

## **EAST ROCHESTER PLANNING BOARD MINUTES**

PLACE: 120 West Commercial Street, East Rochester Village Offices  
DATE: January 11, 2011  
TIME: 7:00pm

### **PRESENT:**

Herb Allen, Chairman  
Matthew Hogan, Member  
Brandi Marino, Member

Barb Marr, Member

Rob Leni, Town Attorney  
Larry Pierce, Building Inspector  
Tracie Miller, Recording Secretary

### **NOT PRESENT:**

Jan Hendrik van Edig, Member  
Herman Parson, Member  
David Schultz, Member  
Gary Smith, Parrone Engineering

Mr. Allen called the meeting to order at 7:00pm.

**1st Item on Agenda:** Matt Stowell was present seeking Sign Permit Approval and a Variance for a non-conforming sign at the Potter's House, 321 East Linden Avenue, parcel # 139.54-2-2.

Mr. Allen mentioned that the current sign in place is a pre-existing, non-conforming sign and if a variance is granted then it stays with the property forever. He expressed his appreciation if the church would put up a sign that conforms to the current Village regulations, and said the Planning Board can only make a recommendation to the Zoning Board.

Brandi Marino asked if the existing metal posts would be refurbished and Mr. Stowell said they would be painted and repaired. Mr. Hogan said he shares Mr. Allen's concern and unless there is a hardship on the church's part he would not want to grant a variance for the sign. Barb Marr said she favors a negative recommendation to the Zoning Board and would also like the sign to conform to Village Code.

Rob Leni asked if the sign dimensions were eight feet by six feet on both sides. Mr. Stowell said yes. Mr. Leni advised the Board to take two separate votes, one on the variance request and one on the actual sign content. Herb Allen had no problem with the sign content, but said the current regulations were for a maximum of six feet high, 24 square feet per side (4' x 6'). Mr. Allen asked the applicant if the church would be using internal sign lighting. Mr. Stowell said he was not in a position to make that decision. Mr. Allen said he felt indirect lighting would look nicer and not as commercial.

Mr. Stowell produced additional renderings showing what the sign would look like if it conformed to the Village code (4' x 6'). Ms. Marino asked if the church is going to change the sign above the door. Mr. Stowell said the freestanding sign was the only one being changed at this time. Mr. Allen asked if the sign at their previous location on Atlantic Avenue was smaller. Mr. Stowell said that sign was 4' x 4'.

Mr. Allen asked Mr. Leni if the Planning Board can approve the sign with contingencies. Mr. Leni said the conforming sign could be approved with no variance required or the Planning Board can grant approval for the sign content as presented and the applicant could still seek a variance. Mr. Pierce said the language of the motion should be "the conforming sign is approved with contingencies." Mr. Pierce also said that when discussing indirect sign lighting the number of lumens and excessive splash needs to be calculated.

Barb Marr asked Mr. Stowell if the church was happy with the conforming sign. Mr. Stowell said no. Ms. Marr asked if the sign was two sided. Mr. Stowell said yes it was. Mr. Leni said there were two applications pending, one for the sign as proposed and one for the non-conforming sign.

Mr. Allen called for a vote on the non-conforming sign. Matt Hogan made a motion for a negative recommendation to the Zoning Board for the 6' x 8' non-conforming sign as proposed. Barb Marr seconded the motion. Voting was 4-0, all in favor of a negative recommendation.

Mr. Allen then asked if there was a motion relative to the conforming sign. Barb Marr made a motion to approve the conforming sign as presented (24 square feet each side, 4' x 6') minus the internal lighting, but with approval for indirect up-lighting without excessive light splash. Brandi Marino seconded the motion. Voting was 4-0, all in favor.

Mr. Allen said to Mr. Stowell that if the church wanted the conforming sign they could get a permit from the Building Department without a variance, but if they wanted the non-conforming sign they would have to present it to the Zoning Board next Tuesday with a negative recommendation from the Planning Board.

Mr. Pierce stated that the church has a temporary Certificate of Occupancy.

**Old Business:** Barb Marr brought up the "Nonna's Restaurant" pole sign and requested it be removed since the business was no longer there. Mr. Pierce said the Village Code states after one year of non-use a sign is supposed to be removed and he will look into the matter.

Ms. Marr also expressed that the Cricket sign at Metro Pharmacy hangs into the sidewalk, is not in Code compliance and should be removed.

Mr. Allen asked the Board if they wanted to go ahead with the annual voting for Vice Chairman and Secretary even though three members were missing. Mr. Leni said a motion could be made to table voting until the next meeting.

Barb Marr made a motion to table the annual voting until the next Planning Board meeting due to only a bare majority of members being present tonight. Matt Hogan seconded the motion. Voting was 4-0, all in favor.

A motion was made by Brandi Marino to approve the December 14, 2010 minutes and seconded by Barb Marr. Voting was 4-0, all in favor.

**New Business:** Mr. Allen said that he met with Bethany Young, a reporter for the Messenger Post Newspaper. Ms. Young is interested in doing articles on East Rochester and Mr. Allen asked for a younger volunteer to discuss current events with Ms. Young. Matt Hogan agreed to speak with Ms. Young as he feels it is a good opportunity to promote the Village in a positive way.

A motion to adjourn was made by Matt Hogan and seconded by Brandi Marino. Voting was 4-0, all in favor of adjourning.

The meeting adjourned at 7:40pm.

Respectfully submitted,

Tracie Miller

Recording Secretary