

**CITY OF CANANDAIGUA  
PLANNING COMMISSION  
COURT ROOM, CITY HALL  
2 NORTH MAIN STREET**

**May 10, 2016**

PRESENT: Chairperson James Mueller  
Commissioner Torsten Rhode  
Commissioner Anne Beyer  
Commissioner Adrienne Kantz  
Commissioner Stan Taylor  
Commissioner Jeff Ayers  
Commissioner Glenn Colliss

ALSO PRESENT: Richard E. Brown, Director of Development & Planning

**CALL TO ORDER**

Chairperson Mueller called to order the Regular Meeting of the City Planning Commission at 7:00 P.M.

**APPROVAL OF MINUTES:**

Chairperson Mueller asked if anyone had any additions or corrections to the April 12, 2016 Regular Meeting Minutes. Commissioner Taylor moved to approve the minutes as amended. Commissioner Rhode seconded the motion, which carried by voice vote (7-0).

**REVIEW OF APPLICATIONS:**

**ITEM1** (Public Hearing) Application #16-070A: 240 Davidson Avenue, HARLON SPOLLIO, for a Special Use Permit to convert an existing two-family dwelling into a three-family dwelling.

Harlon Spollio presented the application. He is requesting a Special Use Permit to convert an existing two-family, with a home office in the back, to a three-family. The Zoning Board of Appeals granted variances at its' April meeting which has allowed him to come before the Planning Commission.

Chairperson Mueller voiced concerns about parking. Mr. Spollio believed there was adequate parking, 1.5 cars per unit. Commissioner Rhode asked if the parking would be stacked parking. Mr. Spollio said it would be an option, but the lot opens up in the back for parking without stacking.

Chairperson Mueller opened the public hearing. No one was present. The Public Hearing was closed.

Commissioner Taylor questioned the driveway being shared with the adjacent property. Mr. Spollo owns the adjacent property, so that is not a problem.

Commissioner Colliss asked if parking required was per bedroom. Mr. Brown stated 1 1/2 parking spaces are required per unit.

Commissioner Ayers noted it was mentioned at the Zoning Board meeting a neighbor, Mrs. Bonk, in favor of the application commented that there would be less traffic with an additional unit than with the existing office.

Commissioner Rhode was concerned about the unapproved use of the parking between sidewalk and street. Also, there is no overnight parking on the street. He noted there is a provision in the code for the City Manager to approve this parking.

Chairperson Mueller suggested the application be tabled for the applicant to request formal approval of this existing paved area.

Mr. Spollo felt the condition to be unreasonable for one parking spot.

If condition is approved there is no need to return to the Planning Commission.

Chairperson Mueller asked if there were any further comments or questions from the Commission.

Commissioner Rhode moved the Planning Commission Approve the application as submitted and presented with the following condition:

1. The applicant shall obtain approval to use the existing, paved on-street parking in accordance with §517-3 “Parking Between Sidewalk and Curb”.

Commissioner Colliss seconded the motion, which carried with a voice vote (7-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Beyer	Voting	YES

**ITEM 2      Application #16-009C: 20 Phoenix Street, MAE FOX, for a Historic Alteration, to amend the size of the penthouse addition approved on April 12, 2016, and to paint the building exterior.**

Daniel R. Long, the project architect, presented the application. Also present were the owners, Mae & Keith Fox. Applicant is requesting to amend the size of penthouse from 110 SF to 140 SF to accommodate more storage. Applicant is also requesting to paint the building. A seal coat has been applied to the building without being cleaned. There is now soot, dirt and debris sealed into the brick. Sandblasting would be required to clean the brick and that would be dangerous for the brick. The brick was also poorly re-pointed. Applicant feels painting the brick is the best solution. The body of the building would be a very light grey and the trim burgundy. They would leave "Merrill Hose" lettering on the building.

Commissioner Rhode believes the age marks are all part of the building's history. He noted that *The Secretary of the Interior Standards* recommends not painting unpainted brick. Chairperson Mueller agreed.

Commissioner Kantz believes the building looks great from the front, but the parking lot side and back of the building is not in good shape.

Ms. Fox said that although she respects the history of the building, she also would like to be proud of where they live. There are murals on brick buildings in the city, what is the difference?

Chairperson Mueller asked if there were any further comments or questions from the Commission.

Commissioner Ayers moved the Planning Commission Approve the amended size of the penthouse addition, but Deny the request to paint the brick façade.

Commissioner Rhode seconded the motion, which carried with a voice vote (7-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Beyer	Voting	YES

**ITEM 3**      **Application #16-091: 109 Gorham Street, SCOTT AND NICOLE MCHENRY, for a Historic Alteration to conduct the following work:**

- 1. Replace garage roof**
- 2. Enclose rear porch**
- 3. Construct a rear deck**
- 4. Install a 6-foot privacy fence along the driveway side property line**

Scott McHenry presented the application. Also present was Nicole McHenry.

Item #1, applicant would like to withdraw the request to replace the garage roof; there will be no change in material or color. A building permit has already been issued for the roof.

Item #2, applicant would like to enclose the rear porch and cover with the pre-existing siding already on the house.

Item #3, applicant would like to construct a deck that would be off the back of the house which is not visible from the street.

Item #4, applicant would like to install a 6-foot privacy fence. Applicant has not chosen type of fencing yet.

Chairperson Mueller asked if there were any further comments or questions from the Commission.

Commissioner Rhode moved the Planning Commission amend the application by the applicant to withdraw the request to replace the garage roof. The action of the Commission was to Approve the enclosure of the rear porch and the construction of the rear deck. The applicant shall return with details for the construction of the 6-foot privacy fence.

Commissioner Kantz seconded the motion, which carried with a voice vote (7-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Beyer	Voting	YES

**ITEM 4**      **Application #16-112:123 South Main, PEACHES, Historic Alteration, to install two 16 SF wall signs.**

Mr. Pietropaolo was cited for two additional wall signs installed without approval.

Commissioner Rhode believes the signs are not consistent with the historic façade or with the other approved signage.

Commissioner Taylor moved that the Planning Commission Deny the request finding that the proposed signage is inconsistent with the existing signage and the overall historic character of the building in the proposed signs’ design, color, appearance, and execution.

Commissioner Rhode seconded the motion, which carried with a voice vote (7-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Beyer	Voting	YES

**ITEM 5**      **Application #16-113: 135 Eastern Blvd. KFC, Architectural Review to install a 64 SF wall sign.**

Mr. Brown said that Kentucky Fried Chicken had recently added the stencil sign on the side of the building that was specifically denied by the Planning Commission during Architectural Review.

Commissioner Taylor said that the conditions of the Planning Commission should be met. Commissioner Rhode agreed.

Commissioner Taylor noted that the sign over the entry is not consistent with what was approved. The installed sign is striped and bigger than the rendering.

Commissioner Taylor also noted that directional ground signs were installed that were not part of the approved signage.

Commissioner Taylor asked about the approved pergola that has not been built. Mr. Brown said he heard through the Code Enforcement Office that the applicant is reconsidering the need for the pergola.

Chairperson Mueller said the pergola is free-standing and not part of the building; we cannot require them to build it.

There was discussion as to whether or not this element should be required as part of the approved site plan and architectural design.

Commissioner Rhode moved that the Planning Commission **Deny** the request and affirm the approvals granted on September 8, 2015.

Commissioner Ayers second the motion which carried with a voice vote (7-0).

Chairperson Mueller	Voting	YES
Vice Chairperson Rhode	Voting	YES
Commissioner Taylor	Voting	YES
Commissioner Colliss	Voting	YES
Commissioner Ayers	Voting	YES
Commissioner Kantz	Voting	YES
Commissioner Beyer	Voting	YES

**MISCELLANEOUS:**

The temporary *Crossfit* banner at 699 South Main Street has been installed, but the placement looks odd. The permanent sign should be installed higher on the wall.

The temporary *Modern Belle Studio* banner at 37 South Main Street has been recently enclosed in a wooden frame. This is not consistent with the Planning Commission approval. A permanent, solid sign is required.

There were questions about sidewalk cafes at Nick's Chophouse and Eddie O'Briens. Mr. Brown explained that these were approved by the City Manager in accordance with the code.

**ADJOURNMENT:**

Commissioner Colliss made the motion to adjourn the meeting at 8:30. Commissioner Beyer seconded the motion, which carried with a voice vote of 7-0.

---

Richard Brown  
Director of Development & Planning

---

James Mueller  
Planning Commission Chairperson