

# Village of Canton

## Planning Board Meeting Minutes

October 26, 2020

Courtroom, Canton Municipal Building

4:00 pm

### Members Present

Chairperson Barry Walch; Jessica Sierk; John Hill; Charles Rouse

Recording Secretary Jeni Reed

### Members Absent

None

### Others Present

Code Enforcement Officer Jeff Murray; Karl Bender (AOK Engineering); Schiel Wood (Parkway); Steve Wilson (Bohler)

### Call to Order

The meeting of the Village Planning Board was called to order at 4:02 pm by chairperson Barry Walch.

### Approval of Minutes

A motion was made by John Hill to accept the minutes from the September 1, 2020 Village Planning Board meeting. The motion was seconded by Jessica Sierk and carried.

### Agenda Items

#### 1. Parkway Site Plan Review

Karl Bender from AOK Engineering presented the preliminary site plan for a Parkway Gas Station and Convenience Store on Route 11 at the location of the former Phoebe's Restaurant.

- The first page of the site plan presented the location map.
- The second page of the site plan presented plans to retrofit the current site. There are a number of hard surfaces already in place which will be taken as credits.
- For demolition plans, they intend to knock down and remove the current building as quickly as possible. All asbestos has already been removed.
- Page three of the site plan shows their intentions for the site, with the final result of a convenience store and gas station. There will also be a Tim Horton's Coffee Shop included in the store.
- They are in the process of discussing potential signage but do not have any plans as of yet, aside from knowing where they hope to place the main sign.
- They plan no major changes to the current curb cuts, although they indicated one may need to be moved slightly.
- No changes were presented to the current Route 11 frontage.

- They anticipate the pavement will go slightly behind the existing Holiday Inn Express building.
- Plans are in place for screened dumpsters, parking lot lighting and navigation, and drive thru set up.
- They are in the process of handling the required stormwater calculations (the rules for these on retrofitted sites changed as of January), and they will be obtaining a stormwater permit from the DEC. The intent is to treat on site for so many inches of rain, and maintain a specified amount on site. They will be avoiding the creation of any ponds as these can be difficult to maintain. They are working with the State on this plan to maximize their stormwater setup.

The following questions were posed to the developers by the Planning Board:

- Will there be two drive thrus? The intent is for one pickup window only which will handle the food operation by the convenience store with subs, etc.; customers will have the option to order online and pick up from this window. The other window will be the actual drive thru for Tim Hortons, similar to the one currently in Potsdam.
- What does FFE stand for? Finished Floor Elevation (1.5 ft above ground). It was noted that at this location there is very soft ground which caused some difficulties at the former Phoebe's Restaurant on that site. The developers will need to be cautious of this. The site plan includes the frost wall as well.
- What is the purple line indicated on the site plans? This is the power line feeding the current hotel. The power feed to the new building will probably be underground (they are currently discussing this with Tim Hortons; the architect is working with them to figure it out). They anticipate tapping off the existing hotel pole and going underground.
- How will the Sewer & current Fire Hydrant be set up? They are hoping to be able to connect to the existing municipal water and sewer in this location, and will discuss it with the Village and Mayor Mike Dalton. It is believed that the original water line is still owned by the hotel. However they should be able to use the existing water line from the olde Phoebe's Restaurant. The new hotel across the street may have needed to do a new waterline because they couldn't access the tapped 8" line. When water was extended to the Holiday Inn Express, they paid for it and then were supposed to turn it over to the village. The water line is likely on the municipal right of way and the developers would like to tap off the main that extends to the fire hydrant. They have not yet had a chance to speak with Highway Superintendent Marty Miller. The sewer line size may need to be reviewed and calculated to determine what needs to be done. The board recommended a discussion with Mayor Dalton.
- How will the lights be designed? The developers will be using dark sky compliant and downcast lighting set ups.
- An additional question was posed regarding the setback from the center of the road? The developers will discuss this with the Department of Transportation (DOT), but they have calculated 143 ft. from the front of the building to the center of the road. According to village rules the required minimum setback is 25 feet. The developers were reminded to be cognizant of DOT concerns.

The developers indicated they will return when they are prepared with a proposal for their signage. They would like to break ground as soon as possible (before winter), in which case they would like to obtain the site approval as soon as possible. It was indicated that the County Planning Board would need to get their application prior to getting on the agenda for their next board meeting. Any kind of approval made tonight would also have to be cognizant of changes made by the County.

All required items will need to be submitted to Code Enforcement Officer Jeff Murray for submission to the county for review. Once this is accomplished he will try to help them get on the agenda for the County's November 12, 2020 meeting.

There was a motion from John Hill to tentatively approve the project to move forward, pending any feedback from the County and their concerns. Charles agreed pending all the requirements are met, and seconded the motion. The motion carried.

## 2. Discussion of McDonald's Sign

Steve Wilson from Bohler returned to the Board to discuss signage for the McDonald's restaurant approved for construction on Route 11 near the Price Chopper Plaza. He received a referral from the planning board to discuss this with the Board of Trustees for the village, as the proposed signage does not meet the requirements of the code.

The developers are requesting four variances:

- Requesting a free standing sign height of 25 feet on the roadside (this is a variance from the 12 foot maximum requirement in the code).
- Requesting a total of 68 square feet signage on the free standing sign - the primary sign will be 36 square feet; digital message board will be 24 square feet (this is a variance from the 32 square feet total maximum requirement in the code).
- Requesting a total of 5 wall signs - two "arch" signs and three McDonalds signs (this is a variance from the 3 total maximum requirement in the code).
- Requesting wall signs up to 3.5 feet in height (the "arch" signs; this is a variance from the 2.5 feet maximum requirement in the code).

Additional information was also provided to the developers concerning the digital message board:

The digital sign is permitted to have pictures and text, but can not have constant movement or animation. The developers indicated this would not be an issue. There is also language in the new code indicating that the digital sign should only be an increase of 4 foot candles of power above any current ambient light (which would automatically adjust from day to night). This should be available within the settings of the digital signage.

The intent of the Board is to keep things "low key" through the entrance to the village, and to keep "everything on the same page."

It was mentioned that variances have been granted in the past for round signs that exceed maximum height requirements for wall signs.

It was also noted that a variance in the number of wall signs might be appropriate as the building will be fully visible from all four sides due to its location.

Discussion included a recommendation regarding the primary sign height - that it not be permitted any higher than nearby competitors Burger King and Dunkin; Charles Rouse recommended that no sign be permitted any higher than the Walgreens drug store that is located on the same block.

At this time, the Village Planning Board officially rejected the variance requests, and sent the request to the Village Board of Trustees with the following recommendations:

- A negative referral for the height of the free standing sign; the planning board feels this height should be commensurate with other signs in close proximity.
- A negative referral on the overall square footage of the free-standing sign; the planning board feels this could be brought more in line with code requirements.

- A positive referral on the overall number of wall signs requested; based on location and building positioning, the 5 requested signs are deemed appropriate.
- A mixed referral on the height of the wall signs; there was disagreement within the planning board over whether the 2.5 feet required in the code should be met or if an increase would be appropriate.
- The planning board believes that any new signs must have no advantage over the signs of nearby competitors who have complied with the zoning code. The new business must comply as well. If the nearby signs are out of compliance, new signs must not exceed that degree of non-compliance.
- The planning board feels that compliance with the sign code is important and that new businesses should meet that standard whenever it is possible.

## Other Items

It was briefly discussed that the code committee has started going through the new proposed code. They anticipate changing a number of things, including removing the current 3 acre requirement for churches, and making it the same as any standard building requirements including their parking requirements. Churches are now permitted in C1 and C2 zones. Some zone names will also be changed.

## Adjournment

A motion was made by Jessica Sierk to adjourn. Charles Rouse seconded the motion, and the meeting was adjourned at 5:03 pm.