

**VILLAGE OF PITTSFORD**  
**PLANNING AND ZONING BOARD OF APPEALS**  
Regular Meeting – March, 21, 2016 at 7:00 PM

**PRESENT:**

Chairperson: Justin Vlietstra  
Members: Jo Anne Shannon  
Jeffrey Bove  
Susan Lhota  
Heather Erwin

Attorney: Mindy Zoghlin  
Building Insp.: Floyd Kofahl  
Recording Sec: Linda Habeeb

**Motion:** Chairperson Vlietstra made a motion, seconded by Member Erwin, to open the workshop session at 6:30pm.

**Vote: Shannon - yes; Vlietstra – yes; Lhota – yes; Erwin – yes; Bove - yes. Motion carried.**

The Board reviewed the contents of the applications for the meeting.

**Motion:** Chairperson Vlietstra made a motion, seconded by Member Erwin, to open the meeting session at 7:05pm.

**Vote: Shannon - yes; Vlietstra – yes; Lhota – yes; Erwin – yes; Bove - yes. Motion carried.**

Chairperson Vlietstra asked if any members had conflicts of interest with any of the applications before the Board. All members stated that they had no conflicts of interest with these applications.

**David Gascon, 20 Courtenay Circle ~ Addition**

**Present:** David Gascon, Homeowner; Christine Hennessey, Architect

**The legal notice was published in the March 10, 2016 edition of the Brighton Pittsford Post:**

*“Please take notice that a public hearing will be held before the Village of Pittsford Planning Board at the Village Hall, 21 North Main Street, Pittsford, New York, on Monday March 21, 2016 at 7:00 pm, to consider an application made by Christine Hennessey, of CKH Architecture, as agent for David and Michaela Gascon, owners of property located at 20 Courtenay Circle, for site plan approval for the construction of an addition where the total floor area exceeds 400 square feet, pursuant to Village Code § 210-83B(15).”*

**SEQR:** Type II SEQR Action under SEQR § 617(c)(9).

**Discussion:** The applicant stated that he is proposing construction of an addition on the rear portion of the house located at 20 Courtenay Circle. He presented proposed plans for the addition. The addition will be approximately 747 square feet in size. Since the proposed addition will be over 400 square feet, the applicant is required to seek approval from the Planning Board. He stated that he had appeared before the APRB on an informational basis, and the Board had suggested revisions

to the proposed plans to match the style and volume of the existing house. It was also noted that the proposed addition will be minimally visible from the public way.

The Building inspector stated that he has recommended the application information for Preliminary Application review, required under Village of Pittsford Zoning Chapter 210, section 210-84 (3), be waived as indicated on the application form. The reason for waiving the application requirements is the additional factors required on site plans are intended for large projects, particularly new construction, and are not needed to evaluate the proposed residential addition. He felt the board had adequate information to evaluate the impacts of the addition and the added requirements are burdensome on the applicant.

Member Vlietstra asked the applicant about their information-only meeting with the APRB. The applicant stated that the APRB felt changes to the roof design would make the addition more compatible with the house. They will submit new drawings tomorrow that show the revised roofline that eliminates the east side gables so that it is more consistent with the ranch-style architecture of the original house.

Member Vlietstra asked the applicant about drainage and whether their downspouts will be connected to storm sewers, french drains, or surface drained. Surface drainage into the 15ft wide strip between their addition and the neighbor's yard could cause problems on the neighbor's property.

The applicant responded that they do not know any details about their current downspout functionality. They go underground and cause no issues.

The Building inspector stated that photos show the downspout connections and he believed they connect to the building's footer drains. He will review drainage.

Member Vlietstra explained that the application has been referred to Monroe County Department Planning and Development for comment because the property is near the Village boundary. As of the date of this meeting, the Village has not received a reply from them. The Board is required to wait 30 days before voting on this application, which will be April 3, 2016. Board members decided to hold a Special Meeting on Monday April 4<sup>th</sup> to continue the public hearing for this application.

**Motion:** Chairperson Vlietstra made a motion, seconded by Member Erwin, to open the public hearing at this time.

**Vote:** Shannon - yes; Vlietstra - yes; Lhota - yes; Erwin - yes; Bove - yes. **Motion carried.** The decision was filed in the Office of the Village Clerk on March 21, 2016.

There was no one wishing to speak for or against this application.

Chairperson Vlietstra said the hearing will be left open and review will continue at 6:00 PM on Monday April 4<sup>th</sup>.

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**Jamie Rawleigh, 9 North Main Street ~ Area variance**  
**Present:** Jamie Rawleigh, Premier Sign Systems

**The legal notice was published in the March 10, 2016 edition of the Brighton Pittsford Post:**

*“Please take notice that a public hearing will be held before the Village of Pittsford Zoning Board of Appeals at the Village Hall, 21 North Main Street, Pittsford, New York, on Monday March 21, 2016 at 7:00 pm, to consider an application made by Jamie Rawleigh, for property located at 9 North Main Street, for an area variance for installation of a free-standing sign, pursuant to Village Code § 168.7.”*

**SEQR:** Type II SEQR Action under SEQR § 617(c)(7).

**Discussion:** The applicant is proposing installation of a free-standing sign at the property located at 9 North Main Street, the Bank of America. She stated that the purpose of the proposed sign is for greater visibility for the business. Street trees block view of signage on the property and the Bank feels that improved visibility will improve business. The applicant has received approval from the APRB for replacement of nine existing signs.

Member Vlietstra noted that the business currently has five large existing signs and is requesting another large sign. Board members stated their concern with the bright red sign in such a prominent location on Main Street.

The Board reviewed the area variance criteria with the applicant.

The applicant expressed her opinion that the installation of the proposed sign would produce no undesirable changes to the character of the neighborhood. This sign would have no environmental impact and this was the most feasible method to improve their visibility. She further stated that it might be possible to reduce the size of the sign somewhat and change materials to better match the building if that would lead to an approval from the Board. Monument signs are installed at Chase Bank and this sign is very similar to those.

The history of the Chase Bank monument signs was discussed by the Board. The Bank was built in 1972 and records show that the monument signs pre-date sign code. The signs were considered “grandfathered” in 1992 and a Variance was granted in 1997 to permit Chase to install smaller monument signs. Village code allows signs that predate the sign code to remain.

The Board made a number of alternative suggestions to increase the bank’s visibility, such as moving the existing signs to different locations on the building, reducing the quantity and increasing the size of the existing signs, and trimming the lower branches of the trees. The Trees are owned by the Village and can be trimmed at no charge to the applicant.

Board members stated that the proposed sign is out of character with the historic building and would be the only free-standing sign on Main Street. Since the sign is not compliant with Village Code, the installation of the sign is a substantial change that would be detrimental to the character of the neighborhood. Board members expressed that this type of sign is more commonly found in suburban areas where the buildings are set farther back from the road. Building mounted signs are permitted by code and are more appropriate in urban areas with buildings close to the road. Signs should better represent the architecture of the building.

Member Lhota said she recently visited the new Bank of America tower in Manhattan which has building mounted signs made out of metal that closely match the architecture of the building and did not reflect the corporate color schemes and fonts used by Bank of America. Signage should conform to the colors and architecture of the building. Even Chase Bank used handmade brick that

matched the building for their monument signs. The corporate red and blue sign atop a concrete base has no relation to the historic building built of brick with prominent white wood trim.

The Board members also stated that the benefit sought can be achieved by other feasible methods and the hardship is self-created. Street Trees are common in the Village but other businesses cope with building mounted signs.

Member Vlietstra stated that the property has been referred to Monroe County Department of Planning and Development and received a comment stating that they have no issues/concerns with this application. The property is not subject to a Local Waterfront Revitalization Program (LWRP) review.

**Motion:** Chairperson Vlietstra made a motion, seconded by Member Shannon, to open the public hearing at this time.

**Vote: Shannon - yes; Vlietstra - yes; Lhota - yes; Erwin - yes; Bove - yes. Motion carried.** The decision was filed in the Office of the Village Clerk on March 21, 2016.

**Motion:** Chairperson Vlietstra made a motion, seconded by Member Bove, to close the public hearing at this time, as there was no one wishing to speak for or against this application.

**Vote: Shannon - yes; Vlietstra - yes; Lhota - yes; Erwin - yes; Bove - yes. Motion carried.** The decision was filed in the Office of the Village Clerk on March 21, 2016.

Chairperson Vlietstra said the Board will document its findings and vote on a resolution at its next meeting.

**Member Items:**

- Board members discussed the request from owners of The Kitchen restaurant for a temporary use permit for expansion of the restaurant to include bar service.
- Board members discussed the status of Northfield Common. The Building Inspector stated that he is working on a list of violations at the site but the list is not complete. He will have it completed before the Board's April 18 meeting. The application will be added to the April 18 PZBA agenda for final site plan review.
- Board members discussed a request from the Board of Trustees for lead agency status for the purpose of SEQR compliance for two local laws.

**Motion:** Chairperson Vlietstra made a motion, seconded by Member Erwin, that the PZBA has no objection to the Board of Trustees being named as lead agency for SEQR compliance for proposed Local Law 2.

**Vote: Shannon - yes; Vlietstra - yes; Lhota - yes; Erwin - yes; Bove - yes. Motion carried.** The decision was filed in the Office of the Village Clerk on March 21, 2016.

**Motion:** Chairperson Vlietstra made a motion, seconded by Member Erwin, that the PZBA has no objection to the Board of Trustees being named as lead agency for SEQR compliance for proposed Local Law 3.

**Vote:** Shannon - yes; Vlietstra - yes; Lhota - yes; Erwin - yes; Bove - yes. *Motion carried.* The decision was filed in the Office of the Village Clerk on March 21, 2016.

**Motion:** Chairperson Vlietstra made a motion, seconded by Member Erwin, to close the meeting at 9:30 pm.

**Vote:** Shannon - yes; Vlietstra - yes; Lhota - yes; Erwin - yes; Bove - yes. *Motion carried.*

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Linda Habeeb, Recording Secretary