

**Meeting of the Village of Brockport Zoning Board of Appeals was held in the Conference Room, Municipal Building, 49 State Street, Brockport, New York, Thursday, February 2, 2017, 7:00pm.**

**PRESENT:** Chair Robert Duff, Vice Chair Sal Sciremammano, Member Laurence Vaughan, Member Eileen Ryerse, CEO Officer David J. Miller, Clerk Katie Brown

**EXCUSED:**

**ALSO PRESENT:** LuAnne Cenci, James Cenci

**CALL TO ORDER:** Chair Duff called the meeting to order and led the Pledge of Allegiance.

**REVIEW OF MEETING MINUTES:** Chair Duff called for a motion to approve minutes.

➔ Member Sciremammano moved, Member Vaughan seconded, unanimously carried to approve the minutes of the meeting held December 1, 2016 and January 5, 2017 as written.

**Public Hearings:**

**NEW BUSINESS:**

1. Name: Steve Drexler for Farmers Insurance  
Address: 36 N Main St  
Tax Map #: 069.37-2-2  
Property Code: 484  
Zoning: B-Business  
Lot size: .4 acres  
Purpose: install sign at corner of Main St & Liberty St.  
Zoning Code: Chapter 43-2(A), 58-15

**Applicant Presentation:**

Chair Duff stated the application was reviewed by Monroe County Department of Planning & Development who determined the proposed sign is not allowed in the New York State right of way. The applicant has withdrawn their application. The Board considers the application closed.

2. Name: LuAnne Cenci for First Baptist Church  
Address: 124 Main St.  
Tax Map #: 068.60-3-20.1  
Property Code: 620  
Zoning: B-Business  
Lot size: .69 acres  
Purpose: install 46x59 LED sign/message board  
Zoning Code: Chapter 43-5(C), 43-8 (C)

**Applicant Presentation:**

Luanne Cenci presented the Board with a written summary of reasons why the church is seeking a special permit. The summary includes a list of programs and services the church offers to the community. Mrs. Cenci elaborated on these services – such as homework help for students, teen clothing closet, free meals – and explained the church's desires to build a greater awareness of these offerings. The church's services change frequently, sometimes daily. They currently advertise in the local newspaper and on a website, but the consensus is that many of people the church is trying to reach do not have access to these means of advertisement. For this reason, they would like to install an LED sign that can provide information about church services. Mrs. Cenci noted the desired sign will not be animated. The alternative to the LED sign is a marquis-style sign that requires messages to be changed by hand and is visually less attractive. Given the age of the church and the aesthetics of the village, Ms. Cenci believes the LED sign is a better solution.

Chair Duff explained the considerations of granting a special use permit to the applicant and noted that the Board will examine whether the church's proposed sign is harmonious with the community or poses any disadvantages. Chair Duff asked the Board for questions and feedback regarding the application.

Member Sciremammano questioned whether the proposed sign has the ability to be animated. Mrs. Cenci confirmed there is technology that allows for animation, but the church has no intent to ever use that feature and their only desire is to change what the sign says. Member Sciremammano trusts that the church currently has no intent to use animation, but is concerned that in the future – when there is new representation of both the church and Zoning Board – that animation might be utilized and become an issue. Mrs. Cenci believes there may be a way to remove the animation option from the software used to control the sign and affirmed she will do her best to ensure the sign cannot be animated.

Member Ryerse is concerned that the proposed LED sign will not be cohesive with the Victorian look of the village. Mrs. Cenci reviewed the designs provided by the sign contractor and explained that the

## ZONING BOARD OF APPEALS MEETING OF February 2, 2017

church will not use multi-colored lettering like what is shown in the designs. She promised the Board that the use of the sign will be tasteful. Member Ryerse asked if the sign has the capacity for multi-colored lettering to which Mrs. Cenci replied that it will have the capability, but it will not be utilized in that way. Mrs. Cenci states the sign will display a single color at any one time – most commonly plain white lettering as it is easiest to read.

CEO Miller confirmed with the applicant that the sign will be lit 24 hours per day. CEO Miller questioned if the sign will cause a distraction or nuisance to neighboring residents or motorists at night. Mrs. Cenci does not believe the sign is large enough to be a nuisance, but if there are any complaints from residents the church will turn the sign off at night. Mrs. Cenci noted that the light from the sign may deter mischief and vandalism at night. Member Vaughan added that he believes the majority of LED signs and message boards can be outfitted with a sensor that automatically dims the brightness as the ambient light changes.

The Board and Mrs. Cenci discussed the placement of the sign on the property, determining it will sit perpendicular to the church building. CEO Miller confirmed for the Board there is no setback requirement from the building, but will need to be at least 3ft from the sidewalk. Mrs. Cenci, with assistance from her husband James who was present in the audience, estimated the sign will be about 10ft back from the sidewalk.

Member Vaughan noted that the total aggregate size of the proposed sign is 40 sqft. Chair Duff advised the applicant that the current code allows up to 25 sqft for a freestanding sign. Mrs. Cenci believes the church's existing sign is a similar size to the new sign to which CEO Miller explained the existing sign was erected prior to today's code requirements. Chair Duff questioned how the total area is calculated to comply with the code and CEO Miller clarified the measurements of the actual signage are used not including the posts, so the proposed sign dimensions will conform. CEO Miller went on to say there are no height restrictions in this scenario as the placement of the proposed sign will not cause any line-of-sight issues.

The Board discussed enforcement of any conditions they place on the sign's approval with CEO Miller determining it will be the Building & Code Enforcement's responsibility to uphold such conditions.

CEO Miller inquired how often the sign text will be changed. Mrs. Cenci explained it will be changed based on the current or upcoming events. CEO Miller asked for more clarification, as he is concerned that the text may change back and forth if multiple events are happening. In his opinion that is "animated or flashing". Mrs. Cenci elaborated that the sign will likely advertise the hours for mass at the top with the lower half highlighting one additional event. Text will not switch back and forth.

Mrs. Cenci noted that the church is a member of the National Register of Historic Places, which presented challenges in agreeing upon a sign design. However, the church representatives feel that they have chosen a sign that marries the old with new. The National Register is comfortable with the sign as it is not on the building.

Chair Duff reaffirmed several points of discussion with the applicant:

- The new sign is a similar size to the existing sign, but will sit perpendicular to the church
- The sign's header will remain unchanged
- The sign will primarily display the hours of mass while highlighting one additional event at a time as they occur

Member Ryerse questioned what makes the LED sign less prone to vandalism (as mentioned on Mrs. Cenci's written summary). Mrs. Cenci told the Board that the LED sign has no movable letters, unlike the marquis-style alternative.

CEO Miller advised the Board that any stipulations currently prohibited in the village code are already enforceable by the Building & Codes Department. Any additional conditions the Board would like to set for the proposed sign should be specified in a motion for approval. The Board discussed desired conditions for the new sign and determined that there should be a limitation on the colors as well as a requirement of a sensor that adjusts the brightness as daylight diminishes.

Chair Duff asked for a motion to approve the application for a special permit with the following conditions:

1. There is a limit of 2 colors displayed on the sign in a given day.
2. The sign will incorporate an automatic dimming system that works in conjunction with the hours of darkness to reduce potential distraction to motorists.

→ Member Sciremammano moved to approve the application with the specified conditions, Member Ryerse seconded.

**ZONING BOARD OF APPEALS MEETING OF February 2, 2017**

Role call vote:  
Member Sciremammano     Aye  
Member Duff                 Aye  
Member Ryerse             Aye  
Member Vaughan          Aye

The motion carries unanimously with 4 votes in favor, 0 against.

Chair Duff advised the applicant that the Board voted under the assumption that the sign contractor can comply with the conditions of the motion. If the contractor cannot erect the sign to meet these conditions, the Board must be notified.

**Adjournment:**

➔ Member Ryerse moved, Member Sciremammano seconded, unanimously carried that the meeting be adjourned at 7:40pm.

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Katie Brown, Clerk