was going on. She thinks it's great that the Planning Board is asking for the brick façade and they are looking at the plans closely. She walks a lot in the summer and would like consideration into that also. She feels it's important to look at the codes to see where the village is going and before more development arrives to be pro active. What do we want this to look like, what do we want the place to be? She requests that the Planning Board be careful how things will be developed. Be as thoughtful and considerate as they can of all the issues. She is in favor of the development and feels it would be good for the tax base. Once things are here it would be hard to change. This is an opportunity to be heard and have the concerns presented and be thoughtfully considered.

Chris Nill – Providing input to the Planning Board, as a matter of public record and it's his wish to have his remarks entered into the official minutes of this hearing.

“Many many people in this village have been working very hard over the past several years to help craft a more thoughtful, hopeful vision for Manchester's future. That vision has culminated in a village master plan update and a close related strategic plan for community development, both of which were formally adopted by the village board only a year ago.

Each plan which clearly express the will of the people, based as they are on survey outcomes and broad based citizen participation and public forums and workshops articulate a vision for more sustainable community based on things like heritage and agritourism, encouragement of local businesses and the creation of more livable neighborhoods.

It's absolutely incumbent upon this village Planning Board to take all reasonable measures to ensure that any proposed development in our community will conform in all its physical aspects to our well settled community vision. That means enforcing all laws and ordinances currently on the books as they relate to façade appearance, parking, signage dimensions, storm water drainage and the whole host of related structural and environmental issues.

To fail in this fundamental responsibility would be to fail the people of Manchester. I hope and trust that the Dollar General developer now before the Planning Board will demonstrate that it can share in our community vision and not work against it. If they want to be part of this community they should be in a position to work closely with Planning Board members to develop and/or revise a concept plan and site plan so that these will result in a visually appealing building that truly fits into the neighborhood.

In reviewing the Dollar General development proposal now before you, be fair, but be meticulous for our community vision and the very character of our community depend on it.

I am hopeful in the event that the developer does not cooperate fully with this board to make all required and recommended changes to its original plans in keeping with our existing laws, ordinances, and our community vision, then, dear Board members, please, please, have the civic responsibility and the courage to say no to their development proposal. We all want a vigorous and prosperous Manchester, but not at the cost of our ideals.

I share these comments with you in part because in my fairly wide and almost weekly travels all across central and western New York, I have seen and duly noted the appearance of many, many, Dollar Generals near and far. At least a dozen I can think of just in the past two months worth of business trips. Virtually, every Dollar General I've seen is uniform in appearance and, forgive me, uniformly ugly. In most cases, for lack of any imagination whatsoever among the site planners, these buildings appear as a blight upon the community. It's hard to imagine such a structure enhancing the appearance or the experience of our community right here in Manchester, which is why I hope Dollar General people now before us can think outside the box and work with us to create a Dollar General store, a neighborhood and a community that we can all be proud of.

Chairman Schumacher – Asked if anyone else would like to speak.

Ms. Murphy asked if there would be any more plans, Chairman Schumacher stated yes, more plans would need to be addressed.

At this time, Chairman Schumacher asked that anyone who would want to be involved in the community, the Planning Board meet the first Tuesday of every month and they are open to the public. Anyone can come and make a comment at that time and not have to wait for a public hearing.

Mr. Nill – Adding to his written comments stated, after seeing the plans, and learning about the previous plans, he definitely feels that the Dollar General can be put up close to Main Street with an appropriate lawn and landscaping out in front, meeting the set back limits with appropriately decorated and beautified sides as well as façade, making it more attractive and pedestrian friendly. But if the Planning Board cannot make a change to the Main Street frontage of the store, then at least require appropriate landscaping between the street and the parking lot.

Chairman Schumacher – We are working on the design guidelines for the Village of Manchester and anyone interest in serving on that committee please come forward to volunteer.

Ms. Murphy – Asked if there would be a variety of plans available to review next month. Chairman Schumacher stated that he doubted that there would be a variety of plans next month.

Matt Scheartl – Is grateful that DG is considering to build in the area He feels that the taxes that will be paid on that building would pay for all the materials for all the girls' sports in our local school system every year and he appreciates that. He feel that DG will do what they can, and also that there will be people not happy with some outcomes. He stated that there is a trend for elderly people not to go to stores with parking in the back because they feel unsafe. This project will have some people happy with it and some people who are unhappy with it. He appreciates DG still being interested in the village and that they are still trying to make the project happen.

Chairman Schumacher – With no more further comments, the public hearing will end for the evening but not close and will remain open to await comments from the Ontario County

Planning Board and the village engineer. If anyone wants to submit further comments during the month, they can, and also at the next meeting April 3rd when the hearing will continue.

Judy Robinson – Wanted to make certain that the group present understood that many of the comments brought up this evening were reviewed and discussed by the Planning Board over the past months.

REGULAR PLANNING BOARD MEETING

Chairman Schumacher called the meeting to order at 7:55pm. The minutes from the February 06, 2007 were reviewed. Michael Chase, seconded by Vincent DelGatto, Jr., made a motion to accept the minutes as written. Unanimously carried.

Chairman Schumacher mentioned that the Local Law presented to impose a building moratorium did not pass at last night's village board meeting. No moratorium will be going into effect.

SHERBURNE DG LLC – SOUTH MAIN STREET

The Public Hearing will remain open and convene again April 03, 2007 at 7:00 pm.

JOHN BARRY – 72 UNIT APARTMENT COMPLEX

Mr. John Barry of Four Clovers Inc. presented a purchase offer in agreement with Thomas Abbot, owner of 13.75 acres off of State Street, in the Village of Manchester, under Tax parcel numbers 32.17-1-13.000 and 32.17-1-16.000. This parcel of land borders the Fireman's field adjacent to the Manchester Family Park with access off of State Street. Mr. Barry is proposing a 72 unit, non-subsidized, apartment complex on this site and presented a sketch plan.

Mr. Barry stated that 9 two-story buildings are proposed for the site with four, two bedroom apartments up, and four down. The rent will be in the vicinity of \$750 - \$775 per month. 156 parking spaces will be provided and will be considered a private complex. Additional rental storage space will be available.

Mr. Barry stated that it is a very nice complex but there are no architectural plans as yet. Due to the plans not showing any open/recreational space as required by village code, they would like to utilize the park that is nearby and offers to enhance that park. He stated that with the setback requirements that were met on the sketch plan there is ample green space available.

Chairman Schumacher stated that Mr. Barry will have to meet with the Joint Sewer Commission and Chief Operator Brian Romeiser to check the capacity of the Sewer Treatment plant.

Mr. Josh Barry asked if that area was in the Manchester water district. It is, but they must get comments from Manchester DPW Supervisor, Jeff Liberati.

Upon initial review, the Planning Board determined that an area variance would be needed from the Zoning Board of Appeals for the ordinance that states a 10% recreational area is needed for multiple family complexes. Mr. Barry will have to submit an application to the ZBA. Until that time, the Planning Board will wait upon further review.

The next Planning Board meeting will be Tuesday, May 01, 2007 at 7:00 pm.
The meeting was adjourned upon motion by Michael Chase at 8:30pm.

Respectfully submitted,
Rita J. Gurewitch
Deputy Clerk/Treasurer