ZONING BOARD
MEETING MINUTES
APRIL 19, 2018
The Zoning Board meeting was held at 6:30 PM local time Thursday, April 19, 2018 in the Auditorium to discuss, in a meeting open to the public, tabled matters and other business that may be before it.

I. Call to Order:

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<th>ZBA MEMBER</th>
<th>PRESENT</th>
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<tr>
<td>Daniel DeLaus, Chairperson</td>
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<td>Joseph Grussenmeyer</td>
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<td>Marie Cinti</td>
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<td>Mike Belgiorno</td>
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<td>Andris Silins</td>
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II. Regarding Minutes from Zoning Board Meeting on March 15, 2018

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<tr>
<th>Motion made by:</th>
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<th>Board vote:</th>
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<th>Comments:</th>
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From March 15, 2018 meeting:
Regarding Application 18Z-0015 – 260 Embury Road – FreeChurch.net
Chairman DeLaus made a motion to add a reason why the fourth sign was not approved:
The fourth sign for this application was not approved because the Board decided it was redundant and unnecessary.
Board Member Silins – Seconded
The vote received: All Ayes by members present at April 19, 2018 meeting.
III. PUBLIC HEARING:

The Chairperson briefly explained the procedures that the Zoning Board would follow during the public hearing, also guidelines to applicants and those members of the audience wishing to speak at the public hearing.

The Chairperson further went on to inform the audience that the Board may deliberate on the applications following the hearing and/or at a future work session. Those applicants and interested persons who wished to stay for the remaining portion of the meeting to listen to any deliberation on each matter are then welcome to do so.

The Zoning Board Administrator was directed to read the agenda.

NOTE: The following is meant to outline the major topics for discussion during the Zoning Board public hearings. For more detailed information, the reader should refer to our website and watch the live recording of the April 19, 2018 Zoning Board of Appeals public hearing, which is available at www.penfield.org.
1. Pellittiere & Johnson, PLLC, 441 Penbrooke Drive, Suite 112, Penfield, NY, 14526 requests Area Variances to allow less parking than required under Section 250-7.7-D of the Code, a building with less front setback than required under Section 250-5.5-D (3) of the Code and less side setback than required under Section 250-5.5-D (3) of the Code and a taller building than permitted under Section 250-5.5-D (4) of the Code at 2316 Fairport Nine Mile Point Road. The property is owned by 2316 Nine Mile Point, LLC and zoned BN-R, SBL #140.01-2-62. Application #18Z-0020.

Appearances:
Tim Pellittiere – Pellittiere & Johnson, PLLC, 441 Penbrooke Drive, Suite 112, Penfield, NY, 14526
Erick Shaaf - Marathon Engineering

Presenter Statements:
Tim Pellittiere -
This property was purchased and a proposal submitted to the Planning Board. The size requested is thirty six (36) hundred square feet. There is an EPOD and stream in the back. The building is sixty (60) feet wide on a hundred (100) foot lot. Variances requested are as follows:
A variance of forty (40) feet from the road for the main building and they have an entryway which is thirty two (32) feet from the road. The entry was designed to fit in with the character of the neighborhood.
A variance for the side set back of ten (10) feet on the south side because of topography.
They have to have thirty (30) feet on the North side of the building to allow for a retaining wall and driveway.
A height variance for forty two (42) feet. It is a walk out from front of the building (the west), it will be a walk in from the ground level in the back of the building.
A Parking variance is needed from the required thirty two (32) spaces, to thirty (30) spaces. Many parking spaces will not be in use. They want to rent out part of the property to another low use business.

Board Comments/Questions:
The Board members asked how the height variance is determined. When asked about Planning Boards decision, Mr. Suveges said his understanding is that they are not opposed to the requested variances. The height variance is measured by the highest point of the building.

Presenter Answers:
Tim Pellittiere and Eric Shaaf –
They will use the top two floors, one for his practice and one to rent out. The basement will be used for mechanical purposes. He tried to make accommodations to make the building smaller, and to move the building to the north. There is a sanitary sewer easement that runs through the middle of the property and limits where the building can be placed. The side set back is not perpendicular at eastern side of building it is twelve and one half (12½) feet. Moving the driveway to the south side would be more intrusive to the neighbor. Mr. Shaaf reminded the board the area was rezoned to include businesses.

Audience Members:
Paul Monachino - representing his mother who resides at 2324 Fairport Nine Mile Point Road
He is opposed to mixed zoning prior to making changes to the road and has concerns for traffic.
He says although the building is very attractive it does not fit in with the neighborhood.
Tim Pellittiere - addressed an opposition email- the writer does not want to see a commercial building go up.

Continued Application #18Z-0020
**SEQRA Determination/Vote discussed**
This will be a coordinated review

**Application Vote:**
Motion made by: Board Member Cinti to **Table** and Seconded by Board Member Grussenmeyer
Chairman and Board Members: DeLaus, Cinti, Grussenmeyer, Silins – **All Ayes**
Board Member Belgiorno Abstained

Additional Notes or Conditions required by the Board:
Board Member Cinti Tabled this until Planning Board is done with its review and Zoning Board will send a memo to Planning Board with their impressions.
2. Sam Fantauzzo, 1661 Empire Boulevard, Webster, NY, 14580 requests an Area Variance to allow more lot coverage than permitted under Section 250-5.6-D (2) of the Code at 1661 Empire Boulevard. The property is owned by Fantauzzo Family Brands, Inc. and is zoned LB. SBL # 093.19-1-23. Application #18Z-0021.

Appearances by:
Greg McMann- McMann LaRue Associates
Sam Fantauzzo, 1661 Empire Boulevard, Webster, NY, 14580

Presenter Statements:
Asking for a coverage variance from sixty-five (65) percent to sixty-eight point seven (68.7) percent. They were here in November and had calculated coverage at sixty-three point four (63.4) percent but they did not include the area of the sidewalk. The Zoning Board recommended they make an application for this variance. There will be no changes to any structures.

Board Comments/Questions:
Board Members –
Asked how the error occurred as this was not the original plan the Zoning Board reviewed and someone eliminated some things on the original blueprint. There was discussion about the amount of parking spaces and which ones are going to be dug up in order to be able to put grass in to avoid a variance and how more green space could be created. Board Member Grussenmeyer wanted on record that the pavement would be torn up and grass would be planted.

Presenter Answers:
Sam Fantauzzo and Greg McMann-
There was a human error when the front parking lot was paved. They were off by one foot starting in the wrong spot which eliminated green space. When the original plan was given to the Planning Board the calculation showed they were below the sixty-five (65) percent for green space which was based on not including the sidewalk. The contractor made changes on site and paved the lawn, it is now going to be torn out. They still need the variance of sixty eight point seven (68.7) percent coverage. To create more green space the asphalt will be removed from the front porch to curb line. Mr. Fantauzzo concurred that the pavement in front would be torn up and grass planted.

Neighbors Present:
Barbara Deschanbaul - 9 Rossman Drive, Webster, NY 14580
Kelly Vogt – 4 Rossman Drive, Webster, NY 14580
Ms. Deschanbaul has concerns about drainage and water going into her yard and garage. Mr. DeLaus addressed her concerns. Ms. Vogt thinks Mr. Fantauzzo has been granted too many variances and should not be allowed anymore. Ms. Vogt brought up several points that were inconveniences and accommodations she has had to make for his project. Mr. Fantauzzo addressed her concerns.

SEQRA Determination/Vote:

Motion Made by: Board Member Grussenmeyer and Second by Chairman DeLaus
___________________________
Type I Action. Further Action
___________________________
Type II Action, not subject to further review under SEQRA.
X Unlisted Action:
X Negative Declaration (Action will not result in any significant adverse environmental impacts).
___________________________
Further Action

SEQRA Vote:
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – All Ayes

Continued Application #18Z-0021
Application Vote:
Motion made by: Board Member Grussenmeyer to Approve and Seconded by Board Member Silins
Chairman and Board Members: DeLaus, Belgiorno, Cindi, Grussenmeyer, Silins – All Ayes

Additional Notes or Conditions required by the Board:
Grass will be seeded out front.
3. Erica Lees/I’m So Board, LLC, 60 Castle Acres Drive, Webster, NY, 14580 requests a Special Permit for a Change of Use under Section 250-5.7-B (2) of the Code to allow the operation of a Board & Brush Creative Studio business at 900 Panorama Trail South. The property is owned by Turner Family Associates, LP and zoned GB. SBL #138.12-1-3.1. Application #18Z-0022.

**Appearances by:**
Erica Lees - 60 Castle Acres Dr Webster, NY 145890

**Presenter Statements:**
Erica Lees -
Requesting a Change of Use so she can bring a Board and Brush studio to the Rochester area. They teach students to make signs out of wood to display in their homes. They can bring their own beverage and she will get a New York State liquor license. Thinks its great opportunity for residents, parties, parent/child classes, fund raising for charities, schools, and girl-scout events. The hours of operation varies due to private parties and times these are scheduled. The classes last one to two hours. All storage is within the building. There is plenty of parking-eighty (80) spots available. There is a one to six ratio of employees.

**Board Comments/Questions:**
Board Members -
Inquired as to signage and space used in the building in regards to parking. How many days per week of operation and if there were any hazardous materials or fumes on site.

**Presenter Answers:**
Erica Lees -
She will be in compliance with sign requirements and she would like to have a lighted sign. She will likely have classes a couple times a week. They have sprinkler systems in place and use lower DLC for her stains but if she needs a ventilation system she will look into it and work within requirements.

**SEQRA Determination/Vote:**
**Motion Made by: Board Member Silins and Second by Chairman DeLaus**

___ Type I Action. Further Action

___ Type II Action, not subject to further review under SEQRA.

X Unlisted Action:

X Negative Declaration (Action will not result in any significant adverse environmental impacts).

___ Further Action

**SEQRA Vote:**
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – All Ayes

**Application Vote:**
Motion made by: Board Member Silins to Approve and Seconded by Board Member Cinti
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – All Ayes
4. Randy Bebout/T.Y. Lin International, 255 East Avenue, Rochester, NY, 14604 on behalf of McDonald’s USA, LLC requests a Special Permit under Section 250-10.3 of the Code to allow more than one (1) building mounted sign under Section 250-10.13-C of the Code and signage with greater graphics, trademarks or logos than permitted under Section 250-10.11-E of the Code at 2191 Penfield Road. The property is owned by Mary Ellen Guon and is zoned GB. SBL #140.01-2-1.1. Application#18Z-0023.

Appearances by:
Betsy Brugg – Woods Oviatt Gillman, 2 State Street Rochester, NY 14614
Randy Bebout – T.Y. Lin International, 255 East Avenue, Rochester, NY, 14604

Presenter Statements:
Betsy Brugg -
On this new application they are asking for three (3) wall mounted signs, fourteen (14) square feet in size. They are just the ‘golden arches’. The request is reduced by forty-four (44) percent. There is street visibility on two sides and this falls under special permit provisions of the town code. Ms. Brugg went over the criteria for a Special permitted use and how it relates to the new McDonald signs.

Board Comments/Questions:
Board Members -
Asked if the arches were the same size as in the original package and the difference here is that the word McDonalds name is gone and if they were keeping the freestanding sign. Board Member Silins pointed out there is a total of thirteen signs on site i.e. hidden signs in drive thru etc.

Presenter Statements/Answers:
Betsy Brugg and Randy Bebout -
Agreed with Board Member Cinti about the application change and free standing sign will remain as it was approved by the Zoning Board previously. Ms. Brugg said the value of the sign is that someone will look up to find the entry, so that is the reason for the ‘M’ in that location.

SEQRA Determination/Vote:
Motion Made by: Board Member Cinti and Second by Board Member Silins
___ Type I Action. Further Action
___ Type II Action, not subject to further review under SEQRA.
X Unlisted Action:
   X Negative Declaration (Action will not result in any significant adverse environmental impacts).
___ Further Action

SEQRA Vote:
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – All Ayes

Application Vote:
Motion made by: Board Member Cinti to Approve and Seconded by Chairman DeLaus
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – All Ayes

Additional Notes or Conditions required by the Board:
Two building mounted signs, being the arches placement chosen by the applicant.
5. Paul Colucci/DiMarco Baytowne Associates, LLC, 1950 Brighton Henrietta Town Line Road, Rochester, NY, 14623 requests a Special Permit under Section 250-10.3 of the Code to allow a larger freestanding sign than permitted under Section 250-10.12-B (3) of the Code with less setback then permitted under Section 250-10.12-D of the Code and taller than permitted under Section 250-10.12-E of the Code at 1930 Empire Boulevard. The property is owned by 1930 Empire Blvd Holdings, LLC and is zoned GB. SBL #093.02-1-19. Application #18Z-0024.

Appearances by:
Paul Colucci/DiMarco Baytowne Associates, LLC, 1950 Brighton Henrietta Town Line Road, Rochester, NY, 14623
Bridget Shoemaker – AJ Signs
John DiMarco – Owner of Baytowne Plaza
Bill Durdel – President Baldwin Real Estate Management
Howie Jacobson- Consultant on behalf of Baytowne Plaza

Board Comments:
Chairman DeLaus wanted noted these applications are a result of good communication with the board, town staff, the DiMarco company, the community and all of them working together by and for developing a full sign package for the plaza. They will see four or five applications in a row that is a part of a collaborative effort.

Presenter Statements:
Paul DiMarco –
He went through five (5) different variance applications and spoke collectively about all of them.
Baytowne consists of five (5) separate parcels.
1. The main Baytowne area, where Walmart used to be, which is thirty four (34) acres totaling two hundred sixty thousand (260,000) square feet.
2. The developer tract consists of eight (8) acres with U of R Medical Building on it which could support fifty eight thousand (58,000) square feet.
3. The Walmart tract which is one hundred eighty six thousand (186,000) square feet on twenty three (23) acres.
4. In the Walmart tract they include a forty-five hundred (4500) square foot Chili’s restaurant on a one (1) acre parcel.
5. The former Biel café area for Verizon is a six thousand (6,000) square feet, one acre parcel.

Baytowne Plaza’s retail portion is sixty seven (67) acres, and five hundred fifteen thousand (515,000) square feet. The frontage they occupy along Creek Street and Empire Boulevard is eighteen hundred (1800) feet from south to north. They are looking for signage at the Right-of-Way. They have five (5) entrances. It is a unique plaza in that it fronts on a Right-of-Way. Traditionally you can see retail plazas from the Right-of-Way but in this case, the buildings are just not be visible or are fifteen hundred (1500) feet back and not visible at all. The identity of Baytowne Plaza in Penfield was an important factor.

Mr. Colucci discussed each type of signage, Free Standing Directory, Driving and Pedestrian Directories, Pylons, Sign Cabinets, and Blade signs.
The variances needed for all the different signs are as follows: less setback and taller than permitted, more than one freestanding sign, signs that are larger than permitted and for the allowance of more than one building mounted sign.

Please watch the video recorded meeting available at www.penfield.org for full details.
The applications were voted on separately and the votes are as follows:

Continued application #18Z-0024
SEQRA Determination/Vote:
Motion Made by: Chairman DeLaus and Second by Board Member Grussenmeyer
___ Type I Action. Further Action _______________________
___ Type II Action, not subject to further review under SEQRA.
X Unlisted Action:
   X Negative Declaration (Action will not result in any significant adverse environmental impacts).
   ___ Further Action _______________________

SEQRA Vote:
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – All Ayes

Application Vote:
Motion made by: Chairman DeLaus to Approve and Seconded by Board Member Grussenmeyer
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – All Ayes

Additional Notes or Conditions required by the Board:
Likes that the name of the Penfield town will be on the board.
Applicant has demonstrated need and there are no safety issues.
6. Paul Colucci/DiMarco Baytowne Associates, LLC, 1950 Brighton Henrietta Town Line Road, Rochester, NY, 14623 requests a Special Permit under Section 250-10.3 of the Code to allow more than one freestanding sign under Section 250-10.12-C of the Code that is larger than permitted under Section 250-10.12-B (3) of the Code and taller than permitted under Section 250-10.12-E of the Code at 1900 Empire Boulevard. The property is owned by DiMarco Baytowne Associates, LLC and is zoned GB. SBL #093.02-1-23.111. Application #18Z-0025.

See application # Five (5)

SEQRA Determination/Vote:
Motion Made by: Chairman DeLaus and Second by Board Member Cinti

- Type I Action. Further Action ________________
- Type II Action, not subject to further review under SEQRA.
  - Unlisted Action:
    - X Negative Declaration (Action will not result in any significant adverse environmental impacts).
    - __ Further Action ______________________

SEQRA Vote:
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – All Ayes

Application Vote:
Motion made by: Chairman DeLaus to Approve and Seconded by Board Member Belgiorno
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – All Ayes
7. Paul Colucci/DiMarco Baytowne Associates, LLC, 1950 Brighton Henrietta Town Line Road, Rochester, NY, 14623 requests a Special Permit under Section 250-10.3 of the Code to allow informational signage that is larger than permitted under Section 250-10.12-F (2) of the Code and closer to the macadam surface of the road than permitted under Section 250-10.12-F 3) of the Code at 1900 and 1970 Empire Boulevard. The properties are owned by DiMarco Baytowne Associates, LLC and DiMarco Family Empire, LLC and are zoned GB. SBL #093.02-1-23.111 and #093.02-1-13.1. Application #18Z-0026.

See application # Five (5)

SEQRA Determination/Vote:
Motion Made by: Chairman DeLaus and Second by Board Member Belgiorno

[ ] Type I Action. Further Action _______________________

[ ] Type II Action, not subject to further review under SEQRA.

[X] Unlisted Action:

[X] Negative Declaration (Action will not result in any significant adverse environmental impacts).

[ ] Further Action _______________________

SEQRA Vote:
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – All Ayes

Application Vote:
Motion made by: Chairman DeLaus to Approve and Seconded by Board Member Belgiorno
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – All Ayes

Additional Notes or Conditions required by the Board:
Chairman DeLaus calling these signs the ‘internal signs’, he thinks they look great and will help the businesses and the flow.
Board Member Cinti wants the way findings signs to be directional and all tenants are given the opportunity to be on the sign.
8. Paul Colucci/DiMarco Baytowne Associates, LLC, 1950 Brighton Henrietta Town Line Road, Rochester, NY, 14623 requests a Special Permit under Section 250-10.3 of the Code to allow more than one building mounted sign per tenant under Section 250-10.13-C of the Code at 1900 Empire Boulevard. The property is owned by DiMarco Baytowne Associates, LLC and is zoned GB. SBL #093.02-1-23.111. Application #18Z-0027.

See application # Five (5)

SEQRA Determination/Vote:

**Motion Made by: Chairman DeLaus and Second by Board Member Grussenmeyer**

- Type I Action. Further Action ________________
- Type II Action, not subject to further review under SEQRA.
- **X** Unlisted Action:
  - X Negative Declaration (Action will not result in any significant adverse environmental impacts).
  - __ Further Action ________________

SEQRA Vote:
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – **All Ayes**

Application Vote:
Motion made by: **Chairman DeLaus to Approve** and Seconded by Board Member Belgiorno
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – **All Ayes**

Additional Notes or Conditions required by the Board: One ‘blade’ sign for each tenant in the plaza.
Paul Colucci/DiMarco Baytowne Associates, LLC, 1950 Brighton Henrietta Town Line Road, Rochester, NY, 14623 requests a Special Permit under Section 250-10.3 of the Code to allow more than one freestanding sign under Section 250-10.12-C of the Code that is larger than permitted under Section 250-10.12-B (3) of the Code at 1900 Empire Boulevard. The property is owned by DiMarco Baytowne Associates, LLC and is zoned GB. SBL #093.02-1-23.111. Application #18Z-0028.

See application # Five (5)

**SEQRA Determination/Vote:**
*Motion Made by: Chairman DeLaus and Second by Board Member Silins*

- ___ Type I Action. Further Action ________________
- ___ Type II Action, not subject to further review under SEQRA.
- **X** Unlisted Action:
  - **X** Negative Declaration (Action will not result in any significant adverse environmental impacts).
  - ___ Further Action ________________

**SEQRA Vote:**
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – All Ayes

**Application Vote:**
*Motion made by: Chairman DeLaus to Approve and Seconded by Board Member Grussenmeyer*
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – All Ayes

Additional Notes or Conditions required by the Board:
This characterizes filling in the space on the monument that already exists.
It looks nice, and is kept up very well
During the work session there was discussion regarding these Tabled matters.

Tabled Matters:

1. Areli Winegard/Ellison Heights Apartments, 1206 Penfield Road, Rochester, NY 14625 requests a Special Permit under Sections 250-10.3-A and 250-10.2-C of the Code to allow greater real estate signage than permitted at 1200-A Penfield Road. The property is owned by Ellison Heights Apartments, LLC and is zoned MR. SBL #123.19-1-26.11. Application #18Z-0010.

Appearances by:
Areli Winegard/Ellison Heights Apartments, 1206 Penfield Road, Rochester, NY 14625

Presenter Statements:
Ms. Winegard brought in new options. They now want to abandon the Building banners and she gave the board signs for the traffic triangle. She then described the photos she brought that show the ‘mock up’ signs in place. Some were A frame signs and another others were flutter flags; she included a site map showing placement areas. Ms. Winegard also mentioned they have some signs that do not require ZBA approval.

Board Comments/Questions:
Board Members discussed if this request changed enough that we need to re-advertise for a new public hearing. The decision was no because there was a lot of discussion for changes and input was brought in from other parties at the previous meetings. Chairman DeLaus noted that the application has been scaled down quite a bit from the original request. Board Member Belgiorno wants the opportunity to see the mock ups in person and made a motion to Table. Legal Counsel, Mr. Weishaar, went over the original application.

SEQRA Determination from February 15, 2018:
Motion Made by: Board Member Belgiorno and Second by Board Member Silins
___ Type I Action. Further Action _______________________
___ Type II Action, not subject to further review under SEQRA.
X Unlisted Action:
  X Negative Declaration (Action will not result in any significant adverse environmental impacts).
  ___ Further Action _______________________

SEQRA Voted on February 15, 2018:
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Silins – All Ayes
Board Member Grussenmeyer –Absent

Application Vote:
Motion made by: Board Member Belgiorno to Table and Seconded by Board Member Grussenmeyer
Chairman and Board Members: DeLaus, Belgiorno, Grussenmeyer – Aye
Board Member Cinti, Silins - Nay
Continued Tabled Items

2. Michael O’Connell/ID Signsystems, Inc., 410 Atlantic Avenue, Rochester, NY 14609 requests a Special Permit under Section 250-10.3-A of the Code to allow greater temporary signage at 2000 Empire Boulevard. The property is owned by Laureland, Inc. and zoned LB. SBL #093.02-1-12.1. Application 18Z-0019.

Appearances by:
Jeanne Colleluori – Rochester Regional Health
Michael O’Connell/ID Signsystems, Inc.

Presenter Statements:
Jeanne Colleluori – Rochester Regional Health has re-evaluated the initial plan and want to remove the request for the flutter signs and are asking for approval of the window clings. The length of time needed is until the patient capacity is filled up.

Board Comments/Questions:
Chairman DeLaus – Asked for clarification on time frame and wanted to know the size of the signs. Board Member Belgiorno asked if every service was done by referrals. Board Member Silins suggested the board set a time limit and at that time if needed an extension would be considered at a later date. Mr. Suveges stated they are entitled to two square feet for each linear foot of frontage.

Presenter Statements/Answers:
Jeanne Colleluori – Not all services are referrals. The buildings have different services and want to identify them. Sign sizes are: Seven (7) foot six (6) inches tall by thirty eight (38) feet nine (9) and a half inches.

SEQRA Determination from February 15, 2018:
Motion Made by: Board Member Belgiorno and Second by Board Member Silins
___ Type I Action. Further Action
___ Type II Action, not subject to further review under SEQRA.
X Unlisted Action:
   X Negative Declaration (Action will not result in any significant adverse environmental impacts).
   ___ Further Action

SEQRA Voted on February 15, 2018:
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Silins – All Ayes
Board Member Grussenmeyer – Absent

Application Vote:
Motion made by: Board Member Belgiorno to Approve and Seconded by Board Member Cinti
Chairman and Board Members: DeLaus, Belgiorno, Cinti, Grussenmeyer, Silins – All Ayes

Additional Notes or Conditions required by the Board:
Board Member Belgiorno made a motion to allow signage up for a period of six (6) months and if they need more time, they will need to reapply.
Action Item:

1. Nathan Buczek-TY Lin International, 255 East Avenue, Rochester, NY 14604 on behalf of Sam Kaiser- Glendoveers requests an Expansion to a Pre-Existing Non-Conforming Use under Chapter 250 Article VII-7.13 of the Code to allow a parking lot expansion at 2328 Old Browncroft Blvd. The property is owned by WDFA LLC and zoned R-1-20. SBL #108.18-1-1. Application #17Z-0024.

Appearances by:
Betsy Brugg – Woods Oviatt Gilmann
Bob Kieffer – TY Lin International

Presenter Statement:
Betsy Brugg -
Ms. Brugg pointed out that some decisions were already decided as they have met legal requirements.

Board Comments/Questions:
Board Member Grussenmeyer asked about the amount of dirt removed and if he had a responsibility for determining environmental impact. Mr. Weishaar, Legal Counsel, explained that in this application, although it was an unlisted action this board consented to the Planning Board acting as the lead agency on the coordinated review and the SEQR was handled by them. Planning Board also reviewed the site plan and EPOD permit.

SEQRA Determination/Vote:
The Planning Board, acting as lead agency pursuant to the State Environmental Quality Review Law has classified this proposal as an Unlisted Action and, following a coordinated review, determined that the proposal will not have a significant effect on the environment.

Application Vote:
Motion made by: Board Member Grussenmeyer to Table and Seconded by Chairman DeLaus
Chairman and Board Members: DeLaus, Belgioioso, Grussenmeyer – Aye
Board Members: Cinti, Silins - Nay

Adjourned at 10:13 p.m.
These meeting minutes were adopted on June 21, 2018.