PRESENT: Chairman Torsten Rhode  Commissioner Guy Turchetti
Vice Chairman Stanley Taylor  Commissioner Anne Beyer
Commissioner Jeff Ayers

ABSENT: Commissioner Adrienne Kantz
Commissioner Lindsay Henehan

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

CALL TO ORDER
Chairman Rhode called to order the Regular Meeting of the City Planning Commission at 7:00 P.M.

APPROVAL OF MINUTES:
Chairman Rhode asked if anyone had any additions or corrections to the September 10, 2019 Meeting Minutes. Vice Chairman Taylor moved to approve the minutes as submitted. Commissioner Beyer seconded the motion, which carried by unanimous voice vote (5-0).

REVIEW OF APPLICATIONS

ITEM 1 Application #19-197A: 254 South Main Street, MEAGAN AND DAVID D’ALLESANDRO, for a Historic Alteration to modify existing building exterior and create outdoor seating area. (Amendment to approval granted on July 9, 2019)

David D’Allesandro represented the application. He wishes to replace the proposed brick wall that was to enclose the exterior dining area with cedar-plank style fencing. After speaking with a couple of masons, he learned that the existing brick is a composite brick that would be very difficult to match and quite costly. He is also proposing a minor change in the configuration of the entry door opening on the south side of the building. It needs to be moved to the other side to comply with emergency exit code. He also would like to shrink the clerestory and install vinyl siding and vinyl windows on that portion of the roof. All of the windows would be black to match the doors and window frames throughout the rest of the building.

Vice Chair Taylor asked if the clerestory is to have windows on both the north and south sides. Mr. D’Allesandro confirmed that it would be symmetrical.
Vice Chair Taylor asked if the applicant had considered using an alternate material for the siding such as cement board or Hardiplank. Mr. D’Allesandro said he is open to looking into those alternatives.

Chairman Rhode and Commissioner Ayers also inquired about the siding. Mr. D’Allesandro confirmed he is planning a vertical, board and batten style in a neutral brown to match the color that is currently on the north and west sides of the building.

Chairman Rhode and Vice Chair Taylor asked about the proposed fence. Mr. D’Allesandro confirmed the size would be the same as the previously approved brick wall. It would have a clear-stain finish with a black, wrought-iron style gate between the existing brick columns.

Vice Chair Taylor asked when the preexisting pole sign frame would be removed. Mr. D’Allesandro said that would be done once a building permit is issued, in the next week or two. They were not able to do this themselves.

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

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented with the following condition:

1. The siding on the clerestory will be a vertical style, cement board.

Commissioner Turchetti seconded the motion, which carried with a unanimous vote (5-0).

Commissioner Ayers  Voting  YES
Commissioner Beyer  Voting  YES
Commissioner Kantz  Absent
Commissioner Heneman  Absent
Commissioner Turchetti  Voting  YES
Vice Chairman Taylor  Voting  YES
Chairman Rhode  Voting  YES

ITEM 2 Application #19-202: 26 Coach Street, RONALD REASON, for a Special Use Permit to operate an eating and drinking establishment within the existing structure. (Tabled on August 13, 2019.)

Ron Reason represented the application. He is proposing to paint the vinyl siding a dark brown color and the window trim white. He proposes to install planter boxes at the front of the building, attach lights to the east side of the building, and install an awning. He is also proposing a projecting sign. He looked into fencing around the dumpster located at the northwest corner of the property. He was exploring installing a 6-foot, PVC, privacy fence, however, he realized this would prevent a garbage truck from having enough room to gain access.
Vice Chair Taylor inquired about the proposed hours of operation. He believes the hours of operation are not consistent with others on Coach Street, that close much earlier. Mr. Reason described the hours as 11:00 a.m. – 1:00 a.m. Sunday through Thursday; and 11:00 a.m. – 2:00 a.m. on Friday and Saturday. Vice Chair Taylor said he would like to see a response from the Police Chief, even if it is a response of no concern.

Chairman Rhode asked about the shutters and colors proposed for the exterior. Mr. Reason described the siding as a dark blue/gray color. The shutters would be two-panel vinyl in a slightly different shade of the same color. The window frames would be white.

Chairman Rhode also inquired whether the wall sconce light fixtures proposed are downward facing only. Mr. Reason explained they are 10 watt, upward and downward facing. They are similar to those used by McDonald’s and Taco Bell. Chairman Rhode pointed out that 10 watt LED lights are quite bright. He would like to see dark-sky lighting that does not shine upward to prevent light spilling over to adjacent properties. Mr. Reason said he is willing to make the change to address this concern.

Commissioner Ayers asked for clarification about the issue with the privacy fence. Mr. Reason explained that with a fence installed, there would not be enough turning radius for the size of the truck that would be needed to empty a 4, 6 or 8 yard dumpster. The only other option is to replace the dumpster with hand-totes, which could be emptied with a smaller truck. This would present a problem for Casa de Pasta, who shares this dumpster. They currently use this dumpster because they have no room for one on their own property.

Vice Chairman Taylor feels a site plan is still needed to indicate the location of all of the proposed changes, including lighting and fencing. Mr. Reason does not feel the need for a privacy fence at this time with no building on the lot next door. Should that change, he would be willing to pay for half of the cost of installing a fence.

Chairman Rhode established that the sign would be a 42” two-sided, round sign. Commissioner Beyer questioned whether it would be lit. Mr. Reason confirmed it would not be a lighted sign.

Commissioner Ayers asked about a hand railing and the condition of the steps. Mr. Reason explained that there is an existing iron railing and the steps do need some work.

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

Vice Chairman Taylor moved that the Planning Commission Table the application with the applicant’s permission. This will allow time for the applicant to produce the following additional information requested by the board:

1. Site plan including the turning radius for a garbage truck to access the dumpster.
2. Details of the proposed outdoor lighting, verifying dark-sky compliance.
3. Paint chips for the proposed color scheme.
4. Details proposed for the front steps, hand rail, and planter boxes.
5. A definitive plan for repairing the sag in the roof.

Commissioner Ayers seconded the motion, which carried with a unanimous vote (5-0).

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**ITEM 3 (POSTPONED) (Public Hearing) Application #19-264: 10 Chapin Street, SAVARINO COMPANIES, Special Use Permit, Site Plan Review, Architectural Review to redevelop vacant 80,000 SF building. (Amendment to plans approved May 9, 2017.)**

Mr. Brown explained that the applicant was not prepared to present and requested that the review be postponed until the next meeting.

**ITEM 4 (Public Hearing) Application #19-276: 334 West Avenue, CASSANDRA BENEDEK, Special Use Permit (Short Term Rental) to rent out one bedroom within the single-family home.**

The homeowner, Cassandra Benedek, represented the application. They wish to rent out one room within their home through Airbnb. It is their primary residence and they will be on site when guests are present. They have a large lot with plenty of parking.

Chairman Rhode confirmed that Ms. Benedek is familiar with the City Code regarding short term rentals.

Chairman Rhode opened the Public Hearing. There were no speakers. Chairman Rhode closed the Public Hearing.

Chairman Rhode 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.

Commissioner Ayers seconded the motion, which carried with a unanimous vote (5-0).
ITEM 5   (Public Hearing) Application #19-303: adjacent to 143 North Pearl Street, BELL ATLANTIC MOBILE, for Architectural Review and Special Use Permit (Public Utility) to replace existing 33’ utility pole with a 39’ pole with antenna attached to establish a small cell wireless facility.

Nathan Vander Wal, from Nixon-Peabody was present. With him were Josh Doolin, an RF engineer with Verizon Wireless, and Project Manager, Kathy Pomponio.

Mr. Vander Wal stated that they appeared before the Planning Commission in February 2019 with this proposal. It was originally proposed for the west side of North Pearl Street, however there were some comments and recommendations made by the board which led them to this newly proposed location on the east side of the street. The “can-tenna” is to be located between the many existing wires, with the overall height of the pole increased by 6 feet to create the necessary separations. The equipment box has been raised 5 ft. from the previous proposal to take it out of a driver’s or pedestrian’s typical line of sight and then painted brown to better camouflage with the environment.

Chairman Rhode opened the Public Hearing. Seeing no one, the Public Hearing was closed.

Chairman Rhode reminded everyone of the discussion of this project during a work session after last month’s Planning Commission meeting. It was reviewed along with several other proposed sites for small cell wireless facilities.

Chairperson Rhode led the commission through the submitted SEQR short Environmental Assessment Form. Commissioner Taylor moved that the Planning Commission find that the project will not result in any significant adverse environmental impacts and that a SEQR Negative Declaration be filed. Commissioner Ayers seconded the motion, which carried with a unanimous voice vote (5-0).

Chairman Rhode 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.

Commissioner Turchetti seconded the motion, which carried with a unanimous vote (5-0).
ITEM 6  Application #19-304: 32 Coach Street, TODD HENDERSON, for a Historic Alteration, to reside the existing building and replace windows.

Todd Henderson represented the application. He proposes to reside the south side of the building with a vertical, steel panel system. The colors would be tan and charcoal grey. The north is to remain as-is with horizontal siding, although the exposed, concrete block foundation is to be sided with a vertical, steel siding. He would like to replace two, boarded-up windows and install a large second-story window that is part of the original framing, but later covered up with siding.

Commissioner Ayers asked about an existing man-door that is missing stairs leading up to it. Mr. Henderson stated he is planning to remove that door and fill it in with siding to match.

Chairman Rhode inquired about the style of windows. Mr. Henderson stated they would be white vinyl, double-hung windows, and the large window would be a 64” x 52” fixed, picture window.

Chairman Rhode feels there are a lot of combinations of different materials being proposed. He suggested another alternative for the steel skirting would be Conproco. It is fiber-reinforced and looks like stucco once complete. Mr. Henderson stated that the north side has vinyl siding that extends to the ground. He believes there is no masonry foundation on that side. He would prefer to install the steel siding to keep it uniform on each side.

Chairman Rhode asked about the history of the building. Mr. Henderson described the building as an old blacksmith shop built in the 1940’s and then added on to.

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

Commissioner Ayers moved that the Planning Commission Approve the application as submitted and presented.

He made this motion with the finding that this is a non-descript building that has been built in phases and has no historic significance.

Commissioner Turchetti seconded the motion, which carried with a unanimous vote (5-0).
ITEM 7  Application #19-305: 143 Gibson Street, THOMAS POPLASKY, for a Historic Alteration to install a fence along the western property line.

The homeowners, Thomas and Deborah Poplasky, represented the application. They propose a 6-foot high, white, vinyl fence. It is to replace a wire mesh fence that has deteriorated.

Chairman Rhode inquired about the board pattern of the fence. Mr. Poplasky described vertical panels that would be stepped, due to the slope of the yard.

Chairman Rhode acknowledged the uniqueness of the application. Commissioner Ayers agreed and noted the view of the fence is more than 80 feet from the sidewalk. Commissioner Beyer recognized that it is also obscured by a hedgerow.

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

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented.

He made this motion with the finding that view of the fence is more than 80 feet from the sidewalk and obscured by a hedgerow.

Commissioner Ayers seconded the motion, which carried with a unanimous vote (5-0).
ITEM 8  Application #19-306: 70 Howell Street, GARY SCHLEMME, for a **Historic Alteration** to install a painted wooden fence separating the backyard from the driveway.

Gary Schlemme, the homeowner, represented the application. He is proposing a decorative fence across the driveway and a gate that would be framed by the porte cochere. He would paint it white to keep in character with the neighborhood. It would be approximately 122 feet from the street.

Vice Chairman Taylor asked if the fence would restrict vehicles from accessing that portion of the driveway. Mr. Schlemme confirmed that they intend to block access to that section for the safety of their grandchildren, who play in that area.

Chairman Rhode 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.

Vice Chair Taylor seconded the motion, which carried with a unanimous vote (5-0).

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ITEM 9  Application #19-307: ROSEPARK HOMES OWNERS' ASSOCIATION, for **Architectural Review** to install fence along the western property line.

Rosepark resident, Charles Battle, represented the application. The HOA proposes to install a 6-foot high, decorative, black aluminum fence approximately 980 feet along the entire length of the western property line. This will replace a deteriorated split-rail fence. The existing fence has proved inefficient at dissuading trespassers onto Rosepark property, in spite of numerous “No Trespassing” signs. The proposed fence would provide them with increased privacy and better security.

Vice Chairman Taylor confirmed that the entire split-rail fence would be removed.

Mr. Battle agreed that the small return portion of the fence along Lakeshore Drive would be at least 25 feet back from the front property line in accordance with code or a 6-foot high fence.
Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.

Vice Chair Taylor moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Turchetti seconded the motion, which carried with a unanimous vote (5-0).

Commissioner Ayers  Voting  YES
Commissioner Beyer  Voting  YES
Commissioner Kantz  Absent
Commissioner Henehan  Absent
Commissioner Turchetti  Voting  YES
Vice Chairman Taylor  Voting  YES
Chairman Rhode  Voting  YES

ITEM 10  Application #19-311: 170 South Main Street, PATRICK GLEASON, for a Historic Alteration to modify approved façade renovation from April 9, 2019.

Property owner, Patrick Gleason represented the application. In April, he proposed raising the parapet to 42” as required for a safety handrail on the rooftop deck. The wooden framing would be faced with a decorative stone veneer to replicate the existing façade. This would result in four “courses” of stone and then a decorative top. Having viewed an artist’s rendering, he feels the original design is too harsh. He would now like to divide this height with just two courses of stone and then top it with glass panels. This would allow rooftop diners a better view of the street. He also proposes to change the approved location of the exterior lamp from between the door and window to over the door. In addition, he is seeking approval for signage and an awning.

Chairman Rhode confirmed that there would be a metal rail installed at the top of the glass panels. Mr. Gleason described a framed glass wall that would wrap around the south side, extending approximately 8 feet. The remainder would be a solid wall, also with a railing.

Commissioner Ayers asked for a description of the metal frame around the glass. Mr. Gleason described 4x4 solid posts with flat metal on top in a black or bronze color.

Vice Chairman Taylor feels a glass wall is inappropriate in the Historic District facing Main Street. He would like to see renderings of alternate proposals for the wall.

Mr. Gleason described the other proposed changes. He would like to relocate the outdoor light from between the door and window to above the door. He would also like to change the color of the awning from green to black and the orientation so it is positioned 3 feet above the door, extending 4 feet out from the building. He does not have the signage proposal prepared at this time.

Chairman Rhode asked if there were any additional comments or questions. Hearing none, he called for a motion.
Vice Chair Taylor moved that the Planning Commission *Approve* only the portion of the application for the proposed awning and the relocation of the outdoor light as submitted and presented.

Commissioner Ayers seconded the motion, which carried with a unanimous vote (5-0).

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Vice Chair Taylor moved that the Planning Commission *Table* the proposed changes to the parapet wall and the sign to allow the applicant to produce renderings, including alternative materials and designs for the wall.

Commissioner Ayers seconded the motion, which carried with a unanimous vote (5-0).

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**ITEM 11** Application #19-316: 11 Lakeshore Drive, CANANDAIGUA SAIL BOARDING, for *Architectural Review* to alter entry, construct canopy, and install 21 SF sign.

James Cretekos from BME Associates represented the application, along with the prospective buyer, Fred Rainaldi Jr. The current property owner, Steve Howie, was also present. Mr. Rainaldi proposes to dress up the façade of the existing business, although the use itself will not change. He proposes to replace the entire wooden portion with new cedar trim. The glass entry opening will be expanded and a steel and wood pergola will be added. The new sign will be internally-illuminated letters, free-standing upon the new canopy. He also plans to remove the existing brick sidewalk and replace with stamped concrete. New trench drains will be installed in front of the new sidewalk and along the building to correct drainage problems. In addition, he would like to install an 8-foot high, board-on-board fence in the rear of the property to secure the rear storage area.
Chairman Rhode asked what hours the sign would be illuminated. Mr. Rainaldi described the sign as a high-efficiency, internally lit, LED sign that would help light up the dark corner for improved safety. His proposal was to keep it lit until 11:00 p.m. or midnight. Chairman Rhode suggested 11:00 p.m. Mr. Rainaldi agreed with the desired cut-off.

Vice Chairman Taylor said he was concerned that the colors chosen for the building are very dark, as opposed to the brighter colors of other properties in that area. Mr. Rainaldi explained the desire to use natural materials to carry on the legacy of the building while adding a fresh energy.

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

Commissioner Turchetti moved that the Planning Commission Approve the application as submitted and presented.

Commissioner Beyer seconded the motion, which carried with a unanimous vote (5-0).

Commissioner Ayers Voting YES
Commissioner Beyer Voting YES
Commissioner Kantz Absent
Commissioner Henehan Absent
Commissioner Turchetti Voting YES
Vice Chairman Taylor Voting YES
Chairman Rhode Voting YES

ITEM 12 Application #19-318: 115 Howell Street, JADON HOFFMAN, for a Historic Alteration to modify window openings on rear porch and to replace the side entry door.

Jadon Hoffman, the homeowner, represented the application. The house currently has entrances on three sides, Howell Street, Park Street, and then on the rear of the home.

The first element of the proposal is on the rear of the house, but visible from Park Street. He would like to remove one of the doors, essentially converting it to a window, and then center the two, new windows between the porch columns. Mr. Hoffman proposes that these two windows will be vinyl. One of these windows is a relocation of an existing window, and the second will be an exact replication. He stated that the siding would be replaced to match, but he is considering a synthetic such as Hardiboard.

The door to be replaced is on the Park Street entrance. It would be a fiberglass, paintable door. Chairman Rhode inquired about the condition of the existing door. Mr. Hoffman described it as being in poor condition, with bad seals and the glazing around the glass in disrepair. Chairman Rhode asked if the applicant had looked into refurbishing the existing door to make it weather-tight. Mr. Hoffman said his contractor recommended replacing the door. Vice Chairman Taylor agrees that preserving the door would be preferable.
Vice Chair Taylor confirmed that removing the door on the rear of the home would result in having no access to the rear porch. Chairman Rhode also noted there are no stairs leading up to the porch from the outside. Mr. Hoffman described their forthcoming plan to wrap the rear porch into the existing porch on the side facing Park Street. Vice Chairman Taylor noted that this is not part of the application at this time. He is concerned that the proposed change would remove the historic function of the porch; a porch is meant to have access from the interior of the home. Chairman Rhode agreed.

Chairman Rhode noted that the vestibule to the left of the porch appears to have been added later. Mr. Hoffman confirmed this. If it were removed, that would provide access from the interior of the home.

Commissioner Beyer mentioned the applicant’s plan to use Hardiboard instead of wood to replace the siding. Mr. Hoffman confirmed that he would prefer to use Hardiboard clapboard, as it would be low maintenance. Chairman Rhode said he was concerned that Hardiboard has different dimensions and edges, and it bevels differently. He said he prefers that the applicant use cedar clapboard for the in-fill to maintain consistency with the current siding.

Chairman Rhode noted that the commission typically resists approving vinyl windows in the historic district, but the applicant’s request to move one and replicate it, is a unique situation. Mr. Hoffman pointed out that there are currently vinyl windows on the entire house.

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

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

1. The vestibule adjacent to the rear porch is to be removed to allow access to the porch.
2. The infill area shall be wooden clapboards to match existing.
3. The replacement of the side entry door is not approved.

Vice Chair Taylor seconded the motion, which carried with a unanimous vote (5-0).
SUPPLEMENTAL AGENDA

ITEM 1  Application #19-322: 134 South Main Street, LAZY ACRE ALPACA, Historic Alteration to install a temporary wall sign.

Mike Gilbride, the business owner, represented the application. As has been done in previous years, Lazy Acres sets up in a vacant storefront for three months from October through Christmas. This year he is looking at the vacant Salvation Army building. He is also proposing a 2’ x 3’ wooden, portable sign for in front of the store.

Mr. Brown asked if the rendering accurately depicted the way the sign would fit the sign board. Mr. Gilbride said the sign would most likely need to be trimmed to fit.

Chairman Rhode asked about the graphics proposed for the portable sign. Mr. Gilbride described it as similar in design and color to the wall sign.

Commissioner Ayers confirmed that the sign would be centered over the door.

Chairman Rhode 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 sign will be altered to fit within the sign board.

Vice Chair Taylor seconded the motion, which carried with a unanimous vote (5-0).

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ITEM 2  (Postponed) Application #19-324: 248 South Main Street, SALON NO. 27, Historic Alteration to install a wall sign and window signs, and to display a portable sign.

Mr. Brown explained that the applicant was not prepared to present and requested that the review be postponed until the next meeting.
MISCELLANEOUS

Vice Chairman Taylor reported on his representation on the Comprehensive Plan Committee. The topic of discussion at the recent meeting was the vacant lands in the northeast and southeast. Eastern Boulevard will be the topic at the next meeting.

ADJOURNMENT
Commissioner Ayers moved to adjourn the meeting at 10:18. Commissioner Turchetti seconded the motion which carried with a unanimous voice vote (5-0).

_________________________   ______________________________
Richard Brown      Torsten Rhode
Director of Development & Planning    Planning Commission Chairman