

VILLAGE OF PITTSFORD
PLANNING AND ZONING BOARD OF APPEALS
Regular Meeting – November 17, 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.

Pittsford Farms Dairy, Charles Corby, 44 N. Main Street ~ Site Plan

Present: Charles Corby

The Secretary read the legal notice that was published in the November 6, 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 November 17, 2014 at 7:00 pm, to consider an application made by Charles Corby, owner of property located at 44 North Main Street, for minor site plan revision, pursuant to Village Code § 210-83."*

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

Discussion: Mr. Corby stated that this is a modification of the original site plan, which includes regrading of the stormwater management pond, lighting, and extension of the sidewalk. Chairperson Mitchell stated that no application for a variance or the extension of the sidewalk was submitted by the applicant, so this discussion will involve only implementation of the site plan elements as previously presented. Mr. Corby indicated that he chose not to include two light poles in the rear parking lot that had previously been approved.

Board members expressed concern with the lack of lighting in the rear of the property. Member Crooker questioned why the applicant is not proposing to install the light fixtures that were on the original site plan and further stated her concern with a statement submitted in a letter from the applicant's engineer which stated that rear lighting is unnecessary because this parking area is used by employees. Board members stated that the area in the rear is unsafe without the additional lights. Chairperson Mitchell stated that the applicant's engineer should include lighting photometrics on the site plan. She further noted that the proposed lights should be downcast, dark-sky compliant fixtures, with minimal spill onto property lines.

Chairperson Mitchell told the applicant that the stormwater drainage pond will need to be reviewed by the Village Engineer.

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.**

- **Greg Barkstrom**, Director of Real Estate for Wendy’s, wanted to assure that the proposed light fixtures will be dark-sky compliant. He also noted that there is at least one additional building-mounted light fixture that is not shown on the plans.

Motion: Chairperson Mitchell made a motion, seconded by Member Rubiano, to approve the stormwater retention pond portion of the site plan, conditioned on the Village Engineer’s review and approval of the plan.

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 November 17, 2014.

Chairperson Mitchell informed the applicant that all light fixtures and their associated photometric plans must be shown on the site plan. She stated that the lighting portion of the plan will remain open to be continued at the December 15, 2014 Planning Board meeting.

Chairperson Mitchell stated that this property is in a Performance Overlay District which necessitates additional steps in the review and approvals process for any variances, site changes, and requests for expansion of use. There was a brief discussion about the need to work closely with the Village Code Enforcement Officer if any of these changes will be sought. Mr. Corby stated that he has been through this in the past and is well aware of the process.



Information only:

5 South Main Street ~ Special Permit

Present: Joseph Cipolla, David Romaine, and Greg Kacprzyński

The Board reviewed the special use permit application for a restaurant at 5 South Main Street. The applicants stated that they are proposing to serve dinners four nights a week (Wed – Sat), between 7:30 and 9:30 pm, and the dinners will be by reservation only. They are proposing 16 seats and 12 parking spaces. The applicants stated that they are considering valet parking, and they are investigating other options for parking, such as the Town of Pittsford or the Bank of America parking lots. They are also possibly going to have lunch service in the future. The lunch service will be Monday through Friday, and will require 24 seats and 5 employees.

Board members questioned the applicants about the proposed method of trash management. They stated that they have an agreement in place with Sutherland Auto to use totes for garbage disposal. Chairperson Mitchell stated that the business owners will be responsible for monitoring trash receptacles in the vicinity of the restaurant and removing any overflow. Board members also asked the applicants whether they will be serving alcohol, and they stated that patrons will bring beer or wine to the restaurant for their dinner. The applicants stated that there will be minimal cooking odors, because they have a Class 2 hood in the extension off the rear of the building.

Liaison Report:

Trustee Galli reported that:

- The Board of Trustees adopted a change to the Village Code of Ethics to require that any conflicts of interests be declared at the beginning of all board meetings.
- He had no prior knowledge of the letter that was sent to the Board from Daniel Spitzer requesting that the Board reopen the public hearing on the final site plan and allow public comment on the project.

Adjournment: There being no further business, Chairperson Mitchell adjourned the meeting at 8:00 pm.