

Village of Pittsford
PLANNING and ZONING BOARD OF APPEALS
Regular Meeting – August 22, 2005 at 7:00 P.M.

PRESENT:

Chairperson:	Remegia Mitchell
Members:	Sally Chamberlin
	Ted Weniger
	Tom Dannhauser
	Linda Lanphear (absent)
Attorney:	John Osborn
Record Secretary:	Linda Habeeb

Chairperson Mitchell called the meeting to order at 7:00 P.M.

Zoning Board

1. Sercu & Sercu, 31 N. Main St – Sign
Present: Steve Sercu

The Secretary read the legal notice that was published in the June 15, 2005 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, August 22, 2005 at 7:00 P.M. to consider an appeal made by Merilee Green Sercu, owner of property located at 31 N. Main Street, for the following variance: (1) An area variance to install a second sign measuring one square foot at an auxiliary entrance to a business, where one sign is permitted in the R-4 Residential District, pursuant to Chapter 168-9 of the Code of the Village of Pittsford: Signs permitted in any R-4 District.”*

SEQR: Chairperson Mitchell stated that this is a Type II Action under SEQR 617.5 # 15. No further review is necessary.

Discussion: The applicants are proposing installing a sign measuring one square foot for the Main Street façade of their business at 31 N. Main Street. There is currently a sign on the canal side of the building, which is used as the primary entrance for the business. The applicant stated that the entrance on Main Street leads to private offices. The applicant further explained that there had previously been a pole sign that had assisted in the identification of the business, but that they had been instructed to remove that sign. Mr. Sercu asserted that since there is no sign on Main Street to identify his business, and no parking lot near the building, some customers have a difficult time locating the business. He also indicated that he is interested in amending his proposal to request a sign measuring three square feet instead of the sign proposed. Chairperson Mitchell and Mr. Osborn explained to the applicant that since the current application and public notice requested a one-square-foot sign, the applicant would be required to reapply and readvertise for a larger sign.

Mr. Bailey stated that the applicant's building is located in an R-4 residential professional office district, which permits only one 1' x 1' sign for the front entrance of a business. Mr. Bailey further stated that there is no precedent for a 3' x 3' sign in an R-4 District.

Member Weniger pointed out that the Board is concerned with setting the precedent of allowing this applicant to install a second, larger sign on his business.

Chairperson Mitchell informed the applicant that APRB approval is required for installation of signs.

Public Hearing Opened: Chairperson Mitchell opened the Public Hearing at this time.

Public Hearing Closed: Chairperson Mitchell closed the Public Hearing as there were no letters, phone calls, or comments regarding this application.

Motion: Chairperson Mitchell made a motion, seconded by Member Weniger, to approve the application for an additional one-square-foot sign facing Main Street for the building at 31 N. Main Street.

Vote: Dannhauser – yes; Chamberlin – yes; Mitchell – yes; Weniger - yes.

Motion carried. The decision was filed in the Office of the Village Clerk on August 22, 2005.

Planning Board

1. Matthew Wahl (Forsythe Jewelers), 66 Monroe Ave – Modification of site plan Present: Matthew Wahl

The Secretary read the legal notice that was published in the June 15, 2005 edition of the Brighton Pittsford Post: *“Please take notice that a Public Hearing will be held before the Village of Pittsford Planning Board of Appeals at the Village Hall, 21 North Main Street, Pittsford, New York on Monday, August 22, 2005 at 7:00 P.M. to consider an application for changes to an approved site plan for 66 Monroe Avenue, made by Matthew Wahl (Forsythe Jewelers), pursuant to Chapter 210-83, Site Plan Approval, of the Code of the Village of Pittsford.*

SEQR: Chairperson Mitchell stated that this is a Type II Action under SEQR 617.5 # 15. No further review is necessary.

Discussion: The applicant is proposing modifying the proposed landscaping site plan for Talbot's by removing four trees from the plan. He stated that the four proposed trees will obstruct the view of the canal, which is enjoyed by customers. He presented a letter from the owner of Talbot's expressing his approval of the modification of the site plan.

Board members questioned the applicant as to whether he had considered any options for screening the eastern edge of the parking lot. The applicant replied that he would be amenable to planting 3-foot shrubs over the approximately 12-foot area bordering that portion of the parking lot.

Motion: Member Weniger made a motion, seconded by Chairperson Mitchell, to modify the approved landscaping plan to remove the proposed four pine trees on the southwest corner of the

building, as shown on the submitted drawings, to be replaced by approximately 3-foot-high plantings over a 12-foot stretch of land for the purpose of screening the first two parking spaces.

Vote: Dannhauser – yes; Chamberlin – yes; Mitchell – yes; Weniger - yes.

Motion carried. The decision was filed in the Office of the Village Clerk on August 22, 2005.

2. Scott Likly (Towpath Bike Shop), 3 Schoen Place – Modification of site plan Present: Scott Likely

Discussion: This is a continuation of an open public hearing for the completion of a site plan for Towpath Bike Shop.

The location of the handicapped parking space was discussed, and the applicant stated that the plan does not indicate any parking spaces in the area at the east side entrance to the building because it is an unsafe area for backing cars into traffic along Schoen Place. Chairperson Mitchell questioned the Building Inspector as to whether one handicapped parking space is sufficient for the two businesses. Mr. Bailey stated that one handicapped parking space was sufficient for that area.

The Board next discussed the outside display of bicycles for sale. Mr. Bailey stated that, while the outside display of merchandise is not specifically prohibited in the B-4 Canal Waterfront district, the Board can request that the applicant improve the appearance of the property by cleaning and organizing the clutter in the area and limiting the number of bicycles/canoes/kayaks displayed, as a condition of approval of a site plan.

Board Members questioned the applicant as to the reason for a trailer being stored on the property. The Board stated that the trailer appears to be a permanent storage facility. The applicant stated that it was necessary to the success of his business that the trailer remain on the property for easy access to extra rental bicycles, but that it is a registered motor vehicle and can be removed in the off-season.

The landscaping was the next item for discussion. It was pointed out by Board Members that cement had been pored underneath the front window, and, according to prior discussions with the applicant's representatives, landscaping was to be planted in this area and on the east edge of the property next to the Mostly Clay building. The oak barrel planters were removed from the area in front of the building because they were intruding on the public walkway. The applicant stated that the portion of the property next to the Mostly Clay building is owned by Ted Collins. The Board stated that the applicant needs to research options to address these issues and return to present other options to the Board in September.

The applicant also proposes installing a post-and-rail fence along the rear of the parking lot. Board members suggested that the applicant consider installing a sturdier fence or bollards in that area, but the applicant stated that he cannot install a stockade fence because it would hinder snow removal. Chairperson Mitchell pointed out that any fence will require the approval of the Architectural Review Board.

There was some discussion about the ownership of the curb located next to the proposed handicapped parking space and whether it can be altered. Chairperson Mitchell will check with the Village DPW about who is responsible for the curb.

Chairperson Mitchell stated that the public hearing will remain open, and the applicant will return for the September meeting with a complete site plan, indicating:

1. the exact dimensions and details of the proposed fence;
2. the proposed landscaping for the front of the building;
3. the proposed locations of the trailer, bikes, and kayaks, to include details of the proposed bicycle/kayak racks and the manner in which they will be screened; and
4. the proposed number of kayaks and bikes for outdoor display.

**3. First Presbyterian Church, 21 Church St.
Present: No representative**

The applicant sent documentation explaining the proposal, which is for lighting and for a fence-like structure for screening mechanicals. The drawings indicate the proposed location of four decorative light fixtures at the Church Street (north) walk at the First Presbyterian Church. The manufacturer does not provide photometrics for the proposed light fixtures, as the light levels produced by the fixture are very low.

Board Members discussed their concerns with the height of the generator screen. Member Weniger suggested that a brick enclosure might be preferable to the proposed wooden structure.

Chairperson Mitchell will contact the representative and discuss the Board's questions and issues raised at this meeting.

Member Items:

Building Inspector's Report:

Mr. Bailey reported that a stop-work order was issued for the Flour Mill on August 10 because of many unresolved issues, including the parging over of the original stone foundation and the installation of incorrect windows. He also stated that they currently have no site plan, and the project cannot be allowed to continue without a final site plan.

Mr. Bailey also reported that Mayor Corby has met with the Town regarding measuring the amount of light in the vestibule area of the Library.

Del Monte Spa:

Chairperson Mitchell reported that she had had a meeting with the Building Inspector, Village Attorney, Jeffrey Turner, Mayor Corby, and the representatives from the Del Monte Lodge in an attempt to settle the lawsuit. She stated that the Zoning Board of Appeals will have a Special Meeting to consider suitable alternatives for signage.

Member Dannhauser reported that the arborvitae on the east side of the Great Northern Pizza parking lot are not being maintained. Mr. Bailey will contact the owners this week.

Board members reported that planters are currently in place at Jef Mason's property in Schoen Place.

The Board noted that the interior lighting of the bays at Sutherland Service Center are very bright during the night.

Change to sign ordinance: Board Members will review the sign ordinance and send their comments to Chairperson Mitchell.

Motion: Chairperson Mitchell made a motion, seconded by Member Chamberlin, to approve the minutes of June 27, 2005 and July 25, 2005, as drafted.

Vote: Mitchell – yes; Chamberlin – yes; Dannhauser – yes; Weniger – yes.
Motion carried.

Adjournment: There being no further business, Chairperson Mitchell adjourned the meeting at 9:45 PM.

Linda Habeeb, Recording Secretary
