

PERINTON TOWN BOARD MEETING  
1350 Turk Hill Road, Fairport, NY 14450  
Wednesday, February 26, 2014

PRESENT:	Michael G. Barker	Supervisor
	Joseph H. LaFay	Councilperson
	Peg S. Havens	Councilperson
	Steven C. Van Vreede	Councilperson
	Ciaran T. Hanna	Councilperson

ALSO PRESENT: Robert Place, Esq., Town Attorney; Thomas C. Beck, Commissioner of Public Works; Jennifer A. West, Town Clerk; Michael Doser, Director of Code Enforcement and Development; Jeffrey Myers, Commissioner of Recreation and Parks; Kevin Spacher, Finance Director; Diane Riesenberger, Recreation Director; Jeff Nutting, Recreation Supervisor; T.C. Lewis, Planning Board.

Supervisor Barker called the meeting to order at 8:00 pm and introduced the Board and staff present.

Councilperson Havens made a motion, seconded by Councilperson LaFay, that the minutes of the Town Board meeting of February 12, 2014 be approved as submitted by the Town Clerk.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna  
Nays: None  
Unanimously Approved

PUBLIC HEARING  
AMENDMENT TO SECTION 174 OF THE  
CODE OF THE TOWN OF PERINTON  
MIXED USE DISTRICT SIGN CODE

Supervisor Barker opened the Public Hearing and asked the Clerk for proof of publication and affidavit of posting. Proof of publication was given in the Fairport East Rochester Post on January 30, 2014; affidavit of posting was also January 30, 2014.

Director of Code Enforcement and Development Doser stated that the Town recently modified its Limited Commercial zoning and renamed it "Mixed Use District" in anticipation that the zoning modifications would be expanded and applied to areas of Whitney Road, Fairport Road and Pittsford-Victor Road. He further stated that previously, Limited

Commercial zoning never had its own sign code and with the projected expansion of the Mixed Use District properties, it is an appropriate time to adjust the sign code to specifically accommodate Mixed Use District properties.

Mr. Doser stated that the Town Board memo has Frequently Asked Questions attached and called attention to the fact that the major change proposed would be that a Mixed Use District property would only be entitled to building-mounted signs (no freestanding or monument signs).

The proposed changes are as follows:

§ 174-9. Sign regulations by use and district.

**ADD**

**Delete**

§ 174-9. Sign regulations by use and district.

The following shall apply to all signs for which a permit is required.

A. Apartment and Townhouse Districts.

(1) One or more signs per building shall be permitted, totaling 12 square feet per building. No one sign shall exceed four square feet. Such sign shall indicate only the name of the building and the address.

(2) All building-mounted signs shall be flush against the building and shall not project above the roof line nor above the second floor level.

(3) The top of a freestanding sign, including any part of the supporting members, shall not extend more than eight feet above the ground.

B. Restricted Business District, office buildings and complexes. One freestanding identification sign is permitted for each office complex. If there is one building or one tenant, there shall be only one identification sign. One directory or listing sign is permitted for each building within the complex. Where only one building is contained within a site and both an identification sign and a directory sign are desired, they must be combined into one sign. The location, area, height, color, style and lighting of each such sign must be approved by the Planning Board simultaneously or subsequent to site plan approval. The location of said sign, in compliance with applicable setbacks, is to be determined by the Planning Board and shall not exceed four feet in height and 24 square feet in area but may have lettering on two sides of the sign.

C. Gas/fuel stations. Signs commonly used by gas/fuel stations for the purpose of advertising retail gasoline/fuel prices shall be limited to one sign per fuel pump and shall

be placed on top of the fuel pump. Said signs shall not exceed 12 inches in height and 18 inches in width. No other gas/fuel price signs shall be permitted.

#### D. Commercial District.

(1) One freestanding identification sign may be permitted for each commercial shopping plaza or enclosed shopping mall. Said sign shall contain the name of the plaza only. The location, area, height and style of such sign must be approved by the Planning Board as part of site plan approval.

(2) Building-mounted signs shall not exceed 1 1/2 square feet of area for each linear foot of the first 100 linear feet of building frontage, plus one square foot of sign area for each linear foot over 100 linear feet of building frontage. No such sign shall exceed 200 square feet in area.

(3) On commercial buildings housing more than one tenant or type of business, only one sign for each outside public entrance shall be permitted on the exterior of the building for the purpose of advertising either the name or nature of the businesses contained therein. Should said building front on more than one highway, the placement of duplicated signs or a second sign, of the nature defined above, on the second side fronting such a highway may be permitted at the discretion of the Planning Board.

(4) On a property containing one business, in lieu of a building-mounted sign, a monument-style sign may be permitted by the Planning Board. Said sign shall be no larger than 32 square feet in size and no higher than five feet above the surrounding grade. The style, lighting and size of the sign shall be approved by the Planning Board.

(5) The bottom of all signs shall have a minimum clearance of 10 feet above a walkway and 15 feet above a driveway or alley.

(6) Signs shall be limited to identifying or advertising the property and the individual enterprises or services available on the same property where the sign is located.

#### **E. Mixed Use District.**

- (1) **Sign approval must be obtained from the Planning Board.**
- (2) **Building-mounted signs shall not exceed 1 1/2 square feet of area for each linear foot of the first 100 linear feet of building frontage, plus one square foot of sign area for each linear foot over 100 linear feet of building frontage. No such sign shall exceed 200 square feet in area.**
- (3) **Businesses are permitted to have **only** one additional building-mounted sign in order to identify a public entrance that is at the side or rear of the**

- property. The square footage of the additional sign and the square footage of the main sign shall not collectively exceed the permissible overall square footage calculation identified in paragraph (2).**
- (4) **Should a building front on more than one highway, the placement of duplicated signs or a second sign on the second side fronting such a highway may be permitted at the discretion of the Planning Board.**
- (5) **Freestanding signs are not permitted.**
- (6) **Replacement signs that alter the sign's size or content must receive new approval.**

**E. Industrial District. F. Industrial District.**

- (1) Building-mounted signs shall not exceed a total area of 1 1/2 square feet for each linear foot of building frontage to a maximum total area of all signs permitted for each building of 200 square feet. Where the frontage is on more than one street, each sign area shall be computed with regard to the frontage on each street.
- (2) The bottom of all signs shall have a minimum clearance of 10 feet above a walkway and 15 feet above a driveway or alley.
- (3) One freestanding sign with a maximum area of 40 square feet may be erected for each building.
- (4) No freestanding sign shall exceed a maximum height, including supports, of 12 feet.
- (5) Signs allowed by this Subsection **E F** shall be limited to identifying or advertising the property and the individual enterprises or services available on the same property where the sign is located.
- (6) In an area designated as an industrial park by the Planning Board, the following shall apply:
- (a) One freestanding sign identifying the name of the industrial park. The location, area, height and style of such sign must be approved by the Planning Board as part of site plan approval.
- (b) Inside an industrial park, only one freestanding sign per building is permitted to identify the names of the occupants of each building. Said sign is to be constructed within a radius of 50 feet, as measured from the main entrance to the building, and shall not exceed four feet in height and 24 square feet in area, but may have lettering on two sides of the sign.

(c) Building-mounted signs are not permitted.

F. Special exceptions and variances. Where a special exception or variance is sought with regard to height, area, number or location of signs, application must be brought before the Board of Appeals and approval obtained from this Board. Upon obtaining a variance, final approval of design and lighting must then be obtained from the Planning Board.

Judy McNulty, 647 Thayer Road, asked if there was detail regarding the color of signs and use of logos in the proposed code. Mr. Doser explained that those items are covered under the umbrella of the Town's basic sign code. Ms. McNulty further stated that she was confused as to whether logos were allowed on signs and Mr. Doser stated that the Planning Board has the freedom to determine whether to allow a sign with a logo.

There being no further questions, and all those wishing to be heard having been heard, the Public Hearing was closed.

Councilperson Van Vreede made a motion, seconded by Councilperson Hanna, to refer the changes to Section 174 of the Code of the Town of Perinton to the Town Planning Board for its comment.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna

Nays: None

Unanimously approved.

#### APPROVE APPOINTMENT ASSISTANT RECREATION DIRECTOR

Commissioner of Recreation and Parks Myers stated that Assistant Recreations Director Deborah Ellis will be retiring from the Town in April of 2014. Commissioner Myers stated that he and Recreation Director Riesenberger have developed a transition plan for the department and requested that Recreation Supervisor Jeff Nutting be promoted to the Assistant Recreation Director position.

Commissioner Myers stated that Mr. Nutting has a Bachelor's degree in Recreation Management from SUNY Brockport and has been working fulltime in the department since February 2008. He further stated that each new task or responsibility that has been placed upon Mr. Nutting has been met with enthusiasm, confidence and commitment, and has been accomplished with a very high level of success.

Commissioner Myers requested that Mr. Nutting be appointed Assistant Recreation Director, effective Monday March 31, 2014, at a salary rate of \$[52,212].

A motion was made by Councilperson Van Vreede, seconded by Councilperson LaFay, that Jeffrey Nutting be appointed Assistant Recreation Director, effective Monday March 31, 2014, at a salary rate of \$[52,212].

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna

Nays: None

Unanimously Approved

**ANNOUNCE END OF PERMISSIVE REFERENDUM  
PROPERTY SALE**

Supervisor Barker announced that the time of Permissive Referendum for the sale of Town-owned DeWitt property at 2112 Turk Hill Road has expired.

**DECLARATION OF INTENT  
TO DO COORDINATED SEQRA REVIEW AND ACT  
AS LEAD AGENT – WHITNEY TOWN CENTER, LLC  
666 WHITNEY ROAD**

A motion was made by Councilperson Havens, seconded by Councilperson Hanna, to declare the Town's intent to act as lead agent for a coordinated State Environmental Quality Review Act (SEQR) review for Whitney Town Center, LLC, 666 Whitney Road.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna

Nays: None

Unanimously Approved

**AUTHORIZE PAYMENT OF 2014 TOWN AND COUNTY TAXES  
1329 TURK HILL ROAD**

Supervisor Barker stated that the Town Board has a memo from Debbie Brown requesting that the Board authorize payment of the 2014 Town and County Taxes for the Hewes property, 1329 Turk Hill Road. The Town recently acquired the property and the amount of the Town and County tax bill for 2014 is \$1,749.02.

Councilperson LaFay made a motion, seconded by Councilperson Havens to authorize the payment of Town and County taxes for 1329 Turk Hill Road in the amount of \$1,749.02.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna

Nays: None  
Unanimously Approved

### AUDIT APPROVAL

A motion was made by Councilperson Van Vreede, seconded by Councilperson LaFay that Audit #2 for February 2014 be approved for the Town of Perinton, pursuant to Town Law, and the Town Clerk presented duly verified bills as follows:

#### JANUARY MANUAL 2

General Fund	1,090.33
Recreation	105.41
Joint Sewer	103.76
Lake Lacoma Lighting Dist	16.87
Meadows Lighting Dist	484.45
Deer Run Lighting Dist	<u>82.61</u>
	\$1,883.43 Total

The above items were numbers 92565-92566.

#### FEBRUARY AUDIT

General Fund	90,409.30
Town Outside of Village	57,361.47
Recreation	76,078.79
Highway General Repair	10,526.40
Highway Snow & Miscellaneous	301,824.23
Joint Sewer	7,204.65
Debt Service Sewer	1,087.00
B Basin Fire Protect Dist	71.97
O'Connor Rd Relocation Proj	6,135.80
Indian Valley Sewer Project	<u>10,427.30</u>
	\$561,126.91 Total

The above items were numbers 92600-92826.

#### FEBRUARY MANUAL 1

General Fund	92,073.23
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Town Outside of Village	8,388.33
Recreation	35,131.18
Joint Sewer	11,257.96
Midlands Lighting Dist	448.56
Deer Run Lighting Dist	1,458.50
Misty Meadows Lighting Dist	<u>121.23</u>
	\$148,878.99Total

The above items were numbers 92567-92568, 92579-92586, 92597-92598.

Ayes: Barker, LaFay, Havens, Van Vreede, Hanna

Nays: None

Unanimously Approved

There being no further business before the Board and no further questions from the audience, the meeting was adjourned at 8:15 pm.

Respectfully submitted,

Jennifer A. West  
Town Clerk