Planning Board/ARB
Minutes
July 9, 2013

Present	**Absent**
Chairman Wohlers	Denny Marra
Craig Byham	
William Rutter	
Liz Venezky	
Joseph Slominski	

Others Present

Planning Board Secretary Donna Stassen
Joyce Lobene
Carol Nellis Ewell, Village Board Liaison
Joan Quigley
Christina Jewell Belluccio
Ricardo Arellano
Joaqeun Arellano
Donna Heiler

At this time Chairman Wohlers led the Pledge of Allegiance

ARB

Christina Jewell Belluccio
86 S Union Street
Signage

Christina Jewell Belluccio stated to the Board that her sign is already up she wasn't 100 percent clear on the procedure.

Chairman Wohlers: Who was your sign maker?

Christina: Sign of Jonah

Discussion ensued regarding the process.

Craig Byham: There are two signs on the building and this sign is not the same size it doesn't balance the building out.

The board suggested that the applicant go back to the sign maker and ask him to rebuild the sign and compensate her for the cost of a new sign.

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Christina: Ultimately it was my decision to move forward without coming in front of this board first. It is partly my fault and I don't want to say to him that the size isn't right and that he has to change it for me for free.

Carol Nellis Ewell stated that Code Enforcement Officer paid a visit to the owner of Sign of Jonah and dropped off information pertaining to the sign regulations in the Village of Spencerport.

William Rutter stated that he wouldn't want to see the applicant incur the additional cost of a new sign.

Further discussion ensued regarding the responsibility of the applicants and the sign makers.

Craig Byham agreed that he wouldn't want to see the merchant have to pay for another sign either.

Liz Venezky stated that the sign is in compliance with the sign regulations on the books.

At this time the following resolution was offered:

Resolved, that the Architectural Review Board has granted final approval for a Certificate of Appropriateness for Jewell Designs of 86 S Union Street for signage located at same.

Such new signage shall meet the following requirements:

1. Size of sign is 18" x 72".
2. Sign material to be aluminum composite with high performance lettering.
3. Color of sign to be as shown on renderings submitted to the ARB.
4. Signage to be installed in a safe manner.
5. Signage shall be kept in good condition as determined by the VOS ARB.
6. After installation the applicant shall submit a photograph of the completed sign to the Village Clerk for filing.

Ayes: Wohlers, Slominski, Byham, Rutter, Venezky
Nayes: None

Donna Heiler
Wylie Chayote's
42 Nichols Street
Patio fencing and lighting

Donna Heiler: I would like to get permission to put in white fencing similar to Bad Apple Bistro with tables and umbrellas so that it looks uniform in the plaza. The size would be 48' x 10' along the front of the restaurant up to the landscaping.

Chairman Wohlers: Your application reads “fencing around patio exactly like Bad Apple Bistro so that they match and would complement each other”. Your picture shows wrought iron fencing.

Donna Heiler: I didn’t realize that it was wrought iron I thought it was the vinyl fence that was up there before.

Chairman Wohlers: They replaced that fence because there was a problem with the strength of vinyl.

Donna Heiler: We would be able to dig down deeper into the landscaping with the posts. The problem with Bad Apples patio is it is surrounded by parking lot if you fall it is not a very safe thing. But our patio is right by the landscaping.

Chairman Wohlers: Yours will still have to be secured in the pavement.

Donna Heiler: I could not afford a wrought iron fence; the landlord put that in for them.

Liz Venezky: What is our option if the vinyl starts to fail?

Chairman Wohlers: It would be up to the Code Enforcement Officer to step in at that point.

Joseph Slominski: I don’t think looking at the drawings that you will be able to get in two rows of tables.

Donna Heiler: This was the older plan where I had originally planned for the patio to go out 16 ft. I have changed that to 10 ft so yes I would not be able to have two rows and still have room for the waitresses. They would be two top bistro tables with umbrellas in stands or put them in the ground as well.

William Rutter: I am just concerned about how it is installed so that it looks good and is permanent. Do you have someone to do the installation for you?

Donna Heiler: My boyfriend and his father they are in construction.

Craig Byham: Originally I had no problem with it if it was going to be exactly as the way it was stated just like Bad Apple Bistro. But we are not hearing that now.

Donna Heiler: When you drive up it is going to have the same look I thought it was the same fence and that he had fixed it.

Craig Byham: I would like it to look the same. Their fence is very secure it looks very classy the tables are nice too.

Donna Heiler: I can’t afford that; the landlord paid for his it was part of their landlord tenant agreement. That type of fence would cost 4 – 5 thousand dollars. I would love to do that and maybe next year I can afford that it. But for now our customers would like to see a little patio out there as would we.

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Chairman Wohlers: That was vinyl at the other location and they took it out because it wasn't safe.

Donna Heiler: It was secure for awhile it was vandalized but when we were there it was very secure.

Chairman Wohlers: I am in favor of wrought iron also; I can't see you spending the money on vinyl. I am afraid that you won't be able to secure your end posts.

Donna Heiler: We would put 4 inch wood posts into the ground. I can't afford wrought iron fencing but I would love to have a patio out front.

Chairman Wohlers: Can we say she can put tables out without putting up a fence.

Donna Heiler: I can't serve alcohol without a fence installed I need some type of enclosure. I am going to do a good job.

Chairman Wohlers: The application said wrought iron.

Donna Heiler: I didn't say wrought iron I had no idea it was wrought iron when you drive in you will think it is wrought iron.

Chairman Wohlers stated that he won't propose a resolution unless the fencing is wrought iron.

Donna Heiler stated that she won't even do it then. They approved it several years ago and it was secure until we left that space right up to the very end it was very secure.

Donna Heiler: Can you have the building department get involved and have them do a final inspection. I am trying to make the business profitable.

Chairman Wohlers: It is going to look considerably different your vinyl slats and your posts are going to be considerably larger he has a beautiful fence over there.

Donna Heiler: Well sure he does it cost 4,000 dollars but I can't afford that and I would like to have the business grow. I am having a tough time. This is an ugly plaza it is not a well constructed plaza and I am trying to make the plaza and my business look better. I have put so much money into this business already I am just asking for a little help to add this patio for the customers.

At this time the ARB moved on to the lighting portion of Ms. Heiler's application.

Chairman Wohlers: You also made application for lighting over the sign.

Liz Venezky stated that Spencerport Electric is asking that all lighting be LED.

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Donna Heiler: Is the clinic using LED the last time I was here they said that they wanted me to use something similar to the clinic.

Liz Venezky: That would be for the fixtures not the bulbs.

Craig Byham: Where will the lights be mounted on the white or the brown board?

Donna Heiler: Wherever it gives the sign the best reflection.

Craig Byham: How many lights are you proposing to put up?

Donna Heiler: 2-3

Craig Byham: You will probably need three to light that sign.

Donna Heiler: I have one more question you would let me put up tables but you won't let me put up a fence because it isn't right structurally?

Chairman Wohlers: You said you can't the liquor board won't allow it.

Donna Heilor: Your right but you didn't know that, you make it very difficult to let businesses be successful.

Chairman Wohlers: This is the first time this has come up and I know how insecure the other railing was in front of Bad Apple.

Donna Heiler: Can I get a resolution to approve the fencing if I can get someone to install wrought iron fencing?

The Board is all in favor of wrought iron fencing.

After Board discussion the following resolution was offered:

Resolved, that the Architectural Review Board has granted final approval for a Certificate of Appropriateness to Donna Heiler for Wylie Chayote's for fencing and lighting on business located at 42 Nichols Street, Spencerport NY.

Such Certificate of Appropriateness was approved based on the following conditions:

1. Outside seating area not to exceed 48' x 10'.
2. Fence to be constructed of welded wrought iron on 3 sides with a 6' opening at each end.
3. Materials to be submitted for review before any permit is issued.
4. Fencing to be painted white and installed in a safe manner.
5. 3 white gooseneck lamps are permitted above signage on white trim board as per cut sheets submitted to the Board.

6. Lights must be LED as per requirement from Spencerport Municipal Electric.
7. After installation the applicant shall submit a photograph of the completed alterations to the Village Clerk for filing.

Ayes: Wohlers, Slominski, Byham, Rutter, Venezky
Nays: none

Rancho Viejo
500 S Union Street
Leon Guillermo
Signage

Ricardo Arellano is the new manager the prior manager has already installed 2 signs on the building. The applicant stated that he was not aware that he needed to come in front of this board for approval to put up a sign and doesn't believe the prior manager did either.

Chairman Wohlers: Did they use the old signs and just reverse them?

Joaqeun: No, they are new signs.

Chairman Wohlers: Who is the sign maker?

Joaqeun Arellano: John's Studio

William Rutter: This sign is too large it doesn't fit the code.

Joaqeun Arellano: It was cut per existing awning what size does it need to be?

Chairman Wohlers: Less than 20 feet, this sign is 50 sq feet they are larger than the signage that was there before.

Craig Byham: There are 2 signs the same size.

Chairman Wohlers: The sign could not be cut down it would have to be remade.

The Board discussed how a 20 sq ft sign would be too small for this area and it would not advertise adequately.

After Board discussion the following resolution was offered:

Resolved, that the Architectural Review Board has granted final approval for a Certificate of Appropriateness to Rancho Viejo for signage located at 500 S Union Street, Spencerport NY.

Such Certificate of Appropriateness was approved based on the following conditions:

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1. Size of signage is 60” x 120” with a triangular design to fit roof rake pitch.
2. Sign material to be 1/8 “ dibond panel with vinyl cut graphics as shown on renderings submitted to the Village of Spencerport ARB.
3. Existing lighting will remain.
4. Signage to be installed in a safe manner.
5. Signage shall be kept in good condition as determined by the VOS ARB.
6. After installation the applicant shall submit a photograph of the completed alterations to the Village Clerk for filing.

Ayes: Wohlers, Slominski, Byham, Rutter,Venezky
Nays: none

Approval of Minutes:

Motion made by Chairman Wohlers seconded by Joseph Slominski and carried unanimously to approve the minutes of June 4, 2013 as written.

Adjournment:

Motion made by Chairman Wohlers seconded by William Rutter and carried unanimously to adjourn the meeting at 8:00 pm