

Hilton Zoning Board of Appeals
Meeting Minutes of September 14th, 2021
Approved

ZBA Member's Present: Chairman Kim Fay, Pat Holenbeck, Shelly Kordish, Harry Reiter (Zoom), Nicole Pennock and Joe Ruta (Zoom) (Alternate member)

Village Board Present: Mayor Joe Lee

Administration Present: Code Enforcement Officer; Mark Mazzucco, Recording Secretary; Debbie Jones, Office Clerk; Aim Doser, and Deputy Clerk; Amy Harter

Guests: Rebecca Bessell, Ann Hedberg, Mark Bessell, Jerry Pozzuolo, Michele Pozzuolo, John Sciarabba (LandTech), Tom McNulty, Marco Mattioli, David Matt (Shultz Associates), David Spiehler and Denise O'Toole

Chairman Kim Fay called the meeting to order at 6:29 p.m. with the Pledge of Allegiance to the flag and a moment of silence.

Chairman Fay declared for the minutes, that a quorum is present so the meeting may proceed as planned.

MINUTES:

Chairman Fay made the motion to accept the amended August 10th, 2021 Zoning Board of Appeals meeting minutes, seconded by **Member Holenbeck**, and approved 5-0.

REPORTS:

Village Board Liaison Larry Speer Chairman Fay gave his report on Trustee Speer's behalf

Mayor Gave his report.

Code Enforcement Officer Mark Mazzucco Gave his report.

Chairman Kim Fay opened the public hearing at 6:39 p.m.

Member Holenbeck read the Explanation of the Zoning Board of Appeals procedure.

PUBLIC HEARING – AREA VARIANCE – 130 EAST AVE. DIGITAL LED MESSAGE CENTER SIGN – ST. PAUL LUTHERAN CHURCH AND SCHOOL

- Application of St Paul Lutheran Church and School, 130 East Avenue for an Area Variance to install new Digital LED Message Center in front of the church. Per Section 275-37G (8) -Automatic changeable copy signs, digital message boards, animated signs, or signs utilizing full motion or video technology are prohibited. This property is zoned Residential.

Code Enforcement Officer, Mark Mazucco stated the following:

- Letters to homeowners were mailed/notifications in order
- Matter is a Local determination per Exemption(s) in Schedule ‘A’ of the Monroe County DRC
- This is a Type II action under SEQR and no further review is required.
- There are no complaint letters or code enforcement actions in the property file.

Mark Bessell representing St. Paul Church and School for this application. Mr. Bessell stated the new Digital LED Message Center has been installed and electric placed recently but due to some miscommunication the sign has not been turned on. In 2008 a manual sign was installed in this location, but the Church/School have decided they would like to switch it to the new Digital LED Message Center. The Church and the School have information they would like to share with the public.

PUBLIC COMMENTS: opened at 6:51 p.m., closed at 6:52 p.m.

BOARD COMMENTS:

Chairman Fay inquired if they knew the hours the sign would be lit. Mr. Bessell stated the sign will have a built-in automatic dimming feature, during the day it will be at 6,000 nits (candela per square meter), at night it will be 700 nits.

Member Holenbeck reminded the Board our concern with the electronic sign they approved at the Hilton Baptist Church on Lake Ave. The Board did not want the message scrolling or changing so fast that it distracted drivers. Rebecca Bessell, 7048 Benedict Beach stated the Baptist Church is at 5 seconds and the High School is 3 seconds. **Member Holenbeck** would like to request the 5 second scroll to avoid distractions. **Member Holenbeck** has no problem with the sign and feels the Zoning Board should address this Zoning Code with the Village Board.

Mark Bessell stated the size comparison is not “apples to apples” to the Hilton Baptist Church. The frontage is 400’ and 120’ from house side to side. There will be no flashing or strobes

Member Kordish stated we had no governing on the signs at the school and fire department but feels the same conditions should be placed on all Digital LED Message Center sign applications as they were for the Hilton Baptist Church.

Member Pennock stated she is good with this application if they are within manufacturers recommendations.

Chairman Fay does not have any problems with this sign. **Chairman Fay** also feels our sign ordinance needs to be updated.

Member Reiter had no comment.

Denise O’Toole, 212 Lake Ave. stated these digital signs help the people who must go out and change the messages on the manual signs.

Member Kordish made the motion to accept the application of St Paul Lutheran Church and School, 130 East Avenue for an Area Variance to install a new Digital LED Message Center in front of the church. Per Section 275-37G (8) --Automatic changeable copy signs, digital message boards, animated signs, or signs utilizing full motion or video technology are prohibited. There was no negative feedback from the public. The following condition was placed on this application:

1. This application will be reviewed in 6 (six) months to address any negative public feedback.

Seconded by **Member Pennock** and approved 5-0

PLANNING SEGMENT:

PUBLIC HEARING – SITE PLAN REVIEW – 100 OLD HOJACK LANE

- The application of Jerry Pozzuolo, for Site Plan Review for property located at 100 Old Hojack Lane to construct two 40-foot x 120-foot Mini-Storage buildings. This property is zoned Commercial.

Code Enforcement Officer, Mark Mazzucco stated the following:

- Letters to homeowners were mailed/notifications in order
- Matter is a Local determination per Exemption(s) in Schedule ‘A’ of the Monroe County DRC
- This is a Type II action under SEQR and no further review is required.
- There are no complaint letters or code enforcement actions in the property file.

John Sciarabba, LandTech presented tonight for Jerry Pozzuolo, owner of Hilton Self Storage LLC. Mr. Sciarabba stated Mr. Pozzuolo’s plan is to construct two 40-foot x 120-foot mini-storage buildings and 50 units of outside storage for campers, RV’s, etc. The outside storage would be on the perimeter of the northside of the property. They will be putting up a 6’ board-on-board privacy fence, possible vinyl but the upkeep on vinyl is tough. The buildings will be dark gray metal with white trim and building mounted lights. The buildings will be 38’ off the right of way. Currently, they are clearing out existing trees on the property.

PUBLIC COMMENT: Opened at 7:09 p.m.

Ann Hedberg 134 West Ave stated she has no concern with the indoor storage but is concerned with the outside storage. Even with the privacy fence you will still be able to see what is behind the fence. Mrs. Hedberg feels the outdoor storage that is being constructed further west on Old Hojack is a better fit for outdoor storage.

Denise O’Toole, 212 Lake Avenue states the Church and Jerry have good neighbor relations. The Church would like to see a white fence versus a chain link fence, the white would be more of a buffer.

Public Comment closed at 7:19 p.m.

BOARD COMMENTS:

Member Holenbeck asked if the outdoor storage would be grass or paved. Mr. Pozzuolo stated the outside storage area will be grass and the indoor storage will be paved.

Member Reiter feels a SWPPP is needed, an area of land is being disturbed. John Sciarabba, Land Tech stated the drainage will have a NE projection, into Providence's swale and will not negatively impact Providence. **Member Reiter** disagrees and strongly suggests a SWPPP be done.

Member Holenbeck feels the Board should wait until they hear from the Village Engineer regarding the storm water.

Code Enforcement Officer Mark Mazucco suggested an environmental inspection and wait until next month to decide, the Board has 60 days. **Code Enforcement Officer Mark Mazucco** suggested Mr. Pozzuolo call Jeff Pearce the Village of Hilton Superintendent

Chairman Fay does not like the board-on-board fencing, likes the vinyl much better. **Chairman Fay** asked if there will be an office on-site, Mr. Pozzuolo stated there will be an on-site office.

Member Pennock feels this application should be tabled until after the review from the Village Engineer on the stormwater inspection.

Member Kordish asked if there will be restrooms available to patrons. Mr. Pozzuolo stated he didn't really think about it for the patrons but there will be restrooms in his office area.

Chairman Fay made the motion to table site plan review to the October 12th, 2021 Village of Hilton Zoning Board meeting, seconded by **Member Holenbeck** and approved 5-0.

PRE-LIMINARY/CONCEPTUAL SITE PLAN – 150 & 170 OLD HOJACK LANE SELF STORAGE FACILITY

- Application of Marco Mattioli, 5 Marway Circle, Suite 8, Rochester, NY 14624 for a preliminary site plan to construct a self-storage facility at 150 & 170 Old Hojack Lane which will include approximately 146,880 sf. of indoor storage and 64 outdoor storage spaces (15'x30'). This property is zoned Light Industrial.

Code Enforcement Officer, Mark Mazucco stated the following:

- Letters to homeowners were mailed/notifications in order
- Matter is a Local determination per Exemption(s) in Schedule 'A' of the Monroe County DRC
- This is a Type II action under SEQR and no further review is required.
- There are no complaint letters or code enforcement actions in the property file.

David Matt, Schultz Associates presented for Marco Mattioli, owner of the property at 150 & 170 Old Hojack Lane. Mr. Matt stated they will be constructing 11 buildings, approximately 300 units. The buildings will be constructed in phases, on demand. Phase 1 (one) will be building 1 (one) & 2 (two). Phase 2 (two) would be 64 outdoor parking spots 15x30. There will be a 40' drive aisle down the middle. The pine trees and front landscaping on Old Hojack, this will hide the outdoor storage. There will be a 6' chain link fence with a security gate. Stormwater run off will be greatly reduced. This will be accessible from Collamer Rd. should not have an impact on Village traffic.

PUBLIC COMMENT: Open at 7:45

There was no public comment.

Public Comment: closed at 7:46 p.m.

BOARD COMMENTS:

Chairman Fay likes the idea of this project being done in phases.

Member Reiter feels this project is too large and will be preventing jobs from coming into Hilton. **Member Reiter** feels strongly that this project goes against the Village of Hilton Master Plan.

Member Pennock doesn't feel the Board can dictate to the owner of a property, which is correctly zoned, and is a permitted use.

Chairman Fay made the motion to move forward with the public hearing for Site Plan approval on October 12th, 2021, seconded by **Member Holenbeck** and approved 5-0.

Next Meeting: Tuesday October 12th, 2021

There being no further business, **Member Holenbeck** made the motion to adjourn the meeting at 8:18 p.m.

Respectfully Submitted,
Debbie Jones, Recording Secretary

