

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 1, 2017, 7:00pm.

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

EXCUSED: **ABSENT:** Code Enforcement Officer David J. Miller

ALSO PRESENT: Katherine Kristansen; Annie Crane, Laura Baranes

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

REVIEW OF MEETING MINUTES: Chair Duff called for a motion to approve minutes.

➔ Member Sciremammano moved, Member Vaughan seconded, unanimously carried to approve the minutes of the meeting held February 2, 2017 as written.

Public Hearings:

NEW BUSINESS:

1. Name: Laura Baranes for Premier Sign Systems, LLC
Address: 94 N Main St
Tax Map #: 069.37-1-25
Property Code: 432- gas station
Zoning: B- Business
Lot size: 231 x 186
Purpose: Special Permit - sign
Zoning Code: Chapter 43-5c

“One freestanding sign shall be permitted when the main building is set back a minimum of 25 feet from the property line. Such sign shall not exceed an area of 25 square feet, plus five square feet for each separately operated use or activity in the structures, if there is more than one. In no case shall any sign exceed 40 square feet in area on either of two sides. Such signs shall be for no other purpose than identifying the facility and listing the individual occupants and may be located within any required yard area, but shall not extend beyond any property line and shall not exceed 20 feet in height.”

Applicant Presentation:

Ms. Baranes advised the Board that United Refining is updating the gas canopies, entrance signs, and pole signs at all of their stations in the local area through the southern tier. The gas canopy at 94 N Main St will be updated with 3mm aluminum polymetal panel with a digital print. The pole sign will be outfitted with a digital price display and lettering to indicate that Kwik Fill is a “full service” location. The foundation and the pole will remain the same, only the sign box will be changed. Lastly, illuminated face-lit channel letters will be added to the front of the building. They are attached to the building on a green raceway and use LED bulbs for internal illumination.

Public Comment:

➔ Member Vaughan moved, Member Sciremammano seconded, unanimously carried that the regular meeting be closed and the public hearing be opened at 7:06 pm.

--No Public Comment--

Chair Duff explained that special use permits are granted when a use is permitted but needs to be limited or conditioned to mitigate adverse impact on neighboring properties.

Member Sciremammano clarified with the applicant that the digital price pod on the pole sign is controlled via computer. It can only be used for a stationary price display and no numbers or letters can stream or move across it.

Member Sciremammano questioned if the proposed size of the sign is the reason a special permit is needed. Chair Duff read aloud Chapter 43-5c of the Brockport Village Code which addresses freestanding signs. He noted the preexisting sign resulted from a variance granted in 1997 allowing the sign to be 50 sqft, exceeding the code limitation.

Chair Duff confirmed with the applicant that the new pole sign will be the same height and the proposed size is 40.5 sqft. Therefore it will not be any larger than the preexisting sign that garnered approval in 1997. The gas canopy will have printed graphics on 3 sides, each sign has about 53sqft of lettering/graphics.

Ms. Baranes added that she believes the Board will be pleased with the changes, as it will make the

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station appear clean and updated.

Chair Duff commented that the internally lit sign proposed for the front of the building is not permissible per Chapter 43-5f(3) of the Brockport Village Code. An exception to this particular code can be granted by the Village Board of Trustees (VBOT). Chair Duff advised the applicant that the Planning Board will refer the matter of the illuminated sign to the VBOT.

- ➔ Member Sciremammano moved, Member Ryerse seconded that the freestanding sign and gas canopy be approved as presented.

Role call vote:

Member Sciremammano	Aye
Member Duff	Aye
Member Ryerse	Aye
Member Vaughan	Aye

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

Continued Board discussion on application:

Member Vaughan suggested the Planning Board send a recommendation to the VBOT in favor of the proposed illuminated sign. He noted that across the street Rite Aid is using an illuminated sign and there are other examples on Main Street where exceptions to the code were granted. Member Vaughan believes that the proposal aligns with the desired improvement and décor of the area. The rest of the Board agrees and Chair Duff will send a recommendation letter to the VBOT.

Member Sciremammano questioned the definition of “overhanging sign” in Chapter 43-5f(3), as he believes it indicates a sign projecting out, perpendicular to a building. The proposed illuminated sign for Kwik Fill has a 5.25” thickness that will be mounted onto the building.

Kathy Kristansen (Trustee) offered to bring the issue before the VBOT on Monday, June 5.

The Planning Board decided to approve the illuminated sign contingent on VBOT approval, so that the applicant isn't required to reappear before the Planning Board.

- ➔ Member Vaughan moved, Member Sciremammano seconded, unanimously carried that the building-mounted illuminated sign be approved contingent on the additional approval of the VBOT as required by the Brockport Village Code.

Other Business:

Member Sciremammano discussed a recent training he attended. He felt there were some interesting points of information that the Board should consider:

- No discussion regarding an application should occur outside of a meeting. Clerk Brown advised the Board that applications can only be discussed off the record when the Board is receiving legal advisement from the Village Attorney.
- The Board can appoint a substitute when a member feels that he/she cannot participate in a vote due to a conflict of interest.
- Use of signs to announce meetings. Member Sciremammano has seen other municipalities use signs to advertise village/town/city meetings. The signs are typically placed on the site of the meeting itself. Member Vaughan noted that he is aware of the Town of Greece using such a method for meetings pertaining to major issues, such as re-zoning, but not for simple applications.
- If a motion fails when a member(s) is absent, it can be re-voted at the next meeting when a full Board is present. Member Sciremammano wishes to research the details and exclusions.

Adjournment:

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

Katie Brown, Clerk