

**MINUTES  
CITY OF CANANDAIGUA  
PLANNING COMMISSION  
February 8, 2022**

PRESENT:           Chairman Stanley Taylor                           Commissioner Bonnie Dorschel  
                      Vice Chairman Anne Beyer                   Commissioner James Hitchcock  
                      Commissioner Lindsay Van Deusen       Commissioner Richard Manley  
                      Commissioner Guy Turchetti

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

**CALL TO ORDER**

Chairman Taylor called to order the Regular Meeting of the City Planning Commission at 7:00 P.M. (The meeting was held remotely via the Zoom online platform)

**APPROVAL OF MINUTES:**

Chairman Taylor asked if anyone had any additions or corrections to the January 11, 2022 Meeting Minutes. Commissioner Manley moved to approve the minutes as submitted. Commissioner Dorschel seconded the motion, which carried by unanimous voice vote (7-0).

**REVIEW OF APPLICATIONS**

**ITEM 01**        **Application #21-431A: 128 Thad Chapin, BILL & LINDA PULHAMUS, for a Historic Alteration, to modify first-floor window on the north face of the home. (Modify approval granted on January 11, 2022)**

Bill and Linda Pulhamus presented the application. They received approval last month to modify two windows on the north face of the house. They would like to modify their request by adding the third window in this row so that all three would match in style.

Commissioner Manley asked for clarification on the size of the new window. Mr. Pulhamus said the replacement window will be the same size as the existing window.

Chairman Taylor inquired about the installation of a panel to match the other two windows. Mr. Pulhamus explained that no panel is needed because there will be no reduction in size. However, the style of window will match the other two.

Commissioner Turchetti asked why the applicant is replacing the window with a Marvin window, when the other two approved windows are Andersen. Mr. Pulhamus explained that a wooden Andersen window for this opening is currently unavailable.

Commissioner Beyer noted the finding from the previous approval, that the windows are old, but not original.

Chairman Taylor asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Van Deusen moved that the Planning Commission Approve the application as submitted and presented with the following conditions:

1. The panels installed beneath the new windows shall be painted white.
2. Applicant shall retain the original windows.
3. The windows shall be wooden, as opposed to vinyl clad.

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

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Voting	YES
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

**ITEM 02      Application #22-003: 699 South Main Street, UR MEDICINE URGENT CARE, for Architectural Review, to install a 60 SF ground sign. (Tabled on January 11, 2022)**

Commissioner Turchetti motioned to lift the application from the table. Commissioner Hitchcock seconded the motion, which carried with a vote (7-0).

Terry Zappia, of Pierrepont Visual Graphics, represented the application. He is returning with a modified proposal. The sign now has a horizontal orientation, with a brick base and a landscaped bed. The size has been reduced from 60 to 30 square feet, with a height of 5 feet.

Chairman Taylor noted the new sign contains all of the same graphic elements as the sign that was originally proposed.

Commissioner Manley likes that it is possible to see over the top of the sign. It is unobtrusive and a big improvement.

Commissioner Hitchcock asked if the two existing signs are to be removed. Mr. Zappia answered yes.

Commissioner Dorschel originally questioned the need for a sign, with multiple signs on the building. She now believes it is appropriate and is pleased with the proposed changes.

Chairman Taylor asked if there were any additional comments or questions. Hearing none, he called for a motion.

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

1. The two existing signs shall be removed.

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

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Voting	YES
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES

Chairman Taylor

Voting

YES

**ITEM 03**      **Application #22-016: 800 South Main Street, NEW YORK KITCHEN, Site Plan Review, to create outdoor dining area.**

David Crowe, of HB Cornerstone, represented the application. Alyssa Belasco, Executive Director, was also present. The applicant is seeking to add a large paver patio outside their tasting room, to add interest and show activity to the Main Street side of the property. It is presently dark in that area, with nothing to indicate the business is open.

They are proposing to surround the patio with a low stone wall for additional seating, and string lighting over top. The plan includes a fire pit and tables with seating for approximately 64 people. Additional lighting includes low voltage down-lighting in the soffits and in the wall.

Two doors will replace two windows and the existing large window in the center is to be replaced with a fold-out window. It will become a canopy when open. Two trees would be added between the sidewalk and the building.

Chairman Taylor asked if the intent is to serve from the fold-out window. Mr. Crowe said yes, but two new doors will be added to allow patrons to enter the tasting room, if desired.

Commissioner Manley asked whether the proposed sidewalk is needed. Mr. Crowe explained that it is designed to discourage patrons from stepping over the low stone wall.

Mr. Brown inquired about patio umbrellas. Mr. Crowe said the existing umbrellas, that are used in other areas of the property, are black, with a white NY Kitchen logo. They would likely duplicate these in the new patio area. They may possibly reverse the colors to have white umbrellas with a black logo, or use umbrellas with no logo.

Commissioner Beyer questioned the hours of lighting. Mr. Crowe said the lighting will mimic the hours of operation. Ms. Belasco said they typically close between 7:00 and 9:00, depending on the season.

Mr. Brown inquired about outdoor music. Mr. Crowe said they are proposing low-level background music, such as Muzak.

Commissioner Turchetti believes it would be a nice addition, with a view of the pier and the lake. Chairman Taylor and Commissioner Hitchcock agreed.

Commissioner Dorschel appreciates that it will be easier to tell when the business is open.

Chairman Taylor asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Hitchcock moved that the Planning Commission Approve the application as submitted and presented with the following conditions:

1. Any umbrella shall not display a logo, with the exception of a company logo in black on a white umbrella, or company logo in white on a black umbrella.
2. The hours of lighting shall coincide with the hours of operation.
3. Any music shall be maintained at a level that can only be heard within the outdoor seating area.

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

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Voting	YES
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

**ITEM 04      Application #22-018: 181 South Main Street, GOOD LIFE TEA, for a Historic Alteration, to replace signage.**

Ian MacDonald, of Historic Sign Restorations, presented the application. Since the building owner used the traditional signboard area to name the building itself, the business is limited to just the window area. The existing vinyl window decal is pulling away from the glass on the single pane window, due to heavy condensation. The applicant is proposing to replace it with a wooden, wall sign. It would be the same size and location, but would be a solid sign board, mounted over the upper portion of the storefront window.

Chairman Taylor asked if the applicant had considered any alternatives, such as installing a new vinyl decal. Mr. MacDonald said vinyl is a poor choice because it cannot maintain adhesion due to condensation. They considered a projecting sign, but mounting would require penetrating the brick façade, which may be a concern for the building owner. They also considered lettering the glass directly, but that would not allow the applicant to take the sign with them if they should decide to relocate.

Commissioner Manley likes the design of the sign, with the attention to detail.

Commissioner Beyer noted that the proposed sign is unique, but there are limited options. She pointed out that the sign would likely not cause any permanent damage to the building.

Chairman Taylor believes approving a sign mounted over the exterior of a window would set a bad precedent. He would like to see another alternative, such as mounting the new wooden sign on the inside of the window. Mr. MacDonald said the sign would have limited visibility, due to the condensation.

Commissioner Hitchcock inquired about lighting. Mr. MacDonald said there is no lighting proposed.

Mr. Brown mentioned that he has spoken with the building owner, who contacted him to express concerns over the proposal.

Chairman Taylor reiterated his concerns over setting a bad precedent. He feels further discussion is needed between the tenant and landlord to consider alternatives. Perhaps the owner would consider replacing the window to correct the condensation issue.

Chairman Taylor asked if there were any additional comments or questions. Hearing none, he called for a motion.

Commissioner Manley moved that the Planning Commission Table the application to allow the tenant and landlord to reach an agreement and provide alternatives.

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

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Voting	YES

Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

**ITEM 05      Application #22-017: 74 Bristol Street, JOSEPH FURMANSKY, for a Historic Alteration, to reconstruct front porch.**

The applicant and architect were unavailable to speak to the application. Chairman Taylor asked for recommendations from the commission. Commissioners Manley and Van Deusen expressed their desire to table the application to allow the applicant to be present to address questions and concerns.

Chairman Taylor called for a motion.

Commissioner Beyer moved that the Planning Commission Table the application to allow the applicant to be present.

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

Commissioner Manley	Voting	YES
Commissioner Turchetti	Voting	YES
Commissioner Van Deusen	Voting	YES
Commissioner Hitchcock	Voting	YES
Commissioner Dorschel	Voting	YES
Vice Chairman Beyer	Voting	YES
Chairman Taylor	Voting	YES

**MISCELLANEOUS**

**ITEM 1      Referral from the City Council: Ord. #2022-001: Amending the Sign Ordinance.**

Mr. Brown described the proposed amendment. The city’s sign laws predate much of the case law that has since prohibited the regulation of sign content. Communities can regulate time, place, and manner of signage, as long as these laws are content neutral. The first part states that this law is intended to regulate signage in a manner consistent with the First Amendment. A few definitions were added, such as those that distinguished between commercial and noncommercial speech. Finally, there is some additional clarification regarding what constitutes a temporary sign.

After some discussion, it was determined that the Planning Commission supports the ordinance as proposed. A positive recommendation will be made to City Council.

**ADJOURNMENT**

Commissioner Hitchcock moved to adjourn the meeting at 8:25. Commissioner Manley seconded the motion which carried with a unanimous voice vote (7-0).