

VILLAGE OF PITTSFORD
PLANNING AND ZONING BOARD OF APPEALS
Regular Meeting – October 20, 2014 at 7:00 PM

PRESENT:

Chairperson: Remegia Mitchell
Members: Meg Rubiano
George Wallace
Jill Crooker
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.

Chairperson Mitchell stated that the public hearings for 75 Monroe Avenue that were adjourned until the special meeting scheduled for October 22, 2014, have been rescheduled for October 29, 2014 at 7:00 pm.

David Jewett, 44 N. Main Street ~ Temporary zoning permit

Present: David Jewett

The Secretary read the legal notice that was published in the October 2, 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 October 20, 2014 at 7:00 pm to consider an application made by David Jewett for a temporary zoning permit to allow the outside sale of Christmas trees and wreaths in November and December of 2014, at property known as Pittsford Farms Dairy, owned by Charles Corby, and located at 44 North Main Street, pursuant to Chapter 210-109, Temporary permits, of the Code of the Village of Pittsford.”*

SEQR: Chairperson Mitchell stated that this is a Type II SEQR Action under SEQR § 617.15(c)(15).

Discussion: This is an application for a temporary zoning permit for the outside sale of Christmas trees and wreaths at the property known as Pittsford Farms Dairy, located at 44 North Main Street. The applicant stated that he has been granted the permit for a number of years, and he agrees to abide by the same conditions as were agreed to in past approvals. He stated that the sale of trees will be only on private property, no closer than 120 feet from the property line, and a temporary sign will not be placed in the public right of way. Chairperson Mitchell reviewed the conditions from a previous approval.

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

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

- **Ted Collins** stated that he supports this application for the sale of Christmas trees at 44 North Main Street.

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

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

Motion: Member Rubiano made a motion, seconded by Member Wallace, to approve the application, as submitted, for a temporary zoning permit to allow the outside sale of Christmas trees and wreaths at the Pittsford Farms Dairy during the holiday season, with the following conditions:

1. The site shall be restored to its original appearance by January 1, 2015.
2. Preparation and sale shall be only on private property side yard no closer than 120 feet from all property lines.
3. Temporary signage shall not be placed in the public right of way.
4. No high-pressure sodium lighting shall be installed or maintained.

Vote: Rubiano – yes; Mitchell – yes; Crooker – yes; Maxey – yes; Wallace - yes. **Motion carried.**
The decision was filed in the Office of the Village Clerk on October 20, 2014.

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**Greg Barkstrom, 50 State Street ~ Area Variance**

**Present:** Jay Whitbourne; Greg Barkstrom

**The Secretary read the legal notice that was published in the October 2, 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 October 20, 2014 at 7:00 pm, to consider an application for an area variance for relief from the parking space minimum dimensions for the property located at 50 State Street, pursuant to Village Code § 210-81B (1).”*

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

**Discussion:** Mr. Barkstrom stated that the applicants are seeking an area variance for parking spaces measuring 9’ x 18,’ rather than 8’ x 20,’ as required by Village Code. Board members expressed no concerns with this proposal.

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

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

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

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

**Motion:** Chairperson Mitchell made a motion, seconded by Member Wallace, to approve the application for an area variance for relief from the parking space minimum dimensions for 50 State Street, as submitted

**Vote:** Rubiano – yes; Mitchell – yes; Crooker – yes; Maxey – yes; Wallace - yes. **Motion carried.** The decision was filed in the Office of the Village Clerk on October 20, 2014.

**Findings of Fact:**

- ❖ 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.

Chairperson Mitchell stated that this is a continuation of an open public hearing for site plan review for 50 State Street. Mr. Barkstrom presented a revised site plan and stated that the plan addresses some of the issues discussed at the previous meeting: striping, signage, and snow storage. Chairperson Mitchell pointed out that this is a limited portion of the site plan which is being reviewed separately because repair and marking of the parking lot needs to be completed before cold weather conditions set in. She stated that the owners will also be responsible for submitting comprehensive lighting, landscaping, and drainage plans. The Board also discussed letters that were submitted to the Village from the Northfield Common merchants stating a number of concerns with the site plan, such as the speed of the traffic driving through the area; cars traveling the wrong way because of lack of adequate one-way signage; ineffective plastic no-parking barriers; and inadequate lighting in the rear of the lot.

Mr. Barkstrom explained that the proposed striping and the addition of speed humps will alleviate a number of the concerns raised by the merchants. Member Wallace noted that it is currently unclear to motorists entering the area which direction they should travel. It was suggested that the installation of a sign at the fire lane would provide guidance as to the correct direction for motorists. Mr. Whitbourne explained that the Fire Department recommended the installation of the no-parking barriers. Member Crooker stated her concern with safety because of the lack of lighting in the rear of the lot.

**Motion:** Member Crooker made a motion, seconded by Chairperson Mitchell, to approve the modified site plan, dated 9/19/14, with the condition that speed humps and a one-way sign be installed for safety, and with additional signage and other outstanding site plan issues to remain open.

**Vote:** Rubiano – yes; Mitchell – yes; Crooker – yes; Maxey – yes; Wallace - yes. **Motion carried.** The decision was filed in the Office of the Village Clerk on October 20, 2014.

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Jay Whitbourne, 14 South Main Street ~ Site Plan

Present: Jay Whitbourne; Greg Barkstrom

The Secretary read the legal notice that was published in the October 9, 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 October 20, 2014 at 7:00 pm, to consider an application made by Jay Whitbourne for site plan approval for the property located at 14 South Main Street, pursuant to Village Code § 210-82, Site Plan Approval.”

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

Discussion: The applicant stated that he is proposing removing and replacing damaged and improperly pitched sidewalk sections at 14 South Main Street. He presented photographs of the area to be repaired. He further stated that he will be replacing the damaged walk with concrete, and that the work will be in accordance with Village work that is being done on the Church Street sidewalks.

Member Rubiano expressed concern with the view of a wide expanse of concrete in the area, and suggested that the applicant use pavers for this section instead of concrete. She pointed out the use of this alternative material in the adjoining property, commenting that it improved the streetscape by distinguishing some portions of sidewalk area from others and mitigating the expanse of concrete. Mr. Whitbourne stated that during the winter months, the snow plows and salt will damage pavers. He stated his preference to replace the sidewalk with concrete, as proposed. Also discussed was the use of stained or stamped concrete to break up the view of concrete.

Motion: Chairperson Mitchell made a motion, seconded by Member Rubiano, to approve the replacement of the sidewalk at 14 South Main Street, except for the area under the bow window, with either pavers or stamped concrete to resemble other brick areas in the streetscape.

Vote: Rubiano – yes; Mitchell – yes; Crooker – yes; Maxey – yes; Wallace - yes. **Motion carried.** The decision was filed in the Office of the Village Clerk on October 20, 2014.

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### **Lorie Harrington, Ford Field (South Street) ~ Site Plan**

**Present:** Nancy Zawacki, Lorie Harrington

**The Secretary read the legal notice that was published in the October 9, 2014 edition of the Brighton Pittsford Post:** *“Please take notice that a public hearing will be held before the Village of Pittsford Planning & Zoning Board of Appeals at the Village Hall, 21 North Main Street, Pittsford, New York, on Monday October 20, 2014 at 7:00 pm to consider an application made by The Pittsford Little League for minor site improvements at Ford Field, located off South Street in the Village of Pittsford, per Village Code Section 121, Local Waterfront Consistency, and for installation of a metal fence that is greater than 4 feet in height, pursuant to § 98-1F of the Code of the Village of Pittsford.”*

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

**Discussion:** The applicants stated that they are proposing relocation of existing fencing to increase the size of the outfield, relocation of an existing scoreboard extension, and approval for an existing chain-link fence that exceeds four feet in height. Ms. Harrington stated that they are also proposing removal of six trees along the Canal.

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

- **Sam Ward & Ed Roda**, residents of South Street, expressed concern with the removal of the trees and the visibility of the fields from residences along South Street.
- **Greg Barkstrom** stated his support for the proposal.

The applicants described the area nearer the canal where trees would be removed, none of them along the South Street property line.

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

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

**Motion:** Chairperson Mitchell made a motion, seconded by Member Maxey, to approve the proposed renovations for Ford Field, as submitted.

**Vote:** Rubiano – yes; Mitchell – yes; Crooker – yes; Maxey – yes; Wallace - yes. **Motion carried.**  
The decision was filed in the Office of the Village Clerk on October 20, 2014.

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Ted Collins, 8 Schoen Place ~ Site Plan

Present: Ted Collins, Property owner

The Secretary read the legal notice that was published in the October 9, 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 October 20, 2014 at 7:00 pm, to consider an application made by Ted Collins for a minor site plan alteration to replace landscaping with asphalt at the property located at 8 Schoen Place in a B-4 Zoning District, pursuant to Village Code § 210-83B (10) & (11).”*

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

Discussion: Mr. Collins stated that he is proposing removing diseased evergreens from the area between Red Barn Properties and Aladdin’s in Schoen Place and replacing them with asphalt to improve pedestrian and bicycle safety and visibility. He also noted that this will result in the creation of a parking space.

Member Maxey suggested that Mr. Collins replace the trees with groundcover. Member Rubiano expressed concern with the large expanse of concrete that will result from the removal of the trees.

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

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

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

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

Motion: Member Wallace made a motion, seconded by Chairperson Mitchell, to deny the proposal to replace trees with asphalt, but to allow replacement with other vegetation that is not a visual obstruction and does not impair safety.

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

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Information only:

**Jim Manetta, Village Green, 59-71 Monroe Avenue**

**Discussion:** Mr. Manetta stated that the original site at Village Green had approximately 80 trees, but in the 1980's, most of the trees were failing. He further explained that some of the trees were replaced and fences were installed, but most of the fences are in disrepair. Mr. Limbeck stated that currently, there is no approved site plan for the property. He is working with Mr. Manetta to amend the site plan from 1984 and address some of these issues. There is also a problem with employees from the complex using homeowners' property as a cut-through. Also, as part of the site plan, drainage issues will be addressed.

Chairperson Mitchell suggested that a landscape architect be consulted to determine types of viable trees to be added to the area. Board members suggested that a combination of fences and trees would create a barrier to protect the homeowners' properties.

**Liaison Report:**

Trustee Galli reported that:

- The Board of Trustees adopted a change to the Village Code that no longer prohibits the feeding of wildlife at the Canal.
- The Pasta Shop on South Main Street has closed.
- Mr. Limbeck is working with RG&E regarding the right of way.

**Member Items:**

**Motion:** Member Rubiano made a motion, seconded by Chairperson Mitchell, to approve the 9/15/14 minutes, as drafted.

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

**Adjournment:** There being no further business, Chairperson Mitchell adjourned the meeting at 9:45 pm.