

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

PRESENT:

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

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

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

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

Conflict of Interest Disclosure:

Chairperson Vlietstra asked if anyone had a conflict of interest with any of the applications before them, and no one had a conflict of interest to report.

18-20 South Main Street ~ Site Plan

Chairperson Vlietstra explained that the public hearing for site plan review for 18-20 South Main Street that was scheduled for this meeting will not be heard, because the Building Inspector has determined that site plan review is not appropriate at this time. The applicant applied to the Board of Trustees for a special use permit and they will be on the August 15th Zoning Board agenda for an area variance for parking.

Northfield Common, 50 State Street ~ Site Plan

Present: Charlie Fox, property owner; Greg Barkstrom, Director of Real Estate; Donald Young, Attorney, Boylan Code, LLC; Ken Bracker, Architect; Mary Scipioni, Landscape Architect

Discussion: Chairperson Vlietstra stated that this is a continuation of a public hearing for 50 State Street that was opened at the April 18, 2016 Planning Board meeting. Mr. Barkstrom submitted revised lighting and landscaping plans for the Board's review. He explained that he and the Building Inspector had walked the site and developed an action plan documenting which lights need replacement, relocation, or adjustment, and where additional lighting is required. He stated that they have developed a 2-year plan to implement the lighting changes, and they will work with the Building Inspector and the APRB to implement the plan. Mr. Barkstrom stated that two parking lot light poles have been relocated inside the edge of the striped area as requested by the Fire marshal. The applicants received approval from the APRB for installation of the two light fixtures, subject to

approval of the Planning Board. He submitted a letter from the APRB Chairperson, dated June 14, 2016, documenting the approval.

Chairperson Vlietstra questioned whether any metal halide or sodium vapor lights will remain. Mr. Barkstrom stated that if the lights are in compliance, they will remain, and he thought there would be two remaining metal halide lights. Member Erwin questioned the applicants about pedestrian safety issues related to lighting. Mr. Barkstrom explained that, with the revised lighting plan, the dark areas will have improved illumination. For example, the dark area between Buildings A and C is a safety issue that will be addressed. He also stated that where there is glare onto surrounding properties, those areas will be brought into compliance. Some lights are currently controlled by light switches in merchant's shops but this will change to a central control with either timers or sensors to ensure that lighting is always on at appropriate times. Member Vlietstra asked if there are any plans for the lighting controls to dim or turn off lights after all businesses close. Mr. Barkstrom stated he thinks most of the lights are needed for safety and will be left on.

Landscape Architect, Mary Scipioni, stated that the landscape plan has been revised to include three dogwood trees on the eastern area of Building O. She said the trees will be different colors and can grow to 20 feet in height. She also stated that the canopy of the paper maple tree on the north side of Building L will clear the 13' - 6" height required for fire truck access. The proposed mature height, caliper, and width of the trees have been added to the landscaping plan.

The Building Inspector, Mr. Kofahl, explained that he has an old map of the site that indicated that in 1972, there was no detention pond at the site. After a fire at Bill Gray's Restaurant in 2002, a retention pond was installed. A small area of the site drains to this pond. The pond is currently functioning but has not been maintained and is full of silt. The applicants intend to clean out the pond and restore it to its original specifications and maintain it.

Mr. Kofahl stated that there is some debris in an area on the northeast end near the RGE right-of-way that the Village is working with RG&E to clean it up. This clean-up should allow storm water to traverse into the natural drainage path near the northeast end of their property. He also stated that there is a berm on the east side of the property that needs to be cleaned up to allow stormwater to enter the natural drainage path north of buildings J and H. He reported that there are no standing water issues on the site as water dissipates with 72 hours.

Member Shannon questioned whether the walkway will be connected to the Village sidewalk. Mr. Kofahl pointed out that there are restrictions on road width for fire truck access which limits opportunities to install sidewalks. Board members discussed the parking at Pittsford Lumber. Mr. Kofahl stated that there are no issues with delivery vehicles unloading. Loading and unloading are adjacent to the fire truck turn around lane and the drivers can move the vehicle from the fire lane area if an emergency vehicle needs access to the area. The question was asked whether a Stormwater Pollution Prevention Plan (SWPPP) is required, and Mr. Kofahl stated that since less than one acre of soil will be disturbed, the plan is not required.

Chairperson Vlietstra thanked the applicants for the revised documents, but emphasized that the Board members will need time to review the documents prior to making a decision on the site plan. He stated that the Village has a policy that documents be submitted a week before meetings so that Board Members have adequate time to review them. The Board's Attorney stated that the current plans have not been reviewed by the Board in detail and initial comments made at the meeting should not be interpreted as any indication of their approval.

Mr. Young requested that the Board allow the applicants to complete the paving of the site. Board members expressed concern with granting partial approval of the site plan. They were in agreement that they will require a complete site plan prior to rendering a decision. Chairperson Vlietstra mentioned that he shares concern of the amount of chronological time spent on this application and is amenable to schedule special meetings to hasten the process, but the Board will do a thorough review of the application.

Motion: Chairperson Vlietstra made a motion, seconded by Member Bove, to hold a special meeting for 50 State Street at 7:30 pm on July 28, 2016.

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 July 18, 2016.

Member Items:

Board members discussed Proposed Local Law 15–2015 adding Chapter 210-74.1. The section is intended to permit non-restaurant uses which permit the service of alcohol that are compatible in scale, intensity of use, and density with existing adjacent uses and which will not cause a nuisance for nearby residents and businesses, be detrimental to the value of nearby residential neighborhoods, or harm residents' quality of life. Board members discussed bars located in a historic business district, and whether they should be confined to a small area, and the potential environmental impact. It was suggested that the rationale for the square footage restriction be explained. Changes previously requested by the Board to clarify the Planning Board's review criteria for special permits were not included in law.

SEQR Review for 18-20 South Main Street

Motion: Chairperson Vlietstra made a motion, seconded by Member Bove, declaring that the PZBA has no objection to the Board of Trustees being named as lead agency for the SEQRA review of the Type 1 action at 18-20 South Main Street.

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 July 18, 2016.

Trustee Brizee explained the planned sequence of review of 18-20 South Main Street. The Zoning Board can start their review of the area variance at their August 15th meeting but a final vote must be after the Trustees vote on a SEQRA determination. The Trustees have a hearing scheduled for Sept. 13 and if a SEQR determination is made, the Zoning Board can vote on the variance at their Sept. 19th meeting and a final vote on the Special Permit may be made by the Trustees at their Sept. 27 meeting.

Minutes: 6/20/16

Motion: Chairperson Vlietstra made a motion, seconded by Member Bove, to approve the 6/20/16 PZBA meeting minutes, as revised.

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

7/18/16 PZBA Mtg.

Motion: Chairperson Vlietstra made a motion, seconded by Member Bove, to adjourn the meeting at 9:30 pm.

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

Linda Habeeb, Recording Secretary