

A regular meeting of the Town/Village of Lima Planning Board was held on Wednesday, December 15, 2021, at 7:00 PM at the Lima Town Hall 7329 E Main Street, New York 14485

PRESENT: Chairman George Gotcsik, Members Wayne Childs, Doug Best and Jake Button

ABSENT: Vice Chairman Andrew Britton, and Members Attorney Ericka Elliott and Paul Osborne

OTHERS: Secretary Sharon M. Knight, MMC/RMC

VISITOR: Richard Flegal and Town Board Member Bruce Mayer

Chairman Gotcsik called the meeting to order at 7:02 P.M. and led everyone in the Pledge of Allegiance.

DISCUSSION – CHAIRMAN GOTCSIK UPDATE

Chairman Gotcsik updated the Board on the following:

He had discussions with Supervisor Falk and extended an invitation to him to attend the January Planning Board Meeting. Supervisor Falk agreed to attend the meeting. General discussions are expected to take place.

He attended the last Town Board meeting where the proposed PDD-Entertainment proposal was rejected.

Chairman Gotcsik also attend the Village Board meeting and Pathstone was in attendance. Pathstone asked for a PILOT agreement and were looking for a grant. To date a grant had not been awarded.

RESOLUTION - APPROVAL OF MINUTES

On motion of Member Best, seconded by Member Childs the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 3 (MEMBERS ELLIOTT, OSBORNE AND BRITTON)

RESOLVE to approve the minutes of November 17, 2021, as presented by e-mail and to request they be published on the Town of Lima website at townoflima-ny.org and be placed in the Official Permanent Minute Book with the following additions:

ABSENT: Members Ericka Elliott and Jacob Button

The previous minutes dated September 2021 were approved by the Board as submitted.

DISCUSSION – SIGN CODE PROPOSED CHANGES

A draft of proposed changes was provided by Wayne Childs dated 09/08/2021 then updated with revisions dated 12/13/2021 by Vice Chairman Andy Britton. Further discussions took place acknowledging the Planning Board does not write local laws but interprets the laws. They provide recommendation for proposed local laws. The following Board actions took place as follows:

RESOLUTION – ALLOWING FLAGS AND TEMPORARY SANDWICH SIGNS

On motion of Member Button, second by Member Best the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 3 (MEMBERS ELLIOTT, OSBORNE AND BRITTON)

RESOLVE to allow flags and temporary sandwich signs while business is open.

Vote of the Board: Wayne Childs - Aye, Erica Elliott - Absent, Doug Best - Aye, Paul Osborne- Absent, Jake Button- Aye, Andrew Britton - Vice Chairman- Absent, and George Gotcsik, Chairman- Aye

RESOLUTION – ADD POTENTIAL LIABILITY

On motion of Member Button, second by Member Best the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 3 (MEMBERS ELLIOTT, OSBORNE AND BRITTON)

RESOLVE to ADD #8 The Planning Board recommends The Village consider potential liability regarding flags and sandwich board signs.

Vote of the Board: Wayne Childs - Aye, Erica Elliott - Absent, Doug Best - Aye, Paul Osborne- Absent, Jake Button- Aye, Vice Chairman Andrew Britton - Absent, and George Gotcsik, Chairman- Aye

Chairman Gotcsik requested the draft sign code proposed changes be sent to the Historic Preservation Commission to allow for their thirty-day review and to the Village Board as follows:

Research Findings:

1. Lima village code currently falls within the average range of number, square footage, and sign types allowed in similar communities in our area.
2. Our current code falls within the standard ranges of ISA and IZC model sign codes.
3. Specific sign types are accommodated for special uses such as gas stations (e.g. Pittsford, NY)
4. Fairport, NY has a sign application process that triggers a planning board review (design standards)
5. Our current code does not specifically window decal signs around edges of windows-some other communities do specifically (e.g. Bloomfield, NY)
6. OPEN flag codes reviewed from other locations and potential to be added for clarification.

Recommendations:

1. Raise the limit of signs in the DB district to two signs (like Honeoye Falls)- includes window signage as one sign. Allow flags and temporary sandwich signs while business is open.

2. Allow for new “rear of building sign” which would not count toward three if not viewable from the other three sides of building.
3. Create special “fuel/ service station” package allowing:
 - a. Awning signs viewable on three sides
 - b. Pole sign or ground sign (complying with existing dimensional requirements) identifying brand/business
 - c. All fuel pricing signs should conform with NYS Consolidated Law/ Ag & Markets Article 16 § 192 “Sale and Delivery of Petroleum Products”
4. Window Signs: No special considerations required for “decals” in windows.
 - a. Enforce existing 50% maximum total window area coverage of window signs.
 - b. No painted window sign shall serve as a billboard or commercial advertising sign; such signs shall pertain solely to services or merchandise offered for sale on the premises on which such signs are displayed.
5. Sandwich Board Signs: Sandwich board signs shall not require a permit, provided the following conditions are met (not allowed in special service station package):
 - a. No more than one sign per property.
 - b. The sign is not illuminated.
 - c. The sign does not exceed three feet in height and two feet in width.
 - d. The sign is not located in the public right-of-way, unless such use is located within the Central Business District and does not impede visibility or free circulation of pedestrians, bicyclists, or motorists.
 - e. The sign is brought in each day at the close of business or during non-daylight hours (whichever is earlier).
6. Enforce existing temporary and nonconforming sign laws (we currently have multiple violations being tolerated)
 - a. No moving or simulated motion signs in DB district
 - b. No temporary signs in the ROW
 - c. Honor temporary sign expirations
7. “Open” Flag / Banner: One flag / banner sign stating that a business is “Open” is permitted per business during hours of business provided the following requirements are met-
 - a. The sign identifies only that the business is open and does not serve as additional advertisement of the business.
 - b. No more than one sign per property.
 - c. The sign is not illuminated.
 - d. The sign does not exceed three feet by five feet.
 - e. The sign is not located in the public right-of-way, unless such use is located within the Central Business District and does not impede visibility or free circulation of pedestrians, bicyclists, or motorists.
 - f. Sign can only be made up of five colors maximum and can not include any neon / fluorescent colors.

- g. The sign is brought in each day at the close of business.
8. The Planning Board recommends The Village consider potential liability regarding flags and sandwich board signs.

DISCUSSION – ORGANIZATIONAL ITEMS

The following organizational items were shared:

1. Minutes are prepared and provided to Board Members for consideration of approving within one week. Board Members agreed to respond with any suggestions for deletions/additions/corrections for the Secretary consideration. Minutes will be placed on the Town of Lima website within two weeks of the meeting. Then, considered for adoption at the next regular meeting.
2. Agenda items with supporting documents are provided to the Secretary three weeks prior to the meeting. Town provided emails will be used to send an agenda, any legal notices, and supporting document two weeks prior to the meeting. Items to be considered for Board action will be posted on the web site 48 hours prior to the meeting.
3. Vouchers are signed at each meeting for stipend to be paid by the Town of Lima.
4. An excel spreadsheet will be developed to keep track of the four hours of required annual training. All training certificates will be provided to the Secretary.

DISCUSSION – FAMILY DOLLAR REQUEST FOR A POLE SIGN

Dollar Tree does not like our sign law and are going to the ZBA for a sign variance approval.

RESOLUTION – LEGAL NOTICE FOR 2022 PLANNING BOARD MEETINGS

On motion of Member Button, second by Member Childs the following resolution was ADOPTED AYES 4 NAYS 0 ABSENT 3 (MEMBERS ELLIOTT, OSBORNE AND BRITTON)

RESOLVE for Secretary Knight to publish in the Sentential and on the Town of Lima Website the following legal notice:

Town of Lima Legal Notice

All regular meetings of the Lima Planning Board throughout the year 2022 will be held at 7:00 P.M. on the following days (generally, the third Wednesday of each month) in the Lima Town Hall located at 7329 E Main St, Lima, New York

1/19, 2/16, 3/16, 4/20, 5/18, 6/15, 7/20, 8/17, 9/21, 10/19, 11/16 and 12/21

***PLEASE NOTE THAT BECAUSE OF CERTAIN RESTRICTIONS OR RECOMMENDATIONS RESULTING FROM THE COVID-19 PANDEMIC THAT MAY BE PROMULGATED BY EXECUTIVE ORDER OF THE GOVERNOR OF THE STATE OF NEW YORK, OR THE CENTER FOR DISEASE CONTROL, CERTAIN OF THE ABOVE**

MEETINGS MAY BE HELD ON A REMOTE BASIS. PLEASE CONSULT THE TOWN'S WEBSITE BEFORE EACH MEETING TO FIND OUT IF SUCH MEETING WILL BE HELD AT THE TOWN HALL OR REMOTELY.

By Order of the Town Planning Board

Dated: December 15, 2021

Publish: January 6, 2021

Sharon M. Knight, MMC/RMC

Town of Lima Planning and Zoning Board of Appeals Secretary

Vote of the Board: Wayne Childs - Aye, Erica Elliott - Absent, Doug Best - Aye, Paul Osborne- Absent, Jake Button- Aye, Andrew Britton - Vice Chairman- Absent, and George Gotcsik, Chairman- Aye

The meeting was adjourned by motion of Member Button and seconded by Member Best at 8:13 P.M.

Respectfully submitted by:

Sharon M. Knight, MMC/RMC, Secretary