

VILLAGE OF PITTSFORD
PLANNING AND ZONING BOARD OF APPEALS
Special Meeting – April 4, 2016 at 6:00 PM

PRESENT:

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

Building Insp: Floyd Kofahl
Recording Sec: Linda Habeeb

Chairperson Vlietstra made a ***motion***, seconded by Member Lhota, to call the meeting to order at 6:00 pm.

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

Conflict of Interest Disclosure

Chairperson Vlietstra asked if anyone had a conflict of interest with any of the applications before them, and no one had a conflict of interest to report.

David Gascon, 20 Courtenay Circle ~ Addition

Present: David Gascon, Homeowner; Christine Hennessey, Architect

Continuation of the Public Hearing opened at the March 21 PZBA Meeting.

Discussion: The applicant is proposing construction of an addition on the rear portion of the house located at 20 Courtenay Circle. 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.

At the March PZBA meeting, the applicant was informed that the Village had not received a response from Monroe County Planning and Development regarding the application, and as a result, the Board could not vote on the application. The Village received a “no comment” response from Monroe County. The applicant submitted revised plans based the APRB’s comments suggesting revisions to the proposed plans to match the style and volume of the existing house.

After the March PZBA meeting the Building Inspector revisited the house to investigate drainage and found downspouts were all connected to a stormwater system. He recommended that a condition be added to approval to connect downspouts to the existing stormwater drainage system.

Chairperson Vlietstra explained to the applicant that the approval will be subject to the APRB's granting of a certificate of approval, and that all approved plans shall conform to the final site plan. Final site plan approval will expire in one year if the applicants do not obtain a building permit within that time period, and the approval is subject to the addition connecting the gutters and downspouts to the existing stormwater drains.

Motion: Chairperson Vlietstra made a motion, seconded by Member Lhota, to close 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 April 4, 2016.

Motion: Chairperson Vlietstra made a motion, seconded by Member Bove, to adopt Resolution 2016-2 approving the site plan for 20 Courtenay Circle, dated March 22, 2016.

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 April 4, 2016.

**VILLAGE OF PITTSFORD
PLANNING BOARD**

**RESOLUTION #2016-2
DECISION ON SITE PLAN REVIEW**

Applicant/Project Name: Christine Hennessey, Architect
20 Courtenay Circle
Address: 20 Courtenay Circle
Pittsford, New York 14534

Action: Applicant wishes to build an addition to a single family residence.

At a meeting of the Planning Board of the Village of Pittsford (the "Board") duly convened on April 4, 2016, at 6:00 PM at Village Hall, 21 N. Main St, Pittsford, NY 14534,

The following resolution was offered by Board Member Vlietstra, Who moved its adoption, and seconded by Board Member Bove;

WHEREAS, The Village of Pittsford Planning Board (the "Board") received and reviewed an application from the above mentioned applicant for site plan review of an approximately 747 sq.ft. residential addition; and

WHEREAS, The Board has held a public hearing, and received comments thereat; and

WHEREAS, The proposed action is a Type II action that is not subject to SEQRA Review pursuant to 6 NYCRR 617.5(c).9; and

WHEREAS, the proposed action is not in a waterfront area of the Village of Pittsford and is not subject to a local waterfront consistency review; and

WHEREAS, this application for an Area Variance was referred to Monroe County Planning and received a no-comment response; and

WHEREAS, the Village Building Inspector explained the application and the submitted information to the Board and recommended waiving application requirements because the provided site plan and architectural drawings provide adequate information for the board to make a determination on this application; and

WHEREAS, the proposed action does not require any approvals from state or county agencies so separate review of Preliminary and Final Site Plans is not required.

NOW, THEREFORE, BE IT RESOLVED that the Board does herein waive the balance of application requirements required under the Village of Pittsford Zoning Code section 210-84.A because it finds the Site Plan application contains adequate information and the missing application factors are not necessary to evaluate the action’s impacts on public health, safety, or general welfare.

NOW, THEREFORE, BE IT RESOLVED that the PZBA does hereby **grant** Preliminary Site Plan Approval and Final Site Plan Approval of the site plan dated March 22, 2016, with the following conditions:

1. This approval is subject to the Architectural and Preservation Review Board’s grant of a certificate of approval for the action and all approved plans shall conform to the Final Site Plans.
2. Final Site Plan approval shall expire if the applicant does not obtain a building permit for the action within 1 year of the adoption date of this resolution.
3. This approval is subject to the addition connecting the gutters and downspouts to the existing stormwater drains.

Chairperson Vlietstra then asked the applicant if they understood the resolution and agreed to the conditions set forth. The applicant responded in the affirmative.

The question of the foregoing resolution was duly put to vote as follows:

	Yes	No	Abstain
Justin Vlietstra	X	<input type="checkbox"/>	<input type="checkbox"/>
Susan Lhota	X	<input type="checkbox"/>	<input type="checkbox"/>
Jeffrey Bove	X	<input type="checkbox"/>	<input type="checkbox"/>
Heather Erwin	X	<input type="checkbox"/>	<input type="checkbox"/>
JoAnne Shannon	X	<input type="checkbox"/>	<input type="checkbox"/>

Dated: April 4, 2016

By order of the Planning Board of the Village of Pittsford

Justin Vlietstra

Chairperson,
Planning Board

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**Jamie Rawleigh, 9 North Main Street ~ Area variance**

**Present:** Jamie Rawleigh, Premier Sign Systems

This is a continuation of deliberation by the Board on this application. The Public Hearing was opened and closed at the March 21 PZBA Meeting.

**Discussion:** The applicant is proposing installation of a free-standing sign at the property located at 9 North Main Street, the Bank of America, for greater visibility for the business.

Ms. Rawleigh had appeared at the March PZBA meeting where Board members expressed 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.

**Motion:** Chairperson Vlietstra made a motion, seconded by Member Erwin, approve Resolution 2016-3 denying the application for an area variance for a free-standing sign to be installed at 9 North Main Street.

**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 April 4, 2016.

**VILLAGE OF PITTSFORD  
ZONING BOARD OF APPEALS**

**RESOLUTION #2016-3  
DECISION ON AREA VARIANCE**

|                                |                                  |
|--------------------------------|----------------------------------|
| <b>Applicant/Project Name:</b> | <b>Jamie Rawleigh</b>            |
| <b>Bank of America</b>         |                                  |
| <b>Address:</b>                | <b>9 North Main Street</b>       |
|                                | <b>Pittsford, New York 14534</b> |

**Action:** Applicant proposes installation of a “freestanding” monument sign.

At a meeting of the Zoning Board of Appeals of the Village of Pittsford (the “Board”) duly convened on April 4, 2016, at 6:00 PM at Village Hall, 21 N. Main St, Pittsford, NY 14534, The following resolution was offered by Board Member Vlietstra, Who moved its adoption, and seconded by Board Member Erwin;

**WHEREAS**, the Village of Pittsford Zoning Board of Appeals has received an application from the above named applicant for an Area Variance of Sections **168-7** of the Zoning Law of the Village of Pittsford to permit **installation of a freestanding monument sign**;

**WHEREAS**, the Board has received and reviewed an application, held a public hearing, and received comments thereat; and

**WHEREAS**, the proposed action is a Type II action that is not subject to SEQRA Review pursuant to 6 NYCRR 617.5(c).7; and

**WHEREAS**, the proposed action is in a waterfront area of the Village of Pittsford but is a Type II action under SEQRA so it is not subject to a local waterfront consistency review; and

**WHEREAS**, this application for an Area Variance was referred to Monroe County Planning and received a no-comment response; and

**WHEREAS**, after review, the Board has weighed the effects of the requested variance on the health, safety, welfare of the neighborhood and community and made the following findings:

- A. The requested variance **will** create an undesirable change in the character of the neighborhood or detriment to nearby properties in that there are currently no other “Freestanding” monument signs located in this neighborhood. The proposed sign is not in character with the architectural features of the area and the building. The proposed 6’ x 5’ sign with a concrete base using the applicant’s corporate red and blue colors does not fit the distinctive character of the brick building with white wooden trim.
- B. The benefits sought by the applicant **can** be achieved by some other feasible method. The Board finds that there are other options available to the applicant that would be more appropriate and complement the character of the area. These include the consolidation of the existing building-mounted signs to allow for a larger attached sign on the street front of the building and the trimming of the street trees to allow for better building visibility. The applicant should investigate other possible opportunities to accomplish the objective.
- C. The requested variance **is** substantial in that it is a request for a “Freestanding” Monument sign where the Village of Pittsford Zoning does not allow for such a sign. This is therefore a 100 percent requested variance.
- D. The proposed variance **will** have an adverse effect or impact on the physical and environmental conditions of the neighborhood or district because the building is a prominent and highly visible historic building that is a contributing structure in the Pittsford Village National Historic District. The proposed signage does not fit the historic character of the building or district.
- E. The alleged difficulty **is** self-created in that the applicant has received approval for replacement of six (6) existing identification signs. The applicant has not shown significant reasoning of financial loss or any other negative impact on their daily operations.

- F. The Variance **is not** the minimum necessary to provide relief because a smaller sign can achieve the desired relief and other options exist that do not require a variance.
- G. The following physical characteristics of the property are relevant to this variance request:  
The approximately 15 ft. front setback of the building in an urban setting makes building-mounted signs appropriate. The proposed monument sign is more appropriately placed in suburban settings where commercial buildings have a prominent front lawn and larger setback from the street.
- H. The following additional findings are noted:  
The claimed reason for this variance is for improved visibility of their signage since street trees block view of signs at the front façade. The Board agrees that street trees block view of the two front signs; however, trees do not block the other three large signs on the sides of the building and on the ATM canopy. The applicant is free to relocate and enlarge signs on the front façade to address the concerns without a variance. The street trees can be trimmed to improve visibility of signs, and the trees will grow in time so the applicant’s visibility concerns are temporary. Street trees are common in the Village yet other businesses manage with fewer signs that are compliant with Village Code.

**NOW, THEREFORE, BE IT RESOLVED** by the Zoning Board of Appeals of the Village of Pittsford that this area variance request is hereby **denied** for the reasons stated above.

The question of the foregoing resolution was duly put to vote as follows:

|                  | <b>Yes</b> | <b>No</b>                | <b>Abstain</b>           |
|------------------|------------|--------------------------|--------------------------|
| Justin Vlietstra | X          | <input type="checkbox"/> | <input type="checkbox"/> |
| Susan Lhota      | X          | <input type="checkbox"/> | <input type="checkbox"/> |
| Jeffrey Bove     | X          | <input type="checkbox"/> | <input type="checkbox"/> |
| Heather Erwin    | X          | <input type="checkbox"/> | <input type="checkbox"/> |
| JoAnne Shannon   | X          | <input type="checkbox"/> | <input type="checkbox"/> |

**Dated:** \_\_\_\_\_, 20\_\_

By order of the Zoning Board of Appeals of the Village of Pittsford

\_\_\_\_\_  
Chairperson,  
Zoning Board of Appeals

**Minutes:**

**Motion:** Chairperson Vlietstra made a motion, seconded by Member Bove, to approve the January 19, 2016 minutes, as drafted.

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

**Motion:** Chairperson Vlietstra made a motion, seconded by Member Lhota, to approve the February 16, 2016 minutes, as drafted.

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

**Motion:** There being no further business, Chairperson Vlietstra made a motion, seconded by Member Bove, to adjourn the meeting at 6:18 pm.

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

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Linda Habeeb, Recording Secretary