

**MINUTES
CITY OF CANANDAIGUA
PLANNING COMMISSION
April 26, 2023**

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

ABSENT: Commissioner Bonnie Dorschel

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.

APPROVAL OF MINUTES:

Chairman Taylor asked if anyone had any additions or corrections to the April 12, 2023 Meeting Minutes. Commissioner Van Deusen moved to approve the minutes as submitted. Commissioner Turchetti seconded the motion, which carried by unanimous voice vote (6-0).

REVIEW OF APPLICATIONS

ITEM 01 (Public Hearing) Application #23-057: 151 South Main, Apartments 1 & 2, GATEWAY GRILLE, INC., requesting a Special Use Permit necessary to operate a Short-Term Rental within the two apartments over the restaurant.

Jon Welch, property owner, presented the application. He would like the option of using the two existing apartments, over the restaurant, as short-term rentals at some point in the future. The rear unit has an entrance off of Mill Street. It is approximately 900-950 square feet. The front unit is slightly larger, with an entrance off of South Main Street. Each would have a maximum occupancy of 6 guests. He utilizes doorbell cameras to verify occupancy. There is adequate parking nearby in the municipal lots.

Chairman Taylor opened the Public Hearing.

Mike Yarger, 129 South Main Street, was present via Zoom. He spoke in support of the application. His only concern involved parking during the Farmers' Market. He requested that the applicant inform his tenants that parking is not available under the pavilion when the market is open.

Chairman Taylor asked if there was anyone else, from the public, wishing to speak to the application. No one came forward. Mr. Brown said no written comments were received. Chairman Taylor then closed the Public Hearing and opened the discussion to the commission.

Commissioner Manley said it is a suitable location for short-term rentals. Commissioners Van Deusen and Turchetti agreed.

Commissioner Hitchcock said the setup of the units supports the requested occupancy.

Vice Chair Beyer confirmed the accommodations for each unit, up to four adults and two children. Mr. Welch clarified that one unit would allow for up to six adults, but the other unit has a set of bunk beds, making it better suited for four adults and two children.

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.

Commissioner Manley seconded the motion, which carried with a vote (6-0).

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

ITEM 02 Application #23-080: 151 South Main, GATEWAY GRILLE, INC., Historic Alteration to replace storefront windows and to reside the rear addition.

Jon Welch, property owner, presented the application. The brick façade is currently being restored to a red brick, including the knee wall. He would like to replace the storefront windows in the same style as existing. The columns will be black. The doors in the front and in the rear of the building are to be replaced. He has chosen antique bronze for these doors.

On the upper windows, the sills will be painted black to match the existing awning below. The trim will be white, and the planter boxes will be removed. The fan bricks above the upper windows will remain but will match the remaining brick red color.

In the rear, Mr. Welch proposes to reside the addition in a cement Hardiboard. The color will be grey, similar to what is there now. Chairman Taylor confirmed that all three sides of the addition are to be resided.

The existing sign on the front of the building will remain. It will be restored, but will be the same size and design. He would like to install black light fixtures above this sign.

Commissioner Van Deusen inquired about the style of light fixtures. Mr. Welch said they will be gooseneck lights.

Commissioner Manley approves of the design. Vice Chair Beyer and Commissioners Turchetti and Hitchcock agreed.

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 Approve the application as submitted.

Commissioner Turchetti seconded the motion, which carried with a vote (6-0).

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

ITEM 03 Application #23-058: 351 North Street, CANANDAIGUA YMCA, Architectural Review, to install signage.

David Crowe, of HB Cornerstone and DJC Architects, represented the applicant. Rayne Stevens, of TakeForm, the sign company, was also present. The YMCA is proposing two monument signs, one at each entrance. These are aluminum sign boards with internally illuminated, push through acrylic letters. Four wall signs are proposed. Of these, only the north facing, UR Medicine Thompson Health sign is to be illuminated. Five post and panel directional signs are also proposed. Ms. Stevens said that these five wayfinding signs will not be lit.

Commissioner Van Deusen inquired about landscaping. Mr. Crowe said they may add mulch, but there will be no plantings.

Commissioner Van Deusen feels the signage looks nice, but is concerned about the lighting on the sign facing North Bloomfield Road. A lit sign is not appropriate for a residential area. Mr. Crowe pointed out that the sign is lighted acrylic letters only. It will not project, and therefore will not shine in any windows. Ms. Stevens added that the location of the sign will be sloped away from the road and will sit 15 feet back.

Commissioner Hitchcock recommends the sign is lit during business hours only, but not past 10 p.m. Mr. Brown noted that the YMCA opens at 5 a.m. at their current location.

Commissioner Manley said the sign package looks nice. However, he feels it would be appropriate for the sign on North Bloomfield Road to only be lit during hours that the daycare is open. The applicant has indicated that the sign is for their secondary entrance, which is designated access to the childcare center.

Mr. Crowe requested that the sign remain lit for an additional 30 minutes past closing.

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 condition:

1. The monument sign on North Bloomfield Road may be lit during business hours and 30 minutes past closing.

Commissioner Van Deusen seconded the motion, which carried with a vote (6-0).

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

ITEM 04 Application #23-073: 40 Bristol Street, MARCUS FRANZ, Historic Alteration to install a privacy fence.

Marcus Franz presented the application. He has experienced an issue with people cutting through his property to access Bemis Street. To remedy this problem, he is proposing to install a 6-foot white vinyl privacy fence on the east and west sides of the property to match the existing fence to the south. He also plans to add a patio to the backyard using pavers, but it would not be visible once the fence is installed.

Chairman Taylor asked the applicant if he is confident that he will be able to match the existing fence. Mr. Franz said it would not be difficult. The fencing is standard stock at Lowe's Home Improvement store.

Chairman Taylor said it will look nice when it is complete.

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

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

Commissioner Van Deusen seconded the motion, which carried with a vote (6-0).

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

ITEM 05 Application #23-081: Pier#1, Boathouse #14, MARK MALVASO, Historic Alteration to renovate boathouse.

Mark Malvaso presented the application. When he purchased the boathouse in October 2022 it was in poor condition. It has now shifted off one of its pillars and needs to be squared up. This requires removing the front and back walls and possibly one of the sides. He is proposing a fiber cement clapboard for the front and rear walls. Cedar shakes are planned for the gables. The trim will be an engineered synthetic known as smart board. The sides will be metal. The windows will be vinyl-clad, and the doors will be steel. The colors he is proposing are blue-grey with white trim.

Mr. Brown asked if all materials are to be painted. Mr. Malvaso said yes. All the new soffits, trim and gutters will be painted white.

Mr. Brown asked if the existing half circle window in the back of the boathouse is to be replicated in the front. Mr. Malvaso said yes. It will help to allow light in.

Commissioner Manley said the project sounds difficult but the proposal seems straightforward. He is in favor of the renovations, including the colors.

Commissioner Van Deusen asked if the existing doors and windows will remain. Mr. Malvaso said he plans to replace the windows with a similar style, but new materials. He is proposing a standard 6-foot aluminum door, which will be taller. A roll-up overhead door will also be added.

Chairman Taylor 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 Manley seconded the motion, which carried with a vote (6-0).

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

ITEM 06 Application #22-120: 228 North Main Street, ROBERT MARVIN, for Historic Alteration to replace concrete wall and fence. (Removal of the wall was approved on June 22, 2022)

Applicant was not present.

ITEM 07 Application #22-177: 228 North Main Street, ROBERT MARVIN, for Historic Alteration to replace the roof. (Tabled from June 22, 2022)

Applicant was not present.

MISCELLANEOUS

ITEM 01 Status of proposed changes to the Short-Term Rental ordinance.

Mr. Brown explained that a draft ordinance was presented to the city Council Ordinance Committee on April 18th that reflects the recommendations that come out of the Joint Committee. Members of the Ordinance Committee continue to oppose the overlay district and want to provide some opportunity for home-owners to occasionally rent-out their home.

In response to this, a revised ordinance was drafted that does not use an overlay district, but restricts short-term rentals in residential zone districts by tightening up the definition and intent of “Primary Residence”

Sec 3.2

“Within the R-1A, R-1B, R-2, R-3, and R-L zone districts, the short-term rental unit shall be the owner's primary residence, and may not be rented for more than a total of 60 days in each calendar year.”

The maximum number of days may be debated. The other components of the recommendation include revised definitions and a renewable permit every two years that would not transfer to a different property owner. Once a formal ordinance comes out of committee and is introduced at the full Council, it will be referred to the Planning Commission for a formal recommendation.

ADJOURNMENT

Commissioner Manley moved to adjourn the meeting at 8:16. Commissioner Hitchcock seconded the motion, which carried with a unanimous voice vote (6-0).

Richard Brown
Director of Development & Planning

Stanley Taylor
Planning Commission Chairman