

VILLAGE OF PITTSFORD
PLANNING AND ZONING BOARD OF APPEALS
Regular Meeting: February 24, 2020 at 6:30 PM

PRESENT:

Chairperson: Justin Vlietstra
Members: Jo Anne Shannon
Justin Leitgeb (excused)
David Marshall
Susan Lhota

PZBA Attorney: Mindy L. Zoghlin, Esq. (excused)
Recording Sec: Linda Habeeb

Motion: Member Vlietstra made a motion, seconded by Member Shannon, to open the workshop meeting at 6:00 pm.

Vote: Shannon – yes; Vlietstra – yes; Lhota – yes; Marshall – yes. Motion carried.

Motion: Chairperson Vlietstra made a motion, seconded by Member Lhota, to close the workshop meeting and call the regular meeting to order at 6:30 pm.

Vote: Shannon – yes; Vlietstra – yes; Lhota – yes; Marshall – yes. Motion carried.

Conflict of Interest:

Member Lhota stated that she has a family connection to one of the other businesses named on the sign for 34-36 State St, but that this will not affect her decision regarding this application. She has no financial interest in the outcome and can fairly review the application. No other members have conflicts to declare.

Robert Michaels, 34-36 State Street ~ Relocation of sign

Present: Robert Michaels; Lindsey Michaels.

The legal notice was published in the February 6, 2020 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 February 24, 2020 at 6:30 pm to consider an application made by Robert Michaels, owner of property located at 34-36 State Street, for minor site plan review for relocation of a previously approved, existing free-standing sign from the east side to the west side of the driveway at 34-36 State Street, pursuant to Chapter 210 of the Code of the Village of Pittsford.”*

Discussion: This is an application for minor site plan approval to relocate an existing sign from the east side of the driveway to the west side of the driveway at 34-36 State Street. Mr. Michaels explained that in its current location, the sign gets damaged by snow plows, but if the sign is relocated to the grass area on the west side, it will be protected by the existing granite curbing installed by the Town during the construction of the library. The line of sight for cars exiting the driveway will be improved. The area that the sign will be moved to was not available at the time the sign was installed. The applicant submitted a letter from the Town of Pittsford allowing relocation of the sign.

The existing sign was previously approved, and a sign variance was granted for the sign on April 26, 1989. The variance was for combining a directory sign with a commercial complex entry sign. The variance did not have any conditions of approval and no restrictions on the location for the sign. Member Vlietstra stated that the Building Inspector had not identified any Code violations regarding this proposal. Further review will occur when the Building Permit is reviewed. Member Vlietstra explained that according to Village Code, if there is one driveway servicing multiple businesses, the Code permits both a directory sign and a commercial complex sign and the Variance allowed the two to be combined in this instance. The distance between the sidewalk and

the existing sign is 3 feet, and the distance from the sidewalk to the proposed location for the sign is 4 feet. There will be no lighting for the sign.

Mr. Michaels showed some scaled illustrations of the sign in its new location to the Board. He said it will not block views of the road and sidewalk.

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

Vote: Shannon – yes; Vlietstra – yes; Lhota – yes; Marshall – yes. *Motion carried.*

- **John Limbeck, State Street**, stated that Mr. Michaels owns a number of businesses in the Village, and all are attractive and meticulously maintained properties. He strongly supports the applicant’s proposal.
- **Art Piers, State Street**, stated that he concurs with Mr. Limbeck’s statements about Mr. Michaels’ businesses, and he supports the proposal. He also stated that he approves of the type of sign that is being installed.
- **Lindsay Graham, State Street**, stated that she supports the proposal, and she commented that relocating the sign makes it and the business more visible.

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; Marshall – yes. *Motion carried.*

The Board reviewed draft Resolution 2020-4. They determined that most of the issues, such as parking, drainage, lighting and landscaping, are not concerns with this application.

- The proposed sign is adequate in terms of size, arrangement, and design because it was previously approved.
- The sign will not adversely impact snow removal.
- The sign relocation will improve its visibility and not significantly impede visibility of pedestrians and traffic from the library access road.

Motion: Chairperson Vlietstra made a motion, seconded by Member Shannon, to adopt Resolution 2020-4, approving the relocation of the sign at 34-36 State Street.

Vote: Shannon – yes; Vlietstra – yes; Lhota – yes; Marshall – yes. *Motion carried.*

VILLAGE OF PITTSFORD PLANNING BOARD

RESOLUTION 2020-4 DECISION ON SITE PLAN

Project **Directory Sign**

Date: 02-24-2019

Applicant Name:

Robert Michaels

Address:

71 State St
Pittsford, NY 14534

Action: Move an existing commercial complex and directory sign at 34-36 State St.

At a meeting of the Planning Board of the Village of Pittsford (the “Board”) duly convened on February 24, 2020, at 6:30PM at Village Hall, 21 N. Main St, Pittsford, NY 14534,

The following resolution was offered by Board Member Justin Vlietstra, who moved its adoption, and seconded by Board Member Shannon, to wit:

WHEREAS, The Village of Pittsford Planning Board (the “Board”) received and reviewed an application from the above mentioned applicant for the above mentioned action; and

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

WHEREAS, The Board makes the following findings regarding review requirements for this action:

1. State Environmental Quality Review (SEQR):
 - a. The proposed action is a Type II action pursuant to 6 NYCRR 617.5(c).9. No further review is required.
2. Monroe County Planning Review:
 - a. The application received is for minor site plan review pursuant to §210-34.2 and minor site plans are exempt from Monroe County Planning review pursuant to General Municipal Law section 239-m and an Agreement between Monroe County and the Village of Pittsford dated January 11, 1994.
3. Waterfront Consistency Review:
 - a. The proposed action is within the Village’s waterfront area but is a Type II action under SEQR so it is not subject to a Waterfront Consistency Review.

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

1. 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 drawings provide adequate information for the board to make a determination on this application.
2. The existing sign was previously approved; an area Variance was granted on April 26, 1989 to allow this type of sign to be constructed for this property. The variance did not have any conditions of approval.
3. The proposed sign is adequate in terms of size, arrangement, and design because it was previously approved by both the Zoning Board of Appeals as a variance and approved by the Architectural and Preservation Review Board.
4. The proposed sign is setback 4ft from the sidewalk and will not adversely impact snow removal.
5. Visibility of the sign will improve. The sign will not significantly block views of pedestrians and traffic for vehicles exiting the library.

NOW, THEREFORE, BE IT RESOLVED, the Board does herein waive the balance of application requirements required under the Village of Pittsford Zoning Code section 210-30.4.C 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 Board does hereby grant **Site Plan Approval** of the site plan dated JAN 22, 2020 with the following conditions:

- 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.

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

Justin Vlietstra - Yes
Susan Lhota - Yes
JoAnne Shannon - Yes
David Marshall - Yes
Justin Leitgeb - Absent

Dated: February 24, 2020

By order of the Planning Board of the Village of Pittsford

Chairperson,
Planning Board

Motion: Member Vlietstra made a motion, seconded by Member Shannon, to approve the 1/6/20 & 1/21/10 minutes, as revised.

Vote: Shannon – yes; **Vlietstra** – yes; **Lhota** – yes; **Marshall** – yes. **Motion carried.**

Motion: Member Vlietstra made a motion, seconded by Member Shannon, to adjourn the meeting at 7:30 pm.

Vote: Shannon – yes; **Vlietstra** – yes; **Lhota** – yes; **Marshall** – yes. **Motion carried.**

Linda Habeeb, Recording Secretary