

VILLAGE OF PITTSFORD
PLANNING AND ZONING BOARD OF APPEALS
Regular Meeting – April 18, 2016 at 7:00 PM

PRESENT:

Chairperson: Justin Vlietstra
Members: Jo Anne Shannon
Jeffrey Bove
Susan Lhota
Heather Erwin

Building Insp: Floyd Kofahl (absent)
Recording Sec: Linda Habeeb
PZBA Attorney: Mindy L. Zoghlin, Esq.

Motion: Chairperson Vlietstra made a motion, seconded by Member Bove, to open the workshop session at 6:30 pm.

Vote: Shannon - yes; Vlietstra – yes; Lhota – yes; Erwin – yes; Bove - yes. Motion carried.

The Board reviewed the contents of the applications for the meeting.

Motion: Chairperson Vlietstra made a motion, seconded by Member Erwin, to open the meeting session at 7:00 pm.

Vote: Shannon - yes; Vlietstra – yes; Lhota – yes; Erwin – yes; Bove - yes. Motion carried.

Conflict of Interest Disclosure:

Chairperson Vlietstra stated that he will recuse himself from the discussion of the application for 14 State Street, since he had a past association with the farmers market. The other members all stated that they had no conflicts of interest with any of the applications.

Charles Clottin, 10 North Main Street ~ Temporary Use Permit

Present: Charles Clottin, Harladay Hots, Inc.

The legal notice was published in the February 4, 2016 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 Tuesday, February 16, 2016 at 7:00 pm, to consider an application made by Charles Clottin, of Harladay Hots Inc., for a temporary zoning permit to allow the seasonal operation of a vending cart at 10 North Main Street, pursuant to Chapter 210-109, Temporary permits, of the Code of the Village of Pittsford.”

Discussion: Chairperson Vlietstra stated that this is a continuation of a public hearing that was opened at the February 16th meeting for a temporary zoning permit to operate a vending cart in the lot located at 10 North Main Street. Mr. Clottin stated that the Town of Pittsford owns the lot, and he has received permission from them to operate his vending business on the lot, contingent on his being granted a temporary zoning permit from the Village. He stated that this business is licensed

with the Monroe County Health Department. He noted that he has operated his business successfully in the past few years, with a no problems.

Board members asked Mr. Clottin if there are other alternatives for parking his vehicle other than parking on the grass. He explained that the vehicle contains all his supplies that he routinely needs to restock. Nearby parking spots are often full. The only alternative would be to unload everything onto the site which would take approximately 20 minutes and block traffic during that time. The unloading process would create a traffic hazard and is unsafe in that location. If items were unloaded at the site they would be visible, the vehicle is in good shape and preferable to looking at than coolers and supplies. Board members concurred that it would be impractical for him to park his trailer elsewhere and carry the equipment to the cart. Member Vlietstra pointed out that he is concerned that this is a commercial use in a residential district but it is temporary and this particular location is surrounded by offices and the nearest residential homes is a good distance away and on the other side of the street. The hours and location make this use reasonable.

Member Vlietstra asked if any complaints have been received by this operation in previous years. The board secretary stated they have not received any complaints. Mr. Clottin stated that he has worked hard to keep his operation safe and doesn't expect any problems.

The applicant also requested permission to operate the vending cart during special events, such as the Pittsford Regatta and the car show. He discussed with Board members the hours of operation during the special events. He stated that the hours of operation will be Monday – Sunday, 9 am–5 pm. The Village Building Inspector will be notified at least one week prior to operation at any special event.

Board members noted that Mr. Clotten's General Liability Insurance had expired, and he stated that he will renew it as soon as possible. He also stated that he will maintain Workers' Compensation Insurance or obtain a waiver from New York State.

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

Vote: Shannon - yes; Vlietstra – yes; Lhota – yes; Erwin – yes; Bove - yes. Motion carried. The decision was filed in the Office of the Village Clerk on April 18, 2016.

Motion: Chairperson Vlietstra made a motion, seconded by Member Bove, to approve Resolution 2016-4, granting a temporary zoning permit for the seasonal operation of a vending cart at 10 North Main Street, with the following conditions:

1. The vending cart may be operated from May 1, 2016 to October 31, 2016, Monday through Sunday between the hours of 10 am and 3 pm.
2. The vending cart may be operated during "special events" approved by the Village, which will include 30 minutes prior to the event and 30 minutes after the event for setup and cleanup of the area. The Village Building Inspector shall be notified at least 1 week prior to operation at any special event. Hours of operation during events shall be limited to 9am – 5pm.

3. The ZBA reserves the right to revoke the temporary zoning permit if operation of the business creates traffic hazards or unsafe conditions for pedestrians, or if there are health, safety or welfare concerns that are communicated to the applicant and not resolved. If there is an emergency condition, the ZBA may revoke the permit and provide the applicant with a post-revocation hearing. If there is a non-emergency condition, the ZBA shall provide the applicant with notice and an opportunity to be heard on the revocation. The ZBA shall have sole discretion to determine whether a condition constitutes an emergency.
4. The Fire Marshall shall determine that the food vending cart meets Fire Code regulations.
5. The applicant receives permission from the Town of Pittsford to operate the vending cart in the proposed location.
6. The Applicant shall maintain a liability insurance policy of at least \$1,000,000 naming the Village of Pittsford as certificate holders.
7. The applicant will remove all trash that is generated by this business.
8. The applicant shall maintain Workers' Compensation Insurance or obtain a waiver from New York State.

Vote: Shannon - yes; Vlietstra - yes; Lhota - yes; Erwin - yes; Bove - yes. Motion carried.
The decision was filed in the Office of the Village Clerk on April 18, 2016.

RESOLUTION 2016-4
Village of Pittsford Zoning Board of Appeals

At a regular meeting of the Village of Pittsford Zoning Board of Appeals held at the Village hall on the 18th day of April 2016 at 7:00 p.m. The meeting was called to order by Justin Vlietstra and upon roll being called, the following were present:

PRESENT: Justin Vlietstra
Jeffrey Bove
Heather Erwin
Susan Lhota
Jo Anne Shannon

Mindy L. Zoghlin, Esq., PZBA Attorney

ABSENT: Floyd D. Kofahl, Building Inspector

The following resolution was offered by Board Member Justin Vlietstra, who moved its adoption, and seconded by Board Member Bove, to wit:

WHEREAS, the Village of Pittsford Zoning Board of Appeals received an application from Charles Clottin of Harladay Hots Inc. for a temporary zoning permit to allow the seasonal

operation of a vending cart at 10 North Main Street pursuant to Chapter 210-109, Temporary permits, of the Code of the Village of Pittsford, and

WHEREAS, in connection with such application, the Zoning Board of Appeals has received and reviewed an application, Letter of Intent, Certificate of Insurance Coverage under the NYS Disability Benefits Law, Certificate of Workers' Compensation Insurance Coverage, Monroe County Department of Health Permit, and Certificate of Liability Insurance naming the Village of Pittsford as Certificate Holder, ZBA minutes from the applicant's 2015 application for a temporary zoning permit and, held a public hearing and received comments, and

WHEREAS, after review, the Zoning Board of Appeals has weighed the effects of the requested temporary zoning permit on the health, safety and welfare of the neighborhood and community, and made the following findings:

1. The proposed action is a minor temporary use of land having negligible or no permanent impact on the environment, and therefore is a Type II action that is not subject to SEQRA Review pursuant to 6 NYCRR 617.5(c)(15).
2. This application involves a seasonal temporary permit and is therefore exempt from County Planning Board review pursuant to General Municipal Law section 239-m and an Agreement between Monroe County and the Village of Pittsford dated January 11, 1994.
3. The proposed action is in a waterfront area of the Village of Pittsford but is a Type II action under SEQRA so it is not subject to a local waterfront consistency review.
4. Upon issuance of this temporary zoning permit, the proposed use will comply with all regulations, requirements and applicable ordinances of the Village of Pittsford as applicable to the subject property.
5. The proposed use is in the R-4 residential district which permits single family homes and professional offices. All adjacent properties and the properties across the street are used as professional or municipal offices. It is believed that every property currently in the R-4 district is used as an office.
6. The proposed use is not in harmony with the general purpose and intent of the Zoning Code for the R-4 district, but the chosen times, nature, intensity, and location of the use adequately mitigate adverse impacts on the surrounding neighborhood.
7. The proposed use will not tend to depreciate the value of adjacent property, taking into account the temporary nature of the use and the possibility of screening or other protective measures.
8. The proposed use will not create a hazard to health, safety or general welfare.
9. The proposed use will not be detrimental to the flow of traffic in the vicinity.
10. The proposed use will not alter the essential character of the neighborhood nor be detrimental to the residents thereof.

NOW THEREFORE, IT IS RESOLVED that the application of Charles Clottin of Harladay Hots Inc. for a temporary zoning permit to allow the seasonal operation of a vending cart at 10 North Main Street pursuant to Chapter 210-109, Temporary permits, of the Code of the Village of Pittsford is hereby granted for the reasons stated above, subject to the following conditions:

1. The vending cart may be operated from May 1, 2016 to October 31, 2016, Monday through Sunday between the hours of 10 am and 3 pm.
2. The vending cart may be operated during “special events” approved by the Village, which will include 30 minutes prior to the event and 30 minutes after the event for setup and cleanup of the area. The Village Building Inspector shall be notified at least 1 week prior to operation at any special event. Hours of operation during events shall be limited to 9 am – 5 pm.
3. The ZBA reserves the right to revoke the temporary zoning permit if operation of the business creates traffic hazards or unsafe conditions for pedestrians, or if there are health, safety or welfare concerns that are communicated to the applicant and not resolved. If there is an emergency condition, the ZBA may revoke the permit and provide the applicant with a post-revocation hearing. If there is a non-emergency condition, the ZBA shall provide the applicant with notice and an opportunity to be heard on the revocation. The ZBA shall have sole discretion to determine whether a condition constitutes an emergency.
4. The Fire Marshall shall determine that the food vending cart meets Fire Code regulations.
5. The applicant receives permission from the Town of Pittsford to operate the vending cart in the proposed location.
6. The Applicant shall maintain a liability insurance policy of at least \$1,000,000 naming the Village of Pittsford as certificate holders.
7. The applicant will remove all trash that is generated by this business.
8. The applicant shall maintain Workers’ Compensation Insurance or obtain a waiver from New York State.

The question of the foregoing resolution was duly put to vote as follows:

	Yes	No	Abstain
Justin Vlietstra	X		
Jeffrey Bove	X		
Heather Erwin	X		
Susan Lhota	X		
Jo Anne Shannon	X		

Dated: April 18, 2016

Pittsford, New York

By order of the Village of Pittsford Zoning Board of Appeals

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**Impact Earth, 14 State Street ~ Temporary Zoning Permit**

**Present:** Robert Putney, Impact Earth, Inc.

**The legal notice was published in the April 1, 2016 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 April 18, 2016 at 7:00 pm, to consider an application made by Impact Earth, Inc., for a temporary zoning permit to allow the seasonal operation of a Farmer’s Market on Saturday mornings between June and October, pursuant to Chapter 210-109, Temporary permits, of the Code of the Village of Pittsford.”*

**Discussion:** The applicant is requesting a temporary zoning permit to allow the seasonal operation of a community farmers market in Copper Beech Park, on Saturdays from 9am – 1pm between June and October. Mr. Putney stated that the proposal is for the same situation that was approved by the Zoning Board last year, but on a different day of the week and in a different location. He submitted a letter from the Town of Pittsford permitting the use of the property for this purpose during the requested times. Board members requested that the applicant define the perimeters of the proposed location for the market. Mr. Putney submitted for the record a drawing showing the location for the market. Board members also requested that he obtain Workers’ Compensation Insurance or a waiver from New York State.

**Motion:** Member Bove made a motion, seconded by Member Erwin, to open the public hearing at this time.

**Vote:** Shannon - yes; Vlietstra –abstain; Lhota – yes; Erwin – yes; Bove - yes. **Motion carried.**

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

**Vote:** Shannon - yes; Vlietstra – abstain; Lhota – yes; Erwin – yes; Bove - yes. **Motion carried.**

**Motion:** Member Bove made a motion, seconded by Member Erwin, to approve Resolution 2016-5, granting a temporary zoning permit to allow the seasonal operation of a farmers market at Copper Beech Park and adjacent Pittsford municipal parking lot, with the following conditions:

1. The farmers market may be operated on Saturdays from June 1, 2016 to October 31, 2016, between the hours of 9am and 1pm plus reasonable setup and take down time.
2. All trash and signage shall be removed from the site by 3PM each Saturday.
3. The Village Building Inspector shall be notified at least 1 week prior to operation at any special event.
4. The ZBA reserves the right to revoke the temporary zoning permit if operation of the business creates traffic hazards or unsafe conditions for pedestrians, or if there are

health, safety or welfare concerns that are communicated to the applicant and not resolved. If there is an emergency condition, the ZBA may revoke the permit and provide the applicant with a post-revocation hearing. If there is a non-emergency condition, the ZBA shall provide the applicant with notice and an opportunity to be heard on the revocation. The ZBA shall have sole discretion to determine whether a condition constitutes an emergency.

5. The Fire Marshall shall determine that the Farmers Market meets Fire Code regulations.
6. The applicant receives permission from the Town of Pittsford to operate the farmers market in the proposed location and complies with any conditions imposed by the Town of Pittsford.
7. The Applicant shall maintain a liability insurance policy of at least \$1,000,000 naming the Village of Pittsford and Town of Pittsford as certificate holders.
8. The applicant shall obtain a Vendor Permit from the Town of Pittsford Public Works Commissioner.
9. The applicant shall maintain Workers' Compensation Insurance or obtain a waiver from New York State.
10. A map showing the location for the farmers market is attached to the Resolution.

**Vote: Shannon - yes; Vlietstra - abstain; Lhota - yes; Erwin - yes; Bove - yes. Motion carried.**  
The decision was filed in the Office of the Village Clerk on April 18, 2016.

**RESOLUTION 2016-5**  
**Village of Pittsford Zoning Board of Appeals**

At a regular meeting of the Village of Pittsford Zoning Board of Appeals held at the Village hall on the 18th day of April 2016 at 7:00 p.m. The meeting was called to order by Justin Vlietstra and upon roll being called, the following were present:

PRESENT: Justin Vlietstra  
Jeffrey Bove  
Heather Erwin  
Susan Lhota  
JoAnne Shannon

Mindy L. Zoghlin, Esq., PZBA Attorney

ABSENT: Floyd D. Kofahl, Building Inspector

The following resolution was offered by Board Member Bove, who moved its adoption, and seconded by Board Member Erwin, to wit:

**WHEREAS**, the Village of Pittsford Zoning Board of Appeals received an application from Robert Putney of Impact Earth, Inc. for a temporary zoning permit to allow the seasonal operation

of a Farmers Market at Copper Beech Park and adjacent Pittsford Municipal Parking Lot pursuant to Chapter 210-109, Temporary Permits, of the Code of the Village of Pittsford, and

**WHEREAS**, in connection with such application, the Zoning Board of Appeals has received and reviewed an application, Letter of Intent, Site Plan Drawing, Letter of Endorsement from the Village of Pittsford Board of Trustees, Letter of Endorsement from the Town of Pittsford, ZBA minutes from the applicant's 2015 application for a temporary zoning permit and, held a public hearing and received comments, and

**WHEREAS**, after review, the Zoning Board of Appeals has weighed the effects of the requested temporary zoning permit on the health, safety and welfare of the neighborhood and community, and made the following findings:

1. The proposed action is a minor temporary use of land having negligible or no permanent impact on the environment, and therefore is a Type II action that is not subject to SEQRA Review pursuant to 6 NYCRR 617.5(c)(15).
2. This application involves a seasonal temporary permit and is therefore exempt from County Planning Board review pursuant to General Municipal Law section 239-m and an Agreement between Monroe County and the Village of Pittsford dated January 11, 1994.
3. The proposed action is in a waterfront area of the Village of Pittsford but is a Type II action under SEQRA so it is not subject to a local waterfront consistency review.
4. Upon issuance of this temporary zoning permit, the proposed use will comply with all regulations, requirements and applicable ordinances of the Village of Pittsford as applicable to the subject property.
5. The proposed use is in the B-1 retail business district which permits retail business, supermarkets, department stores but does not permit farmers markets.
6. The proposed use is in a municipal parking lot and adjacent properties include the Town of Pittsford Library, restaurants, and retail businesses.
7. No residential homes are adjacent to the site.
8. The site is commonly used for various events including community festivals.
9. The proposed use fits with the general purpose and intent of the Zoning Code for the B-1 district, and the chosen times, nature, intensity, and location of the use adequately mitigate adverse impacts on the surrounding neighborhood.
10. The proposed use will not tend to depreciate the value of adjacent property, taking into account the temporary nature of the use.
11. The proposed use will not create a hazard to health, safety or general welfare.
12. The proposed use will not be detrimental to the flow of traffic in the vicinity.

- 13. The proposed use will not alter the essential character of the neighborhood nor be detrimental to the residents thereof.

**NOW THEREFORE, IT IS RESOLVED** that the application of Robert Putney of Impact Earth, Inc. for a temporary zoning permit to allow the seasonal operation of a Farmers Market at Copper Beech Park and adjacent Pittsford Municipal Parking Lot pursuant to Chapter 210-109, Temporary permits, of the Code of the Village of Pittsford is hereby granted for the reasons stated above, subject to the following conditions:

- 1. The Farmers Market may be operated on Saturdays from June 1, 2016 to October 31, 2016, between the hours of 9am and 1pm plus reasonable setup and take down time.
- 2. All trash and signage shall be removed from the site by 3PM each Saturday.
- 3. The Village Building Inspector shall be notified at least 1 week prior to operation at any special event.
- 4. The ZBA reserves the right to revoke the temporary zoning permit if operation of the business creates traffic hazards or unsafe conditions for pedestrians, or if there are health, safety or welfare concerns that are communicated to the applicant and not resolved. If there is an emergency condition, the ZBA may revoke the permit and provide the applicant with a post-revocation hearing. If there is a non-emergency condition, the ZBA shall provide the applicant with notice and an opportunity to be heard on the revocation. The ZBA shall have sole discretion to determine whether a condition constitutes an emergency.
- 5. The Fire Marshall shall determine that the Farmers Market meets Fire Code regulations.
- 6. The applicant receives permission from the Town of Pittsford to operate the Farmers Market in the proposed location and complies with any conditions imposed by the Town of Pittsford.
- 7. The Applicant shall maintain a liability insurance policy of at least \$1,000,000 naming the Village of Pittsford and Town of Pittsford as certificate holders.
- 8. The applicant shall obtain a Vendor Permit from the Town of Pittsford Public Works Commissioner.

The question of the foregoing resolution was duly put to vote as follows:

|                  | Yes | No | Abstain |
|------------------|-----|----|---------|
| Justin Vlietstra |     |    | X       |
| Jeffrey Bove     | X   |    |         |
| Heather Erwin    | X   |    |         |
| Susan Lhota      | X   |    |         |
| Jo Anne Shannon  | X   |    |         |

PZBA 04.18.16

Dated: April 18, 2016  
Pittsford, New York

By order of the Village of Pittsford Zoning Board of Appeals

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Location of Seasonal Farmers' Market
at Copper Beach Park

Impact Earth Inc. Application for a
temporary zoning permit for the seasonal
operation of a Farmers' Market

The legal notice was published in the April 1, 2016 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, April 18, 2016 at 7:00 pm, to consider an application made by Northfield Common, LLC, for final site plan approval for the property located at 50 State Street, pursuant to Village Code § 210-85.”

Discussion: Chairperson Vlietstra stated that the proposal is for restriping, repaving, landscaping, installation of new pedestrian walkways, and installation of two new light fixtures. He explained that in 2014, the Planning Board reviewed striping, the location of the handicapped parking, and the location of the dumpsters.

Member Vlietstra stated that the landscaping plan proposes planting two new river birch trees in the area of Building L, two more near the current pond, and a paper-bark maple just south of the fire lane. He explained that the river birch trees are medium-size trees and the paper-bark maple is a small tree. Member Erwin expressed concern with planting trees at the entrance of the site. She stated that the trees could obstruct the visibility of vehicles entering and exiting the site. She also pointed out that there is no proposal to restore the tree that was removed from the center of the parking lot. It was suggested that a tree be added to the interior of the parking lot in the location of the removed tree, with flower beds around it.

Member Lhota stated that the reference to a “proposed landscaping area” is misleading, because the addition of two trees does not constitute a “landscaping area.” She stated that the Board needs to see an accurate representation of what is existing in the area. She suggested that the plan list the new items separately or use different colors to distinguish the existing elements from the proposed new items. Member Erwin stated that the pavement striping has adversely affected some of the merchants’ businesses. Member Vlietstra noted that the only trash disposal is between Buildings B and O, and he observed complaints from merchants at a recent Trustee meeting that the long distance to trash dumpsters is a problem. The landscaping plan did not show any screening around the trash disposal area.

Member Erwin questioned whether there was adequate space between buildings D and G to install the new light fixtures, and how the lights will be incorporated with the existing lights and with the landscape architecture. She also expressed concern with the fact that the proposed landscape area has not been incorporated into the parking lot area. Board members also stated that the addition of new trees does not provide additional greenspace on the site plan. Chairperson Vlietstra stated that the applicants are proposing a bio-retention area by filling in the pond with gravel and covering it with soil and plantings.

Chairperson Vlietstra referenced Village Code § 210-81.G(3):

Outdoor parking facilities containing 15 or more spaces shall contain interior landscaping equivalent to at least 5 percent of the paved area of the parking facility, designed and planted in accordance with the following:

- (a) An interior planting area shall consist of at least 20 square feet, with no dimension of less than four feet.
- (b) Interior planting areas shall be distributed within the parking facility.
- (c) At least one tree, having a caliper of at least 3½ inches at the time of planting and of a species characterized by rapid growth and hardiness for location within a parking area, shall be

provided for each 10 parking spaces. At least one such tree shall be located within each interior planting area.

Chairperson Vlietstra stated that there is currently asphalt paving between Buildings E/R, R/J, and J/H that serves no purpose other than for vehicles to drive through. He suggested that landscaping elements could be added in these areas. He stated that potential areas for landscaping are: (1) next to handicap parking spaces that are west of Building B; (2) near the handicap parking spaces west of Building G, next to the fire lane; and (3) in front of Building E, near the turnaround.

Board members also discussed that the applicants removed an existing historic building from the site.

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

Vote: Shannon - yes; Vlietstra - yes; Lhota - yes; Erwin - yes; Bove - yes. *Motion carried.*

The following people spoke:

Mike Reynolds, of Church Street, stated that he had heard that there was a proposal for an entertainment district in the area, and he is concerned with the impact on the residences in the area.

Art Pires, 70 State Street:

Mr. Pires asked why the public hearing for Northfield Common is different from their original application for Site Plan approval.

Mr. Vlietstra explained that the Planning Board initially looked at striping, handicapped parking, and dumpsters in their preliminary review in 2014 but during the course of the public hearing substantial concerns were raised about landscaping, lighting, pedestrian safety, and drainage. Preliminary approvals were conditioned on the applicant returning for review of landscape, drainage, and lighting plans. On August 11, 2014, the Building Inspector determined that the modifications to the parking lot were extensive enough to constitute a new parking and loading facility, and the parking lot must be fully compliant with Village Code § 210-81. That determination was not appealed. In response to the notices of violation issued by Mr. Limbeck, the applicants are required to apply for site plan approval.

Mr. Pires presented photographs of a trailer parked to the east of maintenance building "O" for several months, which appears to be used as a storage shed. He questioned if this trailer was permitted to be stored at this location. He stated that at one point in the past the owner's landscaping business had been using this as a staging area and building for landscape product equipment and business. Mr. Pires requested confirmation that the existing building (Building O) (to the left of the trailer) is permitted only as a maintenance building, and the zoning of the parcel precludes the use of the building and land for the operation of a landscaping or storage business. He further stated that the triangular greenspace area east of, and contiguous to, Building O is regularly maintained (mowed) by the owners. He commented that the site plan is lacking sidewalk, stop sign, and pavement markings near the entrance and does not include the existing monument sign, which would be helpful as a point of reference for the Board in their review of sight lines from existing vehicles from the Common to State Street. He further noted that the sizes of new trees are

not specified, and that this information is typically provided on landscape plans: more specifically caliper and height of the trees, both at time of planting and at maturity. He also suggested that the required number of parking spots, the area of existing and proposed greenspace, the area of the pre-existing paved and gravel areas, and the proposed pavement area be added to the plans.

Mr. Pires also noted that the owners had remedied a drainage issue that had been affecting his property, so that it is no longer a concern, and that this was appreciated. Member Vlietstra stated that better screening between the commercial property and the residential properties is needed, particularly at the eastern end of the site. Mr. Pires stated the current snow storage area next to Building O is too small and not practical; snow piles in this location cause snowmelt to run onto his property. Mr. Pires requested that natural, transitional landscaping be installed in the area immediately east of the maintenance building "O", leaving the remainder of the eastern green space as is, and residential view of RGE lands and adjacent farm fields open and unrestricted. He also suggested that the owner utilize the end of the RGE right-of-way, which is north of the current snow storage area. They have been using the RGE right-of-way to store snow and it is the only practical location. A guiderail fence at the eastern end of the site would be useful to mark the snow storage area. Member Vlietstra said he thought the Trustees were negotiating rights to the RGE right-of-way and he will inquire as to the status and future plans for that land. He suggested that an arrangement could be made for it to be approved for snow storage. Mr. Vlietstra stated that he observed additional snow storage problems on the site adjacent to Building E; the business owner had to put a sign in front of his loading door this winter requesting that snow not be stored in that location.

Chairperson Vlietstra asked Mr. Pires whether trash disposal or collection was noisy, disruptive, or performed at inappropriate times. Mr. Pires stated the refuse contractors typically have picked up the trash after 6:30 a.m. Restaurants and businesses are not dumping bottles or trash late at night. Trash pickup of the dumpster is once a week at about 6:30AM – 7:00AM and is not disruptive.

Mr. Pires noted that the paving operation in the fall of 2015 appeared much more extensive than described by the applicant. He questioned if 1.84 acres of pavement reconstruction should mandate a DEC permit with consideration of water quality and stormwater runoff. He also requested clarification of Village Code regarding permissible hours of pavement reconstruction work.

Mr. Pires also inquired about the lighting plan, noting that it does not show enough information and it appears that there is pronounced variation of light levels that have an impact on visibility. Site lighting plans typically show maximum, minimum, and average light levels. Some of the areas are inadequately lit and light spillage onto adjacent properties is a problem.

Chairperson Vlietstra stated the Board has not yet reviewed lighting. The Building Inspector has stated that some of the light fixtures are in violation of Village Code, but the Board does not know which ones are in violation. The applicant stated all existing light fixtures predate code and should be permitted as pre-existing non-conforming fixtures. The applicant did not provide any documentation to support the claim that light fixtures predate lighting code. The status of existing fixtures needs further review.

Mr. Pires' public comments are summarized in the document attached to these minutes.

Mr. Vlietstra stated that the public hearing will remain open and review will continue at the Board's next meeting on May 16.

Minutes:

Motion: Chairperson Vlietstra made a motion, seconded by Member Erwin, to approve the March 21, 2016 minutes, as revised.

Vote: Shannon - yes; Vlietstra - yes; Lhota - yes; Erwin - yes; Bove - yes. Motion carried.

Motion: Chairperson Vlietstra made a motion, seconded by Member Erwin, to approve the April 4, 2016 minutes, as revised.

Vote: Shannon - yes; Vlietstra - yes; Lhota - yes; Erwin - yes; Bove - yes. Motion carried.

Motion: Chairperson Vlietstra made a motion, seconded by Member Shannon, to approve the revised meeting schedule.

Vote: Shannon - yes; Vlietstra - yes; Lhota - yes; Erwin - yes; Bove - yes. Motion carried.

Motion: Chairperson Vlietstra made a motion, seconded by Member Shannon, to close the meeting.

Vote: Shannon - yes; Vlietstra - yes; Lhota - yes; Erwin - yes; Bove - yes. Motion carried.

Linda Habeeb, Recording Secretary

Submitted by Art Pires, 70 State Street

**Northfield Commons (NFC)
18 April 2016
Village P&ZB Meeting**

General Questions

1.5.27.14 Application to Planning Board: *Reconfiguration of Parking Area & Dumpster Corral Location versus Pavement Reconstruction versus Milling?*

a. Clarification of actual application: 1.84 acres pavement reconstruction versus milling?

b. Disturbance of more than one (1) acre of soil disturbance with pavement reconstruction

- i. DEC permit requirement for more one (1) or more acres of soils disturbance.
2. Current status of former railroad bed, running continuous along NFC property line?
3. RGE property of in process of conveyance to Village?
4. Current use and permit for maintenance building “O”
5. Existing storage trailer parked next to building “O” permitted under Village Code?
6. DEC water quality requirements with consideration of pavement stormwater runoff?

Site Plan set review comments & questions

1. RGE and / or Village permission for acceptance of NFC site / pavement surface drainage?
2. Information missing from site plan set:
 - a. Existing pavement markings at NFC approach to State Street (e.g. stop bars, text, signs, etc.)
 - b. Existing NFC ground monument sign
 - c. Landscape Plan: Proposed tree size (install caliper and height)

Site Plan set review comments & questions (continued)

3. Photometrics for entire parcel Site lighting code?
 - a. Lighting fixture specification sheets?
 - b. Dark Sky compliant lighting (site and building)?

- 4.Site Data Information, e.g. Parcel acreage, Tax parcel #, Greenspace, parking spaces (Existing and Proposed)?
- 5.Dumpsters: Existing and proposed? Screening of dumpsters?
- 6.RGE / Village permission for snow storage on Village right-of-way? Currently and future (with conditions?)

Site Data

- 1.Greenspace (Area and percentage of overall parcel): Existing and proposed.
- 2.Pre-existing and proposed parking spaces
- 3.Number of proposed handicapped parking spaces.
- 4.Pre-existing paved areas, gravel areas and proposed pavement area
- 5.Requisite variances? Internal greenspace, overall greenspace, parking spaces, etc.?
- 6.Site light levels: Maximum, minimum foot-candles (f.c.) as well as max / min ratio

Recommendations

- 1.Site Plan Approval subject to Conditions, e.g. Bond, letter of Credit (LOC)
- 2.Days and hours of pavement reconstruction work.
- 3.Restriction on hours of refuse collection pickup
- 4.Wooden guiderail fencing at east end of NFC