

Meeting of the Village of Brockport Zoning Board of Appeals was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Thursday, June 2, 2016, 7:00pm.

PRESENT: Chair Robert Duff, Member Eileen Ryerse, Member Laurence Vaughan, Member Sal Sciremammano, Clerk Katie Brown

EXCUSED: CEO David Miller

ABSENT: Member Douglas Wolcott

ALSO PRESENT: Annette Crane, Jay Nichols

CALL TO ORDER: Chair Duff called the meeting to order and led the Pledge of Allegiance.

NEXT MEETING: Thursday, July 7, 2016 at 7:00pm if needed

CORRESPONDENCE: none

NEW BUSINESS:

1. Name: Jay Nichols- Stoneyard Breakfast Company
Address: 26 Clinton St.
Tax Map #: 068.52-2-11
Property Code: 425
Zoning: B- Business Use
Lot size: .29 acres
Purpose: Sign variance- request to hang 1 additional wall sign.
Zoning Code: Chapter 43-5(B), Signs permitted in business/industrial zones:
B. One wall sign, which may be illuminated, upon the front façade of a building for each permitted use or activity.

Applicant Presentation:

Chair Duff explained the Zoning Board is permitted to grant area variances, use variances, and special use permits. He noted tonight's request will be considered a special use permit. He stated the hearing is to determine compatibility of the proposed additional sign and the likely affect on the neighborhood.

Jay Nichols, representing the Stoneyard, explained the intent of his request is to install a sign that is visible from Main St and the restaurant's parking lot, where most of the pedestrian and vehicle traffic is located. He believes there is not sufficient traffic on Clinton St for a front façade sign to make an impact and that the visibility from Main St is better for business. Mr. Nichols feels the permitted sign facing Clinton St would not accomplish his goal because it is a small accent sign above the door. The main sign, which he would like to have facing Main St, is designed to be much larger and visible to traffic. He went on to say that it is not a fluorescent sign and the colors will coordinate with the Stoneyard's trademark colors (burgundy, white, black). It will not be visually offensive.

The Board had no questions for the applicant. Chair Duff requested to close the regular meeting and open the public hearing to allow for questions/comments.

Public Hearing:

- ➔ Member Sciremammano moved, Member Vaughan seconded, unanimously carried that the regular meeting be closed and the public hearing be opened at 7:18 pm.

There was no public comment.

Continued Board discussion on application:

Chair Duff asked the Board if they had questions regarding the code being appealed. Member Sciremammano noted that Chapter 43-5(B) regulates signs only on the front façade and that the applicant is proposing a sign on the side, which falls outside the code's stipulations for a front sign.

Chair Duff clarified that the question to the Board is whether an additional sign on the parking lot side, if allowed to be constructed, would be in harmony with the zoning code or have a detrimental effect on the neighborhood. Chair Duff noted that the Village's Code Review Committee is currently revising this section of the code, but as it currently stands the additional sign that the applicant is requesting, located on the side of the building, is not permitted within the standard code, thereby requiring Board approval.

The Board asked if the signs are illuminated or lit. Mr. Nichols replied that they are not self-illuminated, but there may be a light under the soffit above the front door- he cannot remember for certain.

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Chair Duff asked if any members have any questions for the applicant pertaining to the additional sign being in harmony with the Village Code or causing incompatibility with the neighborhood. There were no questions from the Board.

Member Vaughan mentioned that the Board issued a similar approval during the expansion of Rite Aid at 73 N Main St. He added that the Board wants to bring good things to the Village and without signage people will not know what is available. Member Vaughan agrees with the applicant that people passing by are important to business, requiring the sign to be noticeable. He believes the Board should grant approval because a front sign will not be visible to most villagers.

Mr. Nichols added that the additional advertising of the sign helps the new business get away from the negative connotation that Rocco's (former tenant) held.

Member Sciremammano stated the only alternative he could envision to an additional sign would be a projected sign off the front façade, but such a solution would unlikely achieve the same desired result.

Chair Duff concluded that he does not believe the request for the additional sign is in significant conflict with the code, nor does it have detrimental impact on the neighbor. He is inclined to support the application with the condition that the special use permit is applied only to this specific sign in this application.

- ➔ Member Vaughan moved, Member Ryerse seconded, that the application for the sign variance be approved.

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| Role call vote: | |
| Member Vaughan | Aye |
| Member Ryerse | Aye |
| Member Duff | Aye |
| Member Sciremammano | Aye |

The motion carries unanimously with 4 votes in favor, 0 against.

Adjournment:

- ➔ Member Vaughan moved, Member Sciremammano seconded, unanimously carried that the meeting be adjourned at 7:30pm.

Katie Brown, Clerk