

Village of Pittsford
Architectural and Preservation Review Board
Wednesday December 10, 2014 at 1:00 PM

PRESENT:

Chairperson: Paul Zachman
Members: Cristina Lanahan
William McBride
Maria Huot
Erin Daniele

Village Attorney: Jeff Turner
Recording Secretary: Linda Habeeb

Chairperson Zachman called the meeting to order at 1:00 pm.

Pittsford Canalside Properties, LLC, 75 Monroe Avenue

Present: Chris DiMarzo, Mark IV; Mike Rosen, Architect; Joseph Picciotti, Harris Beach

Discussion: Chairperson Zachman stated that the Village Board of Trustees has passed Local Law 15, which local law requires disclosure of conflicts of interest or potential conflicts of interest prior to each meeting of boards with discretionary approval authority.

Member Daniele stated, "I would like to make a disclosure that is in no way a conflict of interest but simply for the sake of avoiding any ambiguity. Seven years ago, in 2007, my husband's campaign committee received a campaign contribution from Anthony DiMarzo on behalf of Mark IV Construction. Since then, his committee has not received any further contribution. Regardless of the timing of this contribution, it would not, then or now, constitute a conflict of interest in Village Code, Village Code of Ethics, or otherwise."

Chairperson Zachman pointed out that the first meeting that Member Daniele participated in was in 2008, one year after this occurred.

Chairperson Zachman reviewed the status of the application, stating that beginning in 2010, the Board has reviewed various iterations of the proposal. He further stated that they passed recommendations on to the Planning Board, and the Board of Trustees passed the R-5 Regulating Plan and the special use permit for the proposed apartment complex. A Development Review Committee was convened, with representatives from all Boards, and further recommendations were made regarding the project. The current plans were submitted within the required timeframe, and Board members have reviewed them and determined that they have sufficient information for a conceptual review of the project layout to determine if it is compatible in mass and scale relative to the surrounding buildings in the area.

Mr. Picciotti stated that the findings of fact for the special use permit and preliminary and final site plan approvals indicated that the proposed mass and scale of the project were compatible with the

Village. He further stated that the charge of the APRB is to review exterior architectural features of the buildings and building materials, and not structural changes. He also pointed out that the Board of Trustees was unsuccessful in overturning the special use permit.

Mr. Turner stated that he has had extensive communication with the Board on his views regarding the Board's charge.

Member McBride stated that the Planning Board's determination regarding mass and scale does not affect the APRB's responsibility to review the mass and scale of the project. He stated that if this were a hardship issue, there is a specific definition of what is acceptable in terms of the size of the project. He further stated that in this case, mass and scale relating to the Village are abstract, not tangible, issues.

Member McBride went on to state that the proposed project has several views of visibility from the public way. He explained that based on the Village Code, and reinforced by the R-5 Regulating Plan, the mass and scale of the complex will be compared to the entire Village. He stated that in an effort to quantify mass and scale, he used comparisons of (1) volume (length of the footprint of the buildings, times width of the footprint of the buildings, times height), and (2) density per square acre surrounding relative to the landscape or streetscape. He presented facts comparing the volume and density of the proposed apartment complex to prominent buildings in the Village, such as Pittsford-Sutherland High School, the Library, and the Mill building, and buildings on Schoen Place. He also compared the complex to two massings of commercial space in the Village: Main Street and Schoen Place. He stated that the conclusion that he reached was that the proposed complex is between two and three times as dense or large as Main Street and Schoen Place. He concluded by stating that the Board is charged with determining what is acceptable mass relative to the character of the Village.

Member McBride also pointed out that on the plan, Building #3000 shows five stories. Mr. DiMarzo stated that this does not violate the height requirements for the buildings.

Mr. Picciotti stated that the comparison to Schoen Place and Main Street is irrelevant to the Village Code and is beyond the jurisdiction of the Board. He further stated that volumetric calculations are not part of a determination of mass and scale.

Chairperson Zachman stated that the Board has not considered volume in previous discussions about this project. He pointed out that the Planning Consultant reviewed a larger version of the project for mass and scale and determined that it is compatible with the Village. Member Huot stated that the volume of the buildings is an essential part of determining appropriate mass and scale of the complex. Chairperson Zachman stated that just because a project is large does not mean that it is not compatible with the Village.

Mr. Rosen stated that it is irrelevant to compare the project to commercial buildings, because it is a residential apartment complex, and not a commercial use. Member Huot stated that they are not considering the "function" of the buildings; they are discussing a mass on a lot and its relationship to its surroundings, independent of its proposed function. Member Lanahan stated that the Board's charge is to determine how the mass and scale of the complex affect the entire Village.

Mr. Rosen stated that the volume of the project was determined by the Planning Commission, who approved the footprint and height of the buildings according to Village Code. He further stated that the architects were mandated to use the approved footprint and height to create the volume of the

buildings. He concluded by stating that by definition, scale is not a volume issue. Member McBride stated that volume is the measurement of the displacement of space.

Mr. DiMarzo stated that the mass and scale of the project have been approved by the Trustees and the Planning Board, as is clearly stated in the Special Permit. He further stated that the Development Review Committee, in which Chairperson Zachman and Member McBride participated, endorsed the concept plan for the project.

Member McBride stated that regardless of what has occurred previously with other Boards, nothing usurps the APRB's authority to determine whether the mass and scale are compatible with the Village.

Motion: Member McBride made a motion, seconded by Member Huot, to deny the application.

Vote: **McBride** – yes; **Zachman** – no; **Lanahan** – yes; **Huot** – yes; **Daniele** - no. **Motion carried.** This decision was filed in the Office of the Village Clerk on December 10, 2014.

Findings of Fact:

ADJOURNMENT: There being no further business, Chairperson Zachman adjourned the meeting at 2:15 pm.

Linda Habeeb, Recording Secretary

12/10/14 APRB Sp. Mtg.

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