

**Village of Hilton Zoning Board
Meeting Minutes of September 8, 2009**

Member's Present: Chairman Richard Bjornholm, Richard LaForce, Pat Holenbeck, Jim Bimmler

Member's Absent: Bob Cusenz

Administration Present: Mike Lissow; Code Enforcement Officer, Larry Speer; Liason/Village Trustee, Debbie Jones; Recording Secretary

Guests: Ryan Weidel, Scott Meeson, Mark Meeson, John C.P. Lewis, Phillip Smith

The meeting was called to order with the pledge of allegiance to the flag at 7:00 p.m.

Chairman Richard Bjornholm explained the functions and responsibilities of the Zoning Board.

1. PUBLIC HEARING – 38 EAST AVENUE – TWO (2) AREA VARIANCES TO INSTALL TWO (2) SIGNS

Application of Vay Schleich & Meeson Funeral Home, 38 East Avenue, for two (2) Area Variances to install two (2) signs:

1. One (1), wall mounted sign, 7' wide x 5' high located on the rear (north) elevation, for a total of 35 square feet. Per Section 24-602-F 3 (b), no sign shall be more than 12 square feet in area.
2. One (1) projecting sign, located on the front (south) elevation with a minimum clearance of 4' from the ground. Per Section 24-602-E 5, the minimum clearance from the ground level to the bottom of the sign shall be 9 feet.

This property is zoned Limited Commercial District.

Village of Hilton Zoning Board
Meeting Minutes of September 8, 2009

Public Hearing was open at 7:05 p.m.

Scott Meeson was present to represent this application. Mr. Meeson stated on the original application to the Planning Board the size of the sign to be located on the rear (north) elevation was 2'x6'. Mr. Meeson stated the mutual consensus from the owner's of the funeral home is the 2' x 6' sign would be difficult to see when placed on the gable. Mr. Meeson presented with a new picture of the sign with the larger dimensions. Therefore, a 7' x 5' sign is being proposed.

PUBLIC COMMENT – NONE

With all persons being heard, the public hearing was closed at 7:15 p.m.

BOARD COMMENT

Board member Jim Bimmler stated the smaller sign will not do much for advertising and he has no objection with the new sign dimensions.

Board member Richard LaForce stated he is not in favor of the larger sign since its placement is in the rear of the establishment.

Board member Pat Holenbeck spoke in general of the thought process of the Village's new sign ordinance. Chairman Bjornholm replied that the Sign Committee felt very strongly about the signage in the Village not resembling "West Henrietta Road."

Member Holenbeck asked Mr. Meeson if they could remove their logo or the wording "Celebrate life with dignity?" Mr. Meeson stated they would rather shorten their name than remove their logo or the wording.

Variance #2

One (1) projecting sign, located on the front (south) elevation with a minimum clearance of 4' from the ground. Per Section 24-602-E 5, the minimum clearance from the ground level to the bottom of the sign shall be 9 feet.

This property is zoned Limited Commercial District.

**Village of Hilton Zoning Board
Meeting Minutes of September 8, 2009**

Scott Meeson stated this sign would have a 4' clearance from the bottom of the sign to the ground with landscaping around it. The sign would be the exact same shape and colors as the sign in the rear (north) elevation except it will be two-sided and 3'x 4'. It will be affixed to a bracket, not swinging. Mr. Meeson stated these are high density, urethane signs. They will never need to be painted. The sign will be illuminated from underneath with halogen lights in the landscaping. The sign will be illuminated from 8:00 p.m. until 1:00 a.m. All lights within the building will be on one timer. The sign on the rear (north) elevation will also be lit from underneath. It was determined that gooseneck lighting as originally planned would emit excessive lighting into the street and parking lot.

Chairman Bjornholm asked Code Enforcement Officer, Mike Lissow if he felt there were any safety issues with this projecting sign? Mr. Lissow stated he feels there are no safety issues with this particular projecting sign. Mr. Lissow stated the Planning Board has reviewed and approved the above signs architecturally and did suggest the north elevation sign be larger than what is allowed per our code, due to the fact that the gable peak is large. The Planning Board advised the owner if they want the bigger sign they would have to appear before the Zoning Board for a variance. Also, in conversation Mr. Lissow advised the Board that the north entrance will be the main entrance into the building, due to its proximity to the parking area.

PUBLIC COMMENT – NONE

With all persons being heard, the public hearing was closed at 7:25 p.m.

BOARD COMMENT – NONE

Motion to approve the application of Vay Schleich & Meeson Funeral Home, 38 East Avenue, for one (1), wall mounted sign, 7' wide x 5' high located on the rear (north) elevation, for a total of 35 square feet. Per Section 24-602-F 3 (b), no sign shall be more than 12 square feet in area. This property is zoned Limited Commercial District.

With the following conditions:

- a. Illumination of the sign will be between dusk and 1:00 a.m.

Motion made by Jim Bimmler, seconded by Pat Holenbeck. Motion approved 4-0.

**Village of Hilton Zoning Board
Meeting Minutes September 8, 2009**

Motion to approve the application of Vay Schleich & Meeson Funeral Home, 38 East Avenue, for one (1) projecting sign, located on the front (south) elevation with a minimum clearance of 4' from the ground. Per Section 24-602-E 5, the minimum clearance from the ground level to the bottom of the sign shall be 9 feet. This property is zoned Limited Commercial District. With the following conditions:

- a. There is landscaping under the sign.
- b. Illumination of the sign will be between dusk and 1:00 a.m.

Motion made by Pat Holenbeck, seconded by Richard LaForce. Motion approved 4-0.

2. Review Temporary Variance for a Fence– 50 Peach Blossom Road N.

Review Mr. John Lewis's request for a Temporary Variance for a fence at 50 Peach Blossom Road N.

Mr. Lewis was present to review this temporary variance. Chairman Bjornholm reviewed a letter received from Steve Fowler, Parma Recreation Director with Mr. Lewis about possibly combining his event with the Parma Recreation celebration. Mr. Lewis spoke about his conversation with Mr. Fowler but stated it is too late for this year but would be looked into for the future.

Mr. Lewis estimated about 3,000 people attended last year. Mr. Lewis stated there would be no changes this year except having the line of entry form from the west side of his property to take congestion away from his neighbor. He does not charge for admission but does have a donation box for the Food Shelf.

Board member Richard LaForce asked Code Enforcement Officer, Mike Lissow what his feelings are? Mr. Lissow stated he and Mr. Lewis have gotten together over the past few years. Mr. Lissow feels the traffice has improved. There are emergency exits, home generator so there is emergency power, people working on the inside have headphones on so communication is not a problem and the Special Police have become involved. Mr. Lissow feels the situation has gotten better since we became involved. We did not get any complaints after last years celebration until the most recent letter of objection with signatures. The fence is well built, it does not wobble in the wind. Mr. Lissow stated he cannot tell someone they can not have a gathering. Mr. Lissow is comfortable with the safety aspect but that is not what we are addressing here tonight.

Mr. Lewis presented the Board with a picture of the fence, showing the exterior (facing out). Mr. Lewis stated he still has a lot of involvement from the kids in the neighborhood but that is dwindling due to the kids going to college, at some point he will not be able to do this by himself. Flyers are made and given to Party City and Big M to distribute. There are signs posted at street corners leading to the “Haunted House.”

Chairman Bjornholm advised Mr. Lewis of the new Sign Ordinance and that he would have to appear before the Planning Board for the signs. There was much discussion on time needed for set up, hours of operation, days of operation and take down.

PUBLIC COMMENT –

Ryan Weidel, 36 Rolling Meadow Dr. No., was present to voice his concerns and was also the resident who submitted the letter of objection with the signatures from concerned residents. Mr. Weidel stated the signatures on the letter are only a sample of the concerned residents, that many of the people do not want to come forward because of retaliation. Chairman Bjornholm advised Mr. Weidel to address the Village Board and made sure Mr. Weidel understood the functions and responsibilities of the Zoning Board. Mr. Weidel stated he now understands the procedures.

BOARD COMMENT –

Board member Jim Bimmler – stated his concern has always been the safety but as far as fence, sign and hours of operation he has no objection.

Board member Richard LaForce – agrees with Member Bimmler. Feels there will always be people in favor and people against. Totally in favor of.

Board member Pat Holenbeck – stated her concern is a small street, small neighborhood, outgrown the venue. She feels working with Recreation may be a great thing to do. She does not have a problem doing it this year but would like to see a change by next year. No other objections.

Trustee Larry Speer – commented to Mr. Lewis that we appreciated his approach on all of this and willingness to work with us.

Motion to continue with the approval (dated from original application of September 30, 2008) of the following two (2) Area Variances with these additional conditions:

1. To construct a temporary fence eight (8) feet high in the front yard; and
2. To construct a fence adjacent to the Village sidewalk
with the following conditions:
 - a. Exterior (facing out) of temporary fence will be plain, in an earthtone color.
 - b. Display will be open to public on the following dates only: Oct. 23-25th and Oct. 28th-31st, 2009. Hours of operation will be 7:00 p.m. until 10:00 p.m. (11:00 p.m. being the very latest.)
 - c. Fence will be removed on or before November 8th, 2009.

Motion made by Rick Bjornholm, seconded by Richard LaForce. Motion approved 4-0.

3. REPORTS

- | | | |
|----|-----------------------------------|--------------------------------|
| a. | Liaison's Report | Larry Speer gave his report |
| b. | Code Enforcement Officer's Report | Mike Lissow gave his report |
| c. | Chairman's Report | Rick Bjornholm gave his report |

4. MINUTES

Motion to approve the minutes of August 11, 2009. Motion made by Richard LaForce, seconded by Pat Holenbeck. Motion approved 4-0.

5. ADJOURNMENT

There being no further business, meeting was adjourned at 8:30 p.m. Motion made by Pat Holenbeck, seconded by Richard LaForce.

Respectfully Submitted,

Debbie Jones, Recording Secretary