

VILLAGE OF PITTSFORD
PLANNING AND ZONING BOARD OF APPEALS
Regular Meeting – June 16, 2014 at 7:00 PM

PRESENT:

Chairperson: Remegia Mitchell
Members: Meg Rubiano
George Wallace
Jill Crooker (absent)
Joe Maxey

Attorney: Jeff Turner
Building Insp.: John Limbeck
Recording Sec: Linda Habeeb

Chairperson Mitchell called the meeting to order at 7:00 P.M.

Katherine Symington, 7 Locust Street ~ Area Variance

Present: John Limbeck

SEQR: Chairperson Mitchell stated that this is a Type II SEQR Action under SEQR § 615.7(c).

The Secretary read the legal notice that was published in the June 5, 2014 edition of the Brighton Pittsford Post: *"Please take notice that a public hearing will be held before the Village of Pittsford Zoning Board of Appeals at the Village Hall, 21 North Main Street, Pittsford, New York, on Monday June 16, 2014 at 7:00 pm, to consider an application made by Katherine Symington, owner of property located at 7 Locust Street, for an area variance for a fence, pursuant to Village Code § 98-1 Fences - Height Restrictions."*

Discussion: In the applicant's absence, Mr. Limbeck stated that the applicant is seeking an area variance for the installation of a fence in the rear of her property to screen nonresidential vehicles located on a neighboring property from view. He stated that the proposed fence will consist of two wooden panels, measuring 6 feet in height, with a lattice top piece, measuring 2½ feet. It was noted that a neighbor to the west also has an 8½-foot fence in the rear of the property. Chairperson Mitchell stated that the proposed fence will be minimally visible from the street.

Motion: Chairperson Mitchell made a motion, seconded by Member Rubiano, to open the public hearing at this time.

Vote: Rubiano – yes; Mitchell – yes; Maxey – yes; Wallace - yes. *Motion carried.*

Motion: Chairperson Mitchell made a motion, seconded by Member Wallace, to close the public hearing at this time, as there was no one from the public wishing to speak about this application.

Vote: Rubiano – yes; Mitchell – yes; Maxey – yes; Wallace - yes. *Motion carried.*

Motion: Member Rubiano made a motion, seconded by Member Wallace, to approve the application for an area variance for installation of a fence, as submitted.

Vote: Rubiano - yes; Mitchell – yes; Maxey – yes; Wallace - yes. *Motion carried.*

The decision was filed in the Office of the Village Clerk on June 16, 2014.

Findings of Fact:

- ❖ The lot is unique in that it has a shallow rear yard.
- ❖ The purpose of the proposed fence is to screen the view of the large vehicles from the yard and residence.
- ❖ There is no other place for the neighboring property to store their delivery vehicles.
- ❖ The neighbor to the east of this property has an existing rear yard 8½' fence which was approved by the ZBA for the same reason.
- ❖ There are no undesirable changes that will be produced in the character of the neighborhood by approving this area variance.
- ❖ The area variance will not have an adverse effect or impact on the physical or environmental conditions of the neighborhood or district.
- ❖ The benefit sought cannot be achieved by another feasible method.

Tony Gopie, Goodwill, 4 North Main Street ~Site Plan

Chairperson Mitchell explained to the applicants that the proposal to install a storage shed on the exterior of the property at 4 North Main Street would require the granting of a use variance prior to review of the site plan. She stated that the proposed use is not a permitted use for this property, and that the granting of a use permit requires a very high burden of proof. Chairperson Mitchell recommended that the applicant work with the Village's Code Enforcement Officer to identify alternatives to exterior storage.

The applicant stated that the business has been open for a few weeks, and the community has been very supportive. She also noted that the structure would be a non-conspicuous storage unit, which would be monitored daily.

Robert Michaels, owner of the building, stated that this organization provides a valuable service to the community, and is an asset to the Village. He suggested that the Village and the applicants work together to find a way for this proposal to move forward.

Charlie Fox, 60 North Main Street ~ Site Plan

Present: Greg Barkstrom

SEQR: Chairperson Mitchell stated that this is a Type II SEQR Action under SEQR § 617.5(c).

The Secretary read the legal notice that was published in the June 5, 2014 edition of the Brighton Pittsford Post: *“Please take notice that a public hearing will be held before the Village of Pittsford Planning Board at the Village Hall, 21 North Main Street, Pittsford, New York, on Monday June 16, 2014 at 7:00 pm, to consider an application for site plan approval for the property located at 60 North Main Street, pursuant to Village Code § 210-83(12), Site Plan Approval.”*

Discussion: Mr. Barkstrom presented a site plan for 60 North Main Street, which identified the proposed locations for the dumpsters on the site.

Motion: Chairperson Mitchell made a motion, seconded by Member Rubiano, to open the public hearing at this time.

Vote: Rubiano – yes; Mitchell – yes; Maxey – yes; Wallace - yes. *Motion carried.*

Motion: Chairperson Mitchell made a motion, seconded by Member Wallace, to close the public hearing at this time, as there was no one from the public wishing to speak about this application.

Vote: Rubiano – yes; Mitchell – yes; Maxey – yes; Wallace - yes. *Motion carried.*

Motion: Member Wallace made a motion, seconded by Chairperson Mitchell, to approve the site plan application, as submitted.

Vote: Rubiano - yes; Mitchell – yes; Maxey – yes; Wallace - yes. *Motion carried.*

The decision was filed in the Office of the Village Clerk on June 16, 2014.

Charlie Fox, 50 State Street ~ Site Plan

Present: Greg Barkstrom

SEQR: Chairperson Mitchell stated that this is a Type II SEQR Action under SEQR § 617.5(c).

The Secretary read the legal notice that was published in the June 5, 2014 edition of the Brighton Pittsford Post: *“Please take notice that a public hearing will be held before the Village of Pittsford Planning Board at the Village Hall, 21 North Main Street, Pittsford, New York, on Monday June 16, 2014 at 7:00 pm, to consider an application for site plan approval for the property located at 50 State Street, pursuant to Village Code § 210-83(12), Site Plan Approval.”*

Discussion: Mr. Barkstrom presented a site plan for 50 State Street, and addressed the issues that the building inspector requested he include on the revised site plan:

- The dumpster enclosure has been relocated to the east and is shown on the plans.
- Two light fixtures will be repaired.
- The directional sign has been relocated and is shown on the plan.
- The retention pond is shown on the plan.
- The handicap parking spaces are shown on the plan.
- The buildings have been identified with letters.

Chairperson Mitchell questioned whether the lights are dark-sky compliant. Mr. Barkstrom stated that the lights will be angled downward with added shields to direct the light. Ms. Mitchell further questioned whether there is another way to provide safety other than with bright lighting. She stated that the applicant will be required to submit a complete lighting plan.

Board members discussed with the applicant various locations for addition of landscaping to the plan. It was noted that in the past, there was landscaping at the site, and it is no longer there. Board members also expressed the concern that the location of the handicap parking is not convenient to the stores and restaurants. Another issue discussed was the reconfiguration of the traffic flow through the area, which is difficult for patrons to navigate and reportedly causes occasional backup of vehicles into Route 31 and Schoen Place. A petition, signed by numerous Northfield Common merchants, was submitted to oppose the proposed parking and traffic configuration changes.

Motion: Chairperson Mitchell made a motion, seconded by Member Rubiano, to open the public hearing at this time.

Vote: Rubiano – yes; Mitchell – yes; Maxey – yes; Wallace - yes. *Motion carried.*

Sheila Dombowski, Northfield Common merchant, listed a number of issues of concern for her and the other merchants, for example, customers have to park a distance from the stores; landscaping has been removed; lighting is inadequate; and the gazebo is in disrepair.

Motion: Chairperson Mitchell made a motion, seconded by Member Rubiano, to close the public hearing at this time, as there was no one else from the public wishing to speak for or against this application.

Vote: Rubiano – yes; Mitchell – yes; Maxey – yes; Wallace - yes. Motion carried.

Chairperson Mitchell stated that the public hearing will remain open for the applicant to submit a complete site plan, which will include directional drive lanes, relocation of handicapped parking, a comprehensive lighting plan, and landscaping plan.

Buffalo Bills, Inc., Sutherland High School, Temporary Zoning Permit

The Secretary read the legal notice that was published in the July 16, 2011 edition of the Brighton Pittsford Post: *“Please take notice that a Public Hearing will be held before the Village of Pittsford Zoning Board of Appeals, on Monday June 16, 2014 at 7:00 pm at the Village Hall, 21 North Main Street, Pittsford, NY, to consider an application made by Buffalo Bills, Inc., for a temporary zoning permit to use the Sutherland High School parking lot for vehicle parking for attendees of the Buffalo Bills training camp during the 2014 season, which will be July 20 through August 21, 2014.”*

SEQR: Chairperson Mitchell stated that this is a Type II SEQR Action under SEQR § 617.5(c)(15).

Discussion: The documentation submitted by the applicant indicates that the Buffalo Bills are proposing to utilize the Sutherland High School parking lot in the same manner that was approved by the Zoning Board in 2013. The Buffalo Bills will provide shuttle buses to transport patrons to and from the satellite parking lots and training camp. The buses will run at staggered times, about fifteen minutes apart. There will be at least one parking attendant at the Sutherland High School parking lot during each day of the lot’s use. In addition, during each night practice, there will be an additional parking attendant working to help with the expected increase in attendance. The parking attendants will help direct traffic and ensure that the parking process goes smoothly. The Bills also provide public toilets at the Sutherland High School parking lot, which are emptied and cleaned on a daily basis by a company hired by the Bills.

The Building Inspector indicated that there were no problems or issues with this proposal in past years.

Motion: Chairperson Mitchell made a motion, seconded by Member Wallace, to open the public hearing.

Vote: Rubiano – yes; Mitchell – yes; Maxey – yes; Wallace - yes. Motion carried.

Motion: Chairperson Mitchell made a motion, seconded by Member Rubiano, to close the public hearing, as there was no one wishing to speak for or against this application.

Vote: Rubiano – yes; Mitchell – yes; Maxey – yes; Wallace - yes. Motion carried.

Motion: Chairperson Mitchell made a motion, seconded by Member Maxey, to approve the application for a temporary permit, with the following conditions:

1. The return route of the buses will follow Main Street to Jefferson Road to Sutherland Street.
2. The public toilets will be located on the westernmost portion of the parking lot, farthest from the street.
3. The applicant will continue to direct traffic away from the residential area of Sutherland Street in their printed promotional materials and on their website.
4. The applicant will provide signage to direct traffic to exit onto Jefferson Road.
5. The applicant will instruct the parking attendants to direct patrons to exit on Jefferson Road.

Vote: Rubiano – yes; Mitchell – yes; Maxey – yes; Wallace - yes. *Motion carried.* The decision was filed in the Office of the Village Clerk on June 16, 2014.

Minutes:

Motion: Chairperson Mitchell made a motion, seconded by Member Rubiano, to approve the 2/24/14 minutes, as drafted.

Vote: Rubiano – yes; Mitchell – yes; Maxey – yes; Wallace - yes. *Motion carried.*

Motion: Chairperson Mitchell made a motion, seconded by Member Wallace, to approve the 4/28/14 minutes, as drafted.

Vote: Rubiano – yes; Mitchell – yes; Wallace - yes. *Motion carried.*

Motion: Chairperson Mitchell made a motion, seconded by Member Wallace, to approve the 5/19/14 minutes, as drafted.

Vote: Mitchell – yes; Maxey – yes; Wallace - yes. *Motion carried.*

Liaison Report:

Ms. Lanphear reported that:

1. The Weiss parking lot is being renegotiated.
2. The Saha Med Grill has been granted a special permit to open a restaurant on South Main Street.

Adjournment: There being no further business, Chairperson Mitchell adjourned the meeting at 9:15 pm.

Linda Habeeb, Recording Secretary