

**VILLAGE OF PITTSFORD  
PLANNING AND ZONING BOARD OF APPEALS  
June 23, 2003 – Regular Meeting held on Monday at 7:00 P.M.**

**Present:**

Chairperson: Remegia Mitchell  
Members: Sally Chamberlin  
Harold Danko  
Ted Weniger  
Linda Lanphear  
Attorney: John C. Osborn  
Recording Secretary: Anne Hartsig  
Absent: Skip Bailey, Building Inspector  
Chairperson Mitchell called the meeting to order at 7:00 PM.

**ZONING BOARD**

**1. Talbot's – 66 Monroe Avenue – area variances for signage – Public Hearing con't.**

**Present:** Robert Barkstrom

**Proposed:** to obtain area variances to accommodate various signs for the clothing store.

**Discussion:** Chairperson Mitchell noted that this application is the continuation of a Public Hearing first heard on May 27, 2003. A special on-site meeting took place on June 11, 2003. As a result of that meeting, Mr. Barkstrom presented a new site plan including changes that were suggested at the on-site meeting. The size of the freestanding sign has been reduced to an overall height of 6 feet and overall width (post to post) of 8'3". There will be air underneath the sign and shrubs have been removed so that the sign can be viewed more readily. Some shrubs will be replaced in other locations.

On the south elevation, the applicant would like to install four awnings with logos identifying the individual departments over the windows. The petite section will include two awnings but will eliminate one existing sign. There will be no lighting on the awnings. Also on this elevation, four decal signs on the windows have been requested. A directional sign at the rear of this elevation is another request. On the west elevation, a second building mounted sign is requested. Window decals on the Canal elevation will replace the existing sign. These signs do not require a variance.

Board members discussed the necessity of having the name of the store on every window, awning, and door as well as having signage on the building and a freestanding sign in the front of the building. One member stated general opposition to freestanding signs in the Village. Some members stated that there were too many signs on the plan. Some were in favor of awnings without the logo signs.

**John Watt – 42 Monroe Avenue:** Mr. Watt stated that from November through March, lighted spaces from Talbot's shine onto his property. He requested that the display window light that will be in the new addition as well as other display window lights be turned off when the business closes for the evening. He also requested that the parking lot fixtures be blackened on the back. Mr. Barkstrom replied that the fixtures would be changed to downcast fixtures so there will be less light spillage.

**Ann Parker – Talbot's employee:** Ms. Parker expressed concern about having the building area dark when employees leave at night. Mr. Barkstrom said the lights would remain on for a half-hour after the employees leave. Ms. Parker said that customers are out of the store by 9 PM.

There being no one further to speak for or against this application, Chairperson Mitchell closed the Public Hearing.

A **motion** was made by **Chairperson Mitchell, seconded by Member Danko** to approve the application for an area variance to install a freestanding sign with an overall height of 6 feet and an overall width of 8'3" including the pillars to be placed as indicated on the site plan date stamped 6/23/03.

**Vote:** Danko – yes, Lanphear – yes, Mitchell – yes, Chamberlin – yes, Weniger – yes. **Motion carried.**

## Planning and Zoning Board of Appeals Meeting of June 23, 2003

A **motion** was made by **Chairperson Mitchell, seconded by Member Chamberlin** to approve the application for an area variance to allow the installation of a second building mounted sign on the west elevation as shown on the plan submitted and date stamped June 23, 2003.

**Vote:** Danko – yes, Lanphear – yes, Mitchell – yes, Chamberlin – yes, Weniger – yes. **Motion carried.**

### **Findings of Fact**

1. This sign will not be seen from the street or public way.
2. The façade is very large so the size of this sign should be in proportion.

A **motion** was made by **Chairperson Mitchell, seconded by Member Weniger** to approve the application for an area variance to allow the installation of four awning signs of 1.5 square feet each as shown on the plan submitted and date stamped 6/23/03.

**Vote:** Danko – no, Lanphear – no, Mitchell – yes, Chamberlin – yes, Weniger – yes. **Motion carried.**

A **motion** was made by **Chairperson Mitchell, seconded by Member Chamberlin** to approve the application for an area variance to allow the installation of a 1.5 square foot directional sign at the rear entry of the building as shown on the plan submitted and date stamped 6/23/03.

**Vote:** Danko – no, Lanphear – no, Mitchell – yes, Chamberlin – no, Weniger – no. **Motion denied.**

A **motion** was made by **Chairperson Mitchell, seconded by Member Lanphear** to deny the application for an area variance to allow the installation of four 1 square foot window decal signs as shown on the plan submitted and date stamped 6/23/03.

**Vote:** Danko – yes, Lanphear – yes, Mitchell – yes, Chamberlin – yes, Weniger – yes. **Motion carried.**

**The decisions above regarding the Talbot's application for sign variances were filed in the Office of the Village Clerk on June 23, 2003.**

## Planning Board

### **1. St. Louis Church – 64 South Main Street – site plan approval to enlarge terrace – Public Hearing**

**Present:** Robert Healy, LaBella Architects

**Proposed:** to replace the existing damaged steps and slate terrace, to provide a sense of enclosure and protection between the terrace and the vehicle area, plant shade trees to soften space, to design stair risers in a direct path to the terrace, to add handrails to assist parishioners and to provide hydronic heating at the stoop, steps and terrace area.

**SEQR:** Chairperson Mitchell stated this is a Type II Acton under SEQR 617.5 #7. No further review is necessary.

**Discussion:** Mr. Healy reviewed the submitted plan dated June 2, 2003 and explained the proposal to the Board. He told the Board that the handicap space would be moved to a new location and that two or three parking spaces would be lost. A landscaper will be consulted to determine what kind of trees will be planted in the planters shown on the plan.

Board members discussed a review by the Pittsford Fire Department. They determined that so long as the width of the driveway remains the same, a review would not be necessary.

Mr. Healy also presented a new proposed landscaping plan for in front of the Hargous-Briggs House for approval. This plan varies from the site plan submitted in 2001 because the arborvitae that were on the original plan would have created a safety hazard and would have blocked the view of the Hargous-Briggs house.

**Robert Corby, 7 Washington Avenue:** Mr. Corby said that the plantings were an improvement but that they would be more historically correct if they were parallel to the driveway.

**The Secretary read the legal notice that was published in the Brighton-Pittsford Post on June 18, 2003:** *“Please take notice that a Public Hearing will be held before the Village of Pittsford Planning Board at the Village Hall, 21 North Main St., Pittsford, New York, on Monday, June 23, 2003 at 7:00 P.M. to consider an application made by LaBella Associates, P. C., agent, for site plan approval to enlarge a*

## Planning and Zoning Board of Appeals Meeting of June 23, 2003

*terrace at the rear of St. Louis Church, 64 South Main St., pursuant to Article XVII, Chapter 210-83, Site Plan Approval, of the Code of the Village of Pittsford.”*

The legal notice having been read, Chairperson Mitchell opened the Public Hearing. There being no one to speak for or against the application, Chairperson Mitchell closed the Public Hearing.

A **motion** was made by **Member Lanphear, seconded by Member Chamberlin** to approve this site plan application to enlarge the terrace at the rear of St. Louis Church, 64 South Main Street in accordance with the plan submitted and dated June 2, 2003 with the condition that the current width of the driveway remain at 17 ½' as indicated on the plan.

**Vote:** Danko – yes, Lanphear – yes, Mitchell – yes, Chamberlin – yes, Weniger – yes. **Motion carried.**  
**The decision was filed in the Office of the Village Clerk on June 23, 2003.**

A **motion** was made by **Chairperson Mitchell, seconded by Member Weniger** to approve the vegetation site plan submitted and date stamped 6/20/03 for the Main Street elevation of the Hargous-Briggs house as submitted by LaBella Architects for St. Louis Church contingent upon review by the APRB for garden placement and historic relevance.

**Vote:** Danko – yes, Lanphear – yes, Mitchell – yes, Chamberlin – yes, Weniger – yes. **Motion carried.**  
**The decision was filed in the Office of the Village Clerk on June 23, 2003.**

### **2. Northfield Commons Associates – 45 Schoen Place – site plan approval to alter location of commercial building – Public Hearing**

**Present:** Jeffrey Mason, property owner and Bob Beck, owner of the Pedestal

**Proposed:** to rebuild the former ice cream building in a location that is altered from the former location.

**SEQR:** Chairperson Mitchell stated this is a Type II Acton under SEQR 617.5 #28. No further review is necessary.

**Discussion:** Mr. Mason told the Board of his intentions to rebuild the former Wahl's ice cream building that was destroyed by fire in the winter. He would like to “square out” the building and to eliminate the multi-levels that were inside the building. He is considering moving the building back from the street and he is considering eliminating the parking places that were formerly in front of the building. He said it has not been determined whether or not part of the existing foundation can be used for the new building. Mr. Mason will be meeting with the architect on 6/24/03.

Board members pointed out that the proposed building is shown as being drawn on two different tax parcels. Therefore the Board can't approve this site plan as it has been drawn. Mr. Mason said he would like to combine the two parcels. Chairperson Mitchell suggested that Mr. Mason begin the process of combining the two parcels. After that has been accomplished, he will be required to provide the Board with a more complete site plan showing set backs, screening, shrubbery, parking, dumpsters etc. Ms. Mitchell also stated that architectural issues would need to be reviewed by the APRB. She said Mr. Bailey would assist the applicant with the process of combing the parcels.

**The Secretary read the legal notice that was published in the Brighton-Pittsford Post on June 18, 2003:** “ *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, June 23, 2003 at 7:00 P.M. to consider an application made by Northfield Common Associates, owner, for site plan approval to alter the location of the commercial building at 45 Schoen Place, pursuant to Article XVII, Chapter 210-83, Site Plan Approval, of the Code of the Village of Pittsford.”*

The legal notice having been read, Chairperson Mitchell opened the Public Hearing.

**Robert Corby, 7 Washington Avenue** said that because the original building was not historic, it would not need to be replicated. However, due to the historic nature of other buildings on Schoen Place, it should be designed to look like the mills and other buildings along Schoen Place.

The Public Hearing will remain open.

## Planning and Zoning Board of Appeals Meeting of June 23, 2003

### Other Business

**Complaint letter from Todd and Stephanie Craig, 22 East Jefferson Road.** The Mayor and Building Inspector received a letter dated June 8, 2003 from Mr. and Mrs. Craig regarding the continued violation by their neighbors at 38 Rand Place regarding the illegal storage of their RV. They would like the situation resolved and would like to know how the Village will mitigate the current situation. Because this is an enforcement issue, the letter was given to the Board.

Mr. and Mrs. Holihan, 38 Rand Place were in attendance. Chairperson Mitchell suggested they contact the Building Inspector to get an application for a Special Permit started for the August meeting. When the application is submitted, Chairperson Mitchell asked the Clerk to contact Mr. and Mrs. Craig by letter as they requested.

#### **Ciao/Jojo, 50 and 56 & 60 North Main Street: Discussion**

Complaints were received that the conditions of the minutes of May 27, 2003 have not been met regarding this site, a complete site plan has not been submitted nor has one been acted upon by the Board. On June 17, 2003, Mayor Corby, Chairperson Mitchell, Building Inspector Bailey, Doug Weins and Roger Powers walked the property line to discuss concerns and site improvements for screening the parking area from residential properties. As a result, the Building Inspector issued a Stop Work Order on June 21, 2003 due to concerns about the work in progress.

**Bob Corby, 7 Washington Avenue** stated that there had been removal of vegetation and that the berm now encroaches on the Powers property. He said that there should be specifications in writing by a landscape architect stating the size requirements that are needed to allow for trees to grow on a berm.

**Charles Corby, 44 North Main Street** told the Board that the car headlights shining into the tenant house on his property would now be worse than ever because of the vegetation that has been removed. He said it was a major concern in 1991 at the time of the first site plan approval and is still a concern today.

Member Weniger stated that in consideration of the minutes of May 27, 2003 and the discussion of the work taking place at the Ciao restaurant site, it would appear that the conditions of preliminary site plan approval are not being met according to the recorded minutes of May 27, 2003. Therefore, **Member Weniger made a motion, seconded by Member Danko** to reiterate the Stop Work Order that was issued by the Building Inspector on Saturday, June 21<sup>st</sup> and reported to the Board tonight and further, he moved that a full preliminary site plan be presented to the Board and approved prior to the continuation of any work on the Ciao site and further, that the May 27<sup>th</sup> approval be held in abeyance. However, the conditions made under that approval must be upheld.

**Vote:** Danko – yes, Lanphear – yes, Mitchell – yes, Chamberlin – yes, Weniger – yes. **Motion carried.**

### MINUTES

**May 27, 2003:** After review and discussion, a **motion** was made by **Chairperson Mitchell, seconded by Member Danko** to add Findings of Fact to the Cornelius application in the minutes of May 27, 2003.

**Vote:** Danko – yes, Lanphear – yes, Mitchell – yes, Chamberlin – yes, Weniger – yes. **Motion carried.**

After review and discussion, a **motion** was made by **Chairperson Mitchell, seconded by Member Chamberlin** to add Findings of Fact to the Schenkel application in the minutes of May 27, 2003.

**Vote:** Danko – yes, Lanphear – yes, Mitchell – yes, Chamberlin – yes, Weniger – yes. **Motion carried.**

After review and discussion, a **motion was made by Chairperson Mitchell, seconded by Member Lanphear** to add the following sentence regarding the Pittsford Pub application: Chairperson Mitchell stated that the Public Hearing would remain open and the issue will be tabled because the applicant indicated he is not yet scheduled for the APRB and due to the warm weather season, he did not plan to proceed until the autumn.

**Planning and Zoning Board of Appeals Meeting of June 23, 2003**

**Vote:** Danko – yes, Lanphear – yes, Mitchell – yes, Chamberlin – yes, Weniger – yes. **Motion carried.**

**After review and discussion, a motion was made by Chairperson Mitchell, seconded by Member Danko** to add the following to the discussion regarding Ciao application: The question was raised as to the seating configuration in the interior. The applicant stated there would be 5 seats at the bar area to be used only as a holding area. The Building Inspector said there would be no change in the parking requirements because Jojo will have less seating than Ciao.

**Vote:** Danko – yes, Lanphear – yes, Mitchell – yes, Chamberlin – yes, Weniger – yes. **Motion carried.**

A **motion** was made **by Chairperson Mitchell, seconded by Member Chamberlin** to approve the May 27, 2003 minutes as amended.

**Vote:** Danko – yes, Lanphear – yes, Mitchell – yes, Chamberlin – yes, Weniger – yes. **Motion carried.**

**June 11, 2003:** A motion was made by Chairperson Mitchell, seconded by Member Lanphear to approve these minutes as written.

**Vote:** Danko – yes, Lanphear – yes, Mitchell – yes, Chamberlin – yes, Weniger – yes. **Motion carried.**

**MEMBER ITEMS**

The secretary was asked to relay to the Building Inspector the following: Ensenatt’s Deli has a proliferation of signs that are not in compliance. There is a large “Snapple” sign on a pole near the Sutherland Service Station that is not in compliance. There is a banner sign on Schoen Place.

**ADJOURNMENT**

There being no further business, the meeting was adjourned at 11:05 PM.

---

Anne Z. Hartsig, Recording Secretary